

# ATHY TOWN DEVELOPMENT PLAN 2012-2018



MANAGER'S REPORT ON SUBMISSIONS RECEIVED ON  
DRAFT ATHY DEVELOPMENT PLAN 2012-2018

August 2011



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*Manager's Report on Draft Athy Development Plan 2012-2018*

## **PART ONE**

Introduction, Legislative Background, Next Steps and Public  
Consultation Process

*Manager's Report on Draft Athy Development Plan 2012-2018*

## **1 INTRODUCTION**

### **1.1 Purpose and Contents of Report**

- 1.1.1 The purpose of this document is to report on the outcome of the public consultation process carried out in relation to the Draft Athy Town Development Plan 2012-2018 and to make recommendations on changes to the Draft Plan, as appropriate. The Draft Plan public consultation ran for a ten-week period from 30<sup>th</sup> March 2011 to 7<sup>th</sup> June 2011. 65 written submissions were received during this period.
- 1.1.2 This report forms part of the statutory procedure for the preparation of a new Athy Development Plan and is now being submitted to Council Members for their consideration.
- 1.1.3 **PART 1** of the report consists of an introduction, followed by an explanation of the legislative background (European and National) and requirements for the Manager's Report under the Planning and Development Acts 2000-2010 and a description of the next steps in the process of making the new Athy Development Plan. This part is completed with a description of the consultation process, an overview of the written submissions received and a list of the persons or bodies who made submissions/observations on the Draft Development Plan.
- 1.1.4 **PART 2** consists of a summary and analysis of the issues raised in the written submissions received by the Council. The response of the County Manager to the issues raised is then given, including a recommendation on whether or not a change to the text or maps of the Development Plan is required.

At the beginning of Part 2 a summary of the submission from the Minister of the Environment, Community and Local Government is set out together with the response of the Manager, as required by the Planning and Development Act 2000 as amended. At the end of Part 2 the submissions on the Environmental Report are summarised and analysed and recommendations made.

In Part 2, the issues are analysed and summarised under the theme and chapter headings of the Draft Development Plan. These are as follows:

Chapter 1	Introduction and Strategic Context
Chapter 2	Core Strategy
Chapter 3	Economic Development
Chapter 4	Housing
Chapter 5	Town Centre
Chapter 6	Retail
Chapter 7	Movement and Transport

- Chapter 8 Water, Drainage and Environmental Services
- Chapter 9 Energy and Communications
- Chapter 10 Social, Community and Cultural Development
- Chapter 11 Recreation and Amenity
- Chapter 12 Archaeological and Architectural Heritage
- Chapter 13 Natural Heritage and Biodiversity
- Chapter 14 Urban Design and Opportunity Areas
- Chapter 15 Development Management Standards
- Chapter 16 Land Use Zoning

1.1.5 **PART 3** consists of the Submission and Responses in relation to the SEA Environmental Report

## **1.2 Submissions**

65 written submissions were received during the consultation period. The opinions, views and ideas set out in the submissions related to aspects of planning, however some issues were not related to the Development Plan process. The Council wishes to express its appreciation to those who took the time to make a submission, view the displays or attend the public information afternoon in Athy Town Council Offices, Rathstewart.

## **1.3 Manager's Report**

The Planning and Development Act, 2000 requires the County Manager to prepare a 'Manager's Report' on the submissions and observations received, to respond to the issues raised and to make recommendations on the policies in the draft plan as published. That is the function of this document. The legislation also requires that all of the foregoing must be considered against a backdrop of national and regional policies, guidelines and standards.

## **2 LEGISLATIVE BACKGROUND AND REQUIREMENTS**

### **2.1 Planning and Development Act**

- 2.1.1 Section 12(4) of the Planning and Development Act, 2000, as amended, requires that not later than 22 weeks after giving notice that a Draft Development Plan has been prepared, a Manager's Report must be produced on any submission/observation received in relation to the Draft Plan and that a report must be submitted to the Members of the Authority for their consideration.



- 2.1.2 Section 12(4)(b) of the Act states that the Manager's Report must:-
- List the persons or bodies who made submission or observations;
  - Summarise the issues raised in the submissions or observations;
  - Give the response of the Manager to the issues raised. In this regard the Manager's response must take into account –
    - Any previous directions of the Members of the Authority under Section 11(4) of the Act
    - The proper planning and sustainable development of the area
    - The statutory obligations of any Local Authority in the area
    - Any relevant policies or objectives of the Government or of any Minister of the Government and, if appropriate
    - Any observations on Protected Structures made by the Minister for Arts, Heritage, Gaeltacht and the Islands under section 12 (3)(b)(iv) of the Act.
    - The Manager's Report and the Draft Plan must then be considered by the Members of the Planning Authority within a period of 12 weeks.
- 2.1.3 The Members of the Authority may then accept or amend the Draft Plan, and make the Development Plan accordingly. Should amendments be proposed which would constitute material alterations to the Draft Plan, similar procedures are required as at the Draft Plan stage i.e. notification, a public display period and submission of a Manager's Report to Members on any submission or observation received on the proposed amendments. Members may then make the Development Plan with or without the proposed amendments or with modifications to the proposed amendments as they consider appropriate.
- 2.1.4 Section 12(11) of the Act states that in making the Development Plan, Members are restricted to considering –
- The proper planning and sustainable development of the area to which the Development Plan relates,
  - The statutory obligations of any Local Authority in the area, and
  - Any relevant policies or objectives for the time being of the Government or any Minister of the Government.

## **2.2 European Legislation**

European legislation is playing a larger part than ever before in the law and decision making process at both a national and local level in Ireland. Of particular importance to this Development Plan review process are the EU Floods Directive (2007/60/EC), the Strategic Environmental Assessment Directive (2001/42/EC) and the Habitats Directive (92/43/EEC).

### **2.2.1 Flooding**

Directive 2007/60/EC of the European Parliament and of the Council of Ministers requires Member States to assess the risks of flooding along all watercourses and coast lines. It also requires Member States to map the extent of potential flooding in each case, determine the assets and humans at risk in the areas and to take adequate and coordinated measures to reduce this flood risk. The aim of the Directive is to reduce and manage the risks posed by flooding to human health, the environment, cultural heritage and economic activity.

The Floods Directive was transposed into Irish Law in March 2010 and the Commissioners of Public Works in Ireland was appointed as the Competent Authority under the Directive.

The OPW is the lead agency for flood risk management in Ireland and is responsible for the coordination and implementation of Government policy on this issue.

"The Planning System and Flood Risk Management Guidelines were prepared in response to the recommendations of the National Flood Policy Review Group and focused on providing for comprehensive consideration of flood risk in preparing Regional and Local Plans and in determining applications for planning permission.

The Guidelines generally require that development should not be permitted in flood risk areas, particularly floodplains, except where there are no alternative and appropriate sites available in lower risk areas that consistent with the objectives of proper planning and sustainable development.

## **2.2.2 Strategic Environmental Assessment**

Directive 2001/42/EC of the European Parliament and of the Council of Ministers introduced the requirement that SEA be carried out on plans and programmes which are prepared for a number of sectors, including land use planning. The SEA Directive was transposed into Irish Law through the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (Statutory Instrument Number (SI No.) 435 of 2004) and the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (SI No. 436 of 2004). Both sets of Regulations became operational on 21 July 2004. The legislation requires certain plans and programmes which are prepared by the Council - including the Athy Development Plan - to undergo SEA. The findings of the SEA are expressed in an Environmental Report which is submitted to the Elected Members alongside the Development Plan. The Elected Members must take account of the Environmental Report before the adoption of the Plan. When the Plan is adopted a statement must be made public, summarising, inter alia: how environmental considerations have been integrated into the Plan and the reasons for choosing the Plan as adopted over other alternatives detailed in the Environmental Report.

In this regard, the likely environmental impacts of implementing the Draft Athy Development Plan, published in March 2011, are described in the draft Environmental Report. The elected members are required to consider this Report along with the Draft Plan, (and the submission of the Minister, prescribed bodies and the public and the recommendations of the Manager), in making a decision as to whether or not to adopt the plan. Where elected members resolve to make amendments to the draft plan, such amendments will be put through a similar environmental assessment procedure, the results of which are required to be considered by the members prior to making the final decision on the amendments to the Draft Plan.

The key implication for decision makers therefore is the necessity that the environmental implications of adopting or not adopting a certain strategy or policy

/ objective must be taken into consideration in decision making and this decision making process must be fully documented and open to public scrutiny.

### **2.2.3 Appropriate Assessment**

With the introduction of the Birds Directive in 1979 and the Habitats Directive in 1992 came the obligation to establish the Natura 2000 network of sites of highest biodiversity importance for rare and threatened habitats and species across the EU. A key protection mechanism for these sites is the requirement to consider the possible nature conservation implications of any plan or project on the Natura 2000 site network before any decision is made to allow that plan or project to proceed. Not only is every new plan or project captured by this requirement but each plan or project, when being considered for approval at any stage, must take into consideration the possible effects it may have in combination with other plans and projects by going through the process known as 'Appropriate Assessment' (AA). The obligation to undertake AA derives from Article 6(3) and 6(4) of the Habitats Directive and both involve a number of steps and tests that need to be applied in sequential order. Each step in the assessment process precedes and provides a basis for other steps. The results at each step must be documented and recorded carefully so there is full traceability and transparency of the decisions made. They also determine the decisions that ultimately may be made in relation to approval or refusal of a plan or project.

AA is not a prohibition on new development or activities but involves a case-by-case examination of the implications for the Natura 2000 site and its conservation objectives. In general terms, implicit in Article 6(3) is an obligation to put concern for potential effects on Natura 2000 sites at the forefront of every decision made in relation to plans and projects at all stages, including decisions to provide funding or other support.

A Stage 2 Appropriate Assessment of the Draft Athy Development Plan was carried out. A number of policies and objectives within the Plan were identified which could lead to impacts on the River Barrow/River Nore SAC. Having incorporated mitigation measures, it was concluded that the Draft Athy Town Development Plan would not have a significant adverse effect on the River Barrow/River Nore SAC. The results of this Appropriate Assessment were recorded in a Natura Impact Report (NIR). The NIR was one of the documents put on display with the Draft Plan.

Any amendments that may be now proposed by the elected members must also be subject to Appropriate Assessment. Where the members resolve to make amendments, they must also have regard to their obligations in this regard and will be advised, through the production of an addendum to the NIR, of the likely significant impacts (if any) of implementing the proposed amendments. In their final decision making process, the members must have regard to the findings of this report.

If it can be concluded on the basis of NIR that there will be no adverse effects on the integrity of a Natura 2000 site, the plan or project can proceed to

authorisation, where the normal planning or other requirements will apply in reaching a decision to approve or refuse.

## 2.3 Key Stages in Plan Preparation

2.3.1 The table below outlines the key stages in the Development Plan process leading up to the current stage.

<b>Key Stages to Date in Preparation of Draft Development Plan</b>	
<b>Date/Timeframe</b>	<b>Stage</b>
1 <sup>st</sup> April 2010	Public notice of intention to prepare new plan and review existing plan.
1 <sup>st</sup> April 2011 to 26 <sup>th</sup> May 2010	Pre-Draft Public Consultation Period: Public meetings held.
September 2010	Manager's Report prepared on Pre-Draft submissions received. The report summarised the views expressed by individuals and bodies both in written submissions and at public consultation meetings.
March 2011	Manager's Report adopted by Council and directions given to staff to prepare a Proposed Draft Development Plan.
March 2011	Proposed Draft Development Plan presented to Councillors. Councillors make amendments to Proposed Draft Plan.
30 <sup>th</sup> March 2011 to 7 <sup>th</sup> June 2011	Draft Development Plan on public display for 10 weeks.
<b>CURRENT STAGE</b> 8 <sup>th</sup> June 2011 to 10 <sup>th</sup> August 2011	Manager prepares Report on submissions/observations received during the Draft Plan consultation period and submits it to Members for their consideration.

## 2.4 Consideration by Council Members and Next Steps

2.4.1 Council Members have 12 weeks within which to consider this Manager's Report. In order to facilitate this process, meeting(s) will be organised to discuss the Report. Following consideration of the Draft Development Plan and Manager's Report, Members may then accept the Draft Plan, and make the Development Plan. Should amendments be proposed which would constitute material alterations to the Draft Plan, there is a further public display period giving people

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an opportunity to comment on the proposed amendments only. This is followed by the preparation of a Manager's Report for Members on any submissions or observations received on the proposed amendments.

Members may then make the Development Plan with or without the proposed amendments or with modifications to the proposed amendments as they consider appropriate.

2.4.2 The table below summarises the next steps in the process of preparing the Development Plan, as outlined above.

<b>Next Steps in process of preparation of Development Plan</b>	
<b>Date/Timeframe</b>	<b>Stage</b>
10 <sup>th</sup> August 2011 to 1 <sup>st</sup> November 2011	Members consider Draft Plan and Manager's Report within 12 weeks of submission of Manager's Report.
November 2011	Members may amend Draft Plan/ adopt the Plan.
November 2011	If Draft Plan is to be materially amended, further public notice is given.
Submissions/observations November/December 2011	Amendments on display for a period of not less than 4 weeks and submissions/observations invited during that period.
December 2011 to January 2012	Manager prepares report on submissions/observations received and submits it to Members.
January/February 2012	Members consider Manager's Report within 6 weeks.
February 2012	Members make the Plan with or without amendment.
March 2012	Public notice of making a Development Plan (Plan comes into effect 4 weeks from the date it is made).

## **2.5 Inputs into Preparation of Draft Development Plan**

2.5.1 The preparation of the Draft Development Plan involved inputs from a variety of sources, as set out below.

### **Review of Athy Town Development Plan 2006-2012**

The first stage of the process was to review the existing Development Plan

### **Mandatory Objectives**

These are set out in the Planning and Development Acts, 2000 as amended and include objectives for the zoning of land; the provision of infrastructure; the conservation and protection of the environment; and the integration of the planning and sustainable development of the area with the social, community and cultural requirements of the area and its population, etc. Other non mandatory objectives are also referred to in the Planning Acts.

### **Members' Directions**

Council Members put down motions setting out their views on various issues which they sought to have incorporated into the Draft Development Plan

### **Pre-Draft Stage Public Consultation Process**

Submissions were received during the Pre-Draft stage public consultation process. These were taken into account in the preparation of the Draft Plan.

### **Background Studies**

Several background studies were carried out which informed the Draft Development Plan. These included:

- Housing Land Availability
- Revision of Housing Strategy
- Revision of Record of Protected Structures
- Revision of Land Use Zoning Strategy

## **3 DRAFT PLAN CONSULTATION PROCESS**

### **3.1 Description of Consultation Process**

The Draft Plan consultation period ran from 30<sup>th</sup> March 2011 to 7<sup>th</sup> June 2011 (inclusive). The consultation process comprised the following elements:-

- A newspaper advertisement was placed in the *Kildare Nationalist* on 29<sup>th</sup> March 2011 inviting written submissions and setting out where documents were available to view or purchase.
- Submissions could be made in writing, or by e-mail
- All of the Draft Development Plan Documents including the written statement, maps and Environmental Report were on display at Athy Town Council Office, Rathstewart, Athy Library, Athy Heritage Centre, Kildare County Council Offices, Áras Chill Dara, Naas.
- The Draft Development Plan written statement, Environmental Report and appropriate assessment report, could be viewed and downloaded from the Town Council's website (and continues to be available).
- The Draft Development Plan maps were available (and continues to be available) on the Town Council's website.
- Posters were put up in various locations throughout Athy such as Athy Library, local shops and sports centres giving information on where the Draft Plan was available to view and how to make a submission.
- A Public information afternoon was held at Athy Town Council Offices, Rathstewart on 12<sup>th</sup> May 2011. This was publicised locally and on the Council website. Council staff were available to answer queries or discuss concerns on a one-to-one basis.

- Letters were sent notifying Prescribed Bodies and Athy Town Council Elected Members and local TDs.
- During the public consultation period, copies of the Plan (written statement including appendices, environmental report and maps) in hard copy or CD were available to purchase from the Planning Counter in Athy Town Council. Copies continue to be available for purchase in the Athy Town Council offices.

### **3.2 Written Submissions**

- 3.2.1 65 written submissions were received. The number of submissions highlights the significant level of public interest in the plan-making process. Lists of bodies that were consulted by the Council and persons/bodies that made submissions are all contained in appendices to this report.

### **3.3 Approach to Consideration of Written Submissions and Results of Public Consultation Meetings**

- 3.3.1 An analysis of the submissions was carried out which involved reading and summarising every submission and extracting and categorising all of the issues raised in a table format. The submissions were also passed to the appropriate Council Department for comment. Responses to the issues were then drafted, and recommendations were made as to whether or not changes were required to the Draft Plan.

## **4 OVERVIEW OF ISSUES RAISED IN SUBMISSIONS**

- 4.1 The written submissions identified a wide range of issues concerning planning and related matters in Athy. Land-use zoning, Economic Strategy, Transportation issues and requests for the removal of structures from the Record of Protected Structures accounted for the majority of issues raised with the remainder of the submissions mainly comprising general comments on community facilities, architectural and natural heritage, town centre development, retail and water infrastructure.
- 4.2 In the following section, a detailed analysis of the submissions is carried out. This includes summaries of issues raised as they relate to the various themes and chapters of the Draft Development Plan, the response of the Manager and recommendations on whether or not any changes should be made to the Draft Plan written statement and maps or to the Environmental Report.
- 4.3 The responses of the Manager have been framed taking account of the directions of the elected members; the statutory obligations of the local authority; relevant Government and Regional Guidelines and policies and the proper planning and sustainable development of the Town.
- 4.4 Recommendations for changes to the Draft Development Plan are made in the context of submissions received. Changes to the Draft Development Plan requires the resolution of the Council.

**5. List persons/bodies who made submissions/observations on the Draft Plan**

<b>Sub. No.</b>	<b>Name/Organisation</b>
1	Emmet Mc Donagh
2	Tegral Building Products Ltd
3	St. Michael's Parish Athy
4	Regional Planning Guidelines for the Greater Dublin Area 2012-2022
5	Melvin Moynan
6	Michael J. Dwyer
7	Griffin Hawe Ltd
8	Hampton Properties
9	Hampton Properties
10	Michael Hennessey
11	Jack Wall TD on behalf of Margaret Kane
12	Hampton Properties
13	Hampton Properties
14	Sinead Osborne
15	Maeve Osborne
16	Dept. of Communications, Energy and Natural Resources
17	Environmental Protection Agency
18	Hickey/Ennis Partnership
19	Andy & Pat Dunne
20	Francis B. Taffe & Co.
21	Athy Comhairle Na nOg
22	RAPID AIT
23	BRAND Project Team
24	Geraldine Partnership c/o Michael Purcell
25	Michael Purcell
26	Michael Purcell
27	National Roads Authority
28	Barry Doyle & Co.
29	Leo Mahon Water Safety Area Committee
30	D.A. Perry Ltd.



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31	Patrick Dawson
32	Shaws Department Stores
33	Office of Public Works
34	Athy Urban Ideas Event – Vivian Cummins
35	Kevin Maher and Andrew Doona
36	Paddy Raggett Homes Ltd
37	Raggett Construction Ltd
38	Michael Raggett
39	Michael Raggett
40	Michael Raggett
41	Paddy Raggett Homes Ltd
42	Paddy Raggett Homes Ltd
43	Paddy Raggett Homes Ltd
44	Paddy Raggett Homes Ltd
45	Paddy Raggett Homes Ltd
46	Winfred and Rowland Cox
47	Scoil Mhicil Naofa
48	Paul Reid
49	John Mc Donnell
50	Jim Lawler
51	Dept. of Environment, Community and Local Government. Development Applications Unit, Built Heritage & Architectural Policy
52	Conor Winkle
53	Tesco Ireland Ltd
54	Department of Education and Science
55	National Transport Authority
56	Athy Chamber of Commerce
57	Richard Malone
58	Richard Malone
59	Greencore Developments Ltd
60	Greencore Developments Ltd
61	Department of Environment, Community and Local Government Spatial Planning

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62	Raymond Bradley
63	Gabriel Dooley
64	Tegral Building Products Ltd
65	Joanna Woodhouse

## PART TWO

### 6.1 Introduction

Part 2 of the Manager's Report summarises the issues raised by the persons or bodies who made submissions or observations. The recently enacted Planning & Development (Amendment) Act 2010 at section 9 requires this report to not only summarise the issues raised by the Minister of Environment, Heritage and Local Government but also to place this summary ahead of the summary of the issues raised by others. Thus, this part of the Manager's report leads with the submission made by the DoECLG and is followed by the other submissions ordered by the chapter topics of the Draft Town Plan.

### Manager's Response to the Minister of Environment, Heritage and Local Government Submission

Item No.	Name	Summary of Issues Raised	Manager's Response and Recommendation	Sub No.
1.1	Department of Environment, Community and Local Government	<p>(i) The Draft Plan indicates that approximately 28ha of new residential zoned land is required over the plan period but that just over 200ha of undeveloped zoned residential land (excluding town centre sites) is provided for in the Draft Plan. The Draft Plan states the "Athy is therefore significantly over zoned for residential purposes and remains so in this Draft Athy Development Plan 2012-2018." Although there is a considerable surplus of undeveloped residential zoned land, the Draft Plan does not provide any provisions for rezoning and/or phasing of residential development so as to align the amount of land zoned for residential purposes with the need for such land.</p>	<p><b>Manager's Response</b></p> <p>(i) – (ii) The proposed Athy Draft Plan identified the need for 52ha of land for residential purposes in line with the Regional Planning Guidelines. The Draft Plan incorporated 185.04ha of land for residential purposes this is contrary to the Regional Planning Guidelines.</p> <p>In order to address the level of overzoning in the Draft Plan and in light of the timeframe of the RPGs it is proposed to identify additional lands for the period 2019-2022 as "white lands" for further development beyond the period of the current plan. The amount of additional lands to be designated as "white lands" has been estimated as 25ha. The remaining lands which are currently zoned are located a significant distance from the town core and are proposed to be zoned for agricultural use.</p> <p>(See Section 6.3.1 and 6.17 for a detailed breakdown of figures)</p>	61

	<p>(ii) The Core Strategy "seeks to promote a more consolidated and compact urban form". Given the lack of any provisions dealing with the very substantial overzoning situation it is not possible to achieve this stated aim, furthermore it also means that the Draft Plan does not conform with the Great Dublin Area Regional Planning Guidelines 2010, where a there is a strong emphasis on the need to create compact urban settlements. This lack of conformity with the RPGs means in turn that the Draft Plan does not conform with Section 10(2A)(a) of the Planning and Development (Amendment) Act 2010.</p> <p>(iii) The Department notes this lack of alignment with Section 10(A)(a) with considerable concern and is of the view that the Council should amend the Draft Plan to provide the necessary amount of rezoning of currently zoned residential land and/or should introduce an appropriate phasing scheme. Dezoning and/or phasing should be applied in conformity with a sequential approach to residential development. Such amendments to the Draft Plan would ensure that the amount of residential zoned land which would become available for development in the plan period (allowing for "headroom") would be in line with the estimated requirement of about 28ha which is contained in the Draft Plan.</p> <p>(iv) The Department also notes with concern that in relation to retail development, the Core Strategy and</p>	<p><b>Manager's Recommendation:</b></p> <p>(i) – (iii) In line with the RPG's 52 ha of land to be zoned new residential to include 24ha which have current planning permissions.</p> <p>25ha of existing new residential land which are sequentially the most appropriate lands for future development to be zoned White Lands (i.e lands identified for zoning in the next Development Plan).</p> <p>Remaining lands to be zoned I: Agricultural, except for sites originally named C3 and C4 to be zoned F: Open Space and Amenity.</p> <p><b>Manager's Response</b></p> <p>(iv) Include reference to DoEHLG Retail Guidelines in Section 2.3.</p>
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		<p>objective do not demonstrate, as set out in Section 10(2A)(e) of the Act, that the Planning Authority has had regard to the Retail Planning Guidelines issued by the Minister under Section 28.</p> <p>(v) It is also noted that in some cases new residential zoned land occurs within the 100 year flood area. It is suggested that the Council give consideration to adequately addressing this situation, particularly in the context of the need for rezoning and/or phasing.</p>	<p><b>Manager's Recommendation</b>                  (iv) Include statement at end of Section 2.3 as follows:                  Chapter 6 deals specifically with retail development in Athy and had regard to the Retail Strategy for the GDA 2008-2016, the Draft Kildare County Retail Strategy 2008-2016, published in 2010, and the Kildare County Development Plan 2011-2017. The review and update of the County Retail Strategy was undertaken to ensure that the retail policies in land use plans in Co. Kildare are in accordance with all national, regional and local planning frameworks. The Retail Chapter of the Draft Plan is consistent with the Department of the Environment, Heritage and Local Government's (DoEHLG) Retail Planning Guidelines for Planning Authorities (RPG) (2005) and the GDA Retail Strategy (2008).</p> <p><b>Manager's Response</b>                  (v) Refer to item no 2.1(iv) and the Strategic Flood Risk Assessment for Athy.</p> <p><b>Manager's Recommendation</b>                  (v) It is recommended that lands identified in the SFRA which are significantly affected by flooding and which did not pass the justification test are de-zoned from incompatible uses such as residential and are zoned for water compatible uses such as open space/amenity or agricultural zoning. The lands identified include C2, C3, C5 and C32.</p>
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## 6.2 Chapter 1 Introduction and Strategic Context

No submissions received.

## 6.3 Chapter 2 Core Strategy

### 6.3.1 Preface

In order to fully explain and justify the reasoning for the population allocation for Athy derived from the RPGs and the revised zoning strategy proposed in the Manager's Report the following table and text is an extract from the Draft Athy Development Plan 2012-2018.

**Table 2.3** Housing and Population Allocation 2012-2018.

Athy Town	Population
2006 Population Census	7,943
2010 Population Estimate <sup>1</sup>	9,950
2018 Population Target	10,819
Projected population increase 2006-2018	2,876 (36% increase)
2006-2018 Housing Unit Target	1,389
2006-2010 Units Constructed	702
2011-2018 Housing unit target	687 / 85 (units per year)

<sup>1</sup> 2010 Population estimate is calculated by adding the number of new households residing in new housing units completed since April 2006 to the 2006 Census population.

To plan for the potential growth as outlined above, an understanding of the existing development capacity of the town is required. Under the Athy Development Plan 2006-2012 the town currently has 203.4ha of undeveloped land zoned for residential purposes<sup>2</sup> of which 24ha is subject to valid permissions for residential developments (402 residential units). With reference to the targets as outlined in Table 2.3 it is estimated that the Plan must provide sufficient zoning to accommodate a total of 628 units<sup>3</sup>. This requires the provision of approx. 28ha of lands for residential purposes. Athy is therefore significantly overzoned for residential purposes and remains so in this Draft Athy Development Plan 2012-2018.

Regard should also be had to the *National Survey of Ongoing Housing Development* conducted by the Department of the Environment, Heritage and Local Government in 2010 estimated that 145 units are constructed and unoccupied in Athy. There is therefore an existing supply of units to cater for demand over the short to medium term.

It should be noted that the Proposed Draft Plan presented to the Members in January 2011 proposed a total of 52ha of New Residential lands to remain in the Draft Plan. This figure was in accordance with the Housing Unit Target 2011-2018 from the RPGs and included committed lands (lands with a valid planning permission) and also factored in 50% overzoning.

However the Draft Plan adopted by the Members proposed to include a total of 185.04ha. As flagged by the DoECLG and RPG submissions there is no justification or reasoning for this level of zoning in Athy.

In order to address this anomaly, it is proposed that a revised zoning strategy replaces the strategy of the Draft Plan. In order to bring population and housing unit allocation in line with RPG allocations up until 2022 the following adjustment should be incorporated into the revised zoning strategy for Athy.

RPG County Allocation 2016-2022 = 18,729 units or 3,122 units per year.

Therefore County Allocation for 2019-2022 = 12,488 units

Athy 4.5% of overall growth of the County = 562 additional units allocated over the period 2019-2022.

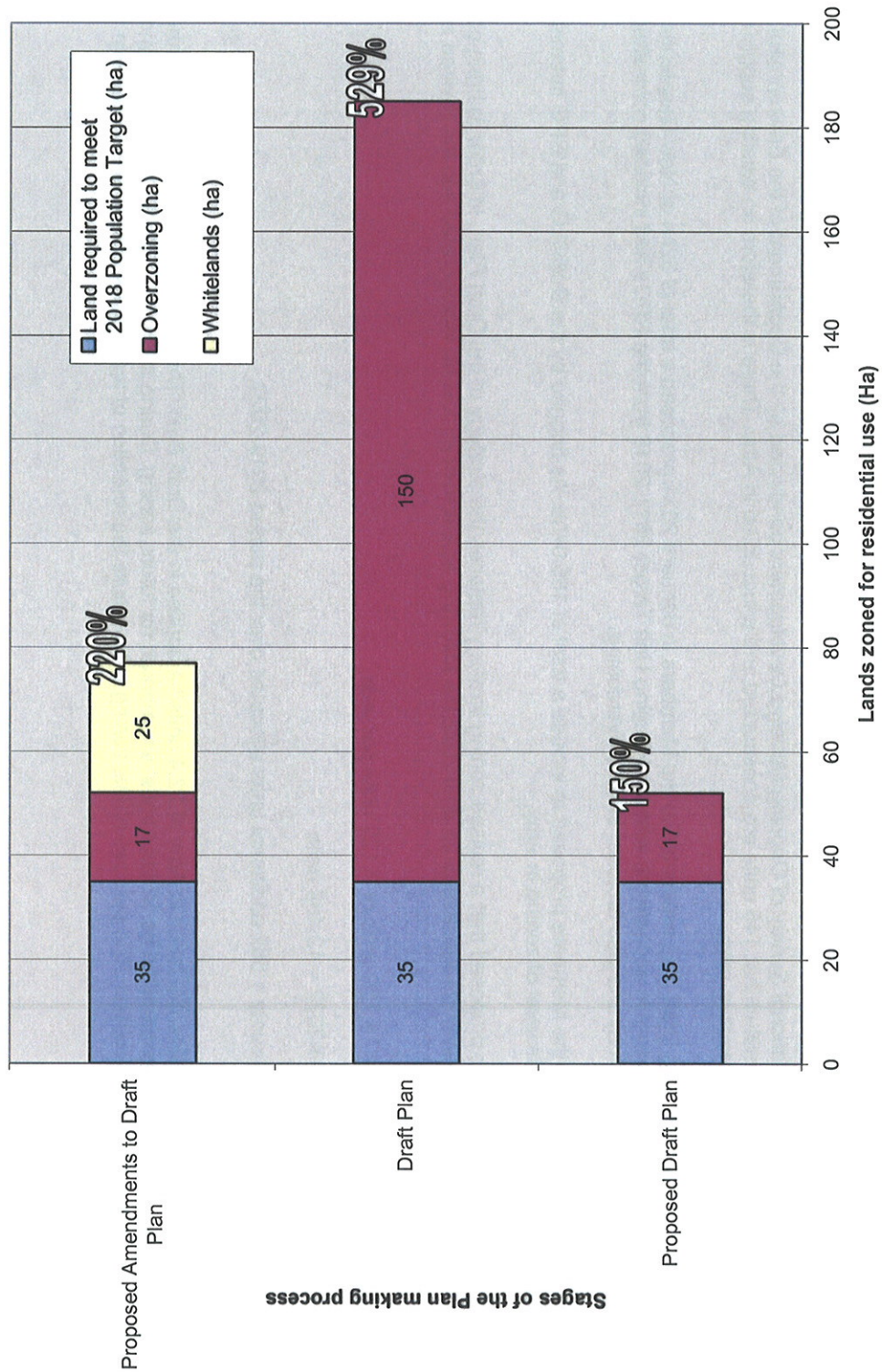
Average density applied to New Residential lands in Athy of 22.4 units/ha applied in the Draft Plan. Therefore an additional 25ha of land over and above the Proposed Draft Plan to be identified as 'White Lands' ear marked for future zoning. During the lifetime of this plan, these lands will be the equivalent to lands zoned i: Agricultural. The purpose of this zoning is to ensure the retention of agricultural uses and protect them from urban sprawl and ribbon development.

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<sup>2</sup> Excludes town centre zoned sites.

<sup>3</sup> 1030 units (150% provision DoEHLG Guidelines -- 402 (committed units) = 628

Residential Land Zonings for Draft Athy Town DP 2012-2018





Item No.	Name	Summary of Issues Raised	Manager's Response and Recommendation	Sub No.
2.1	Regional Planning Guidelines Office Patricia Potter	<p>(i) The core strategy indicates there is significant over-zoning of housing lands<sup>4</sup> within the town. There does not appear to be any justification for this quantum of land having regard to the population projections set out for Athy (which are derived from the RPGs through the County Development Plan 2011-2017) over the life of the proposed Development Plan and there is also no indication of how it is intended to deal with over supply. In tandem with the growth strategy, it is recommended that land use zoning provision of housing lands- including location, quantum and distribution are revisited and include measures and policies which clearly support the sustainable and sequential build out of the town in line with the core strategy aims of the Draft Plan and the settlement policies and recommendations of the RPGs.</p>	<p><b>Manager's Response</b>                      (i) The proposed Athy Draft Plan identified the need for 52ha of land for residential purposes in line with the Regional Planning Guidelines and the Kildare County Development Plan 2011-2017 (CDP). The Draft Plan incorporated 185.04ha of land for residential purposes this is contrary to the Regional Planning Guidelines.</p> <p>In order to address the level of overzoning in the Draft Plan and in light of the timeframe of the RPGs it is proposed to identify additional lands for the period 2019-2022 as "white lands" for further development beyond the period of the current plan. The amount of additional lands to be designated as "white lands" has been estimated as 25ha. The remaining lands which are currently zoned are located a significant distance from the town core and are proposed to be down zoned for agricultural use.                      (See Sections 6.3.1 and 6.17 for a detailed breakdown of figures)</p> <p><b>Manager's Recommendation</b>                      (i) In line with the RPGs and the CDP 2011-2017, 52 ha of land to be zoned new residential to include 24ha which have current planning permissions.                      25ha of existing new residential land which are sequentially the most appropriate lands for future development to be zoned White Lands (i.e lands which may be identified for zoning in the next Development Plan). In the interim however these lands will be the equivalent to lands zoned I: Agricultural. The purpose of this zoning is to ensure the retention of agricultural uses and protect them from urban sprawl and ribbon development.                      Remaining lands to be zoned I: Agricultural, except for sites originally named C3 and C4 to be zoned F: Open Space and Amenity.</p>	4

<sup>4</sup> Lands zoned for residential use or mixed use where housing is permitted.

<sup>5</sup> It is recognised that some of these figures may already be detailed in other sections of the plan.

<p>(ii) Detail contained within Table 2.3 of the Draft Plan (page 18) are extended to include headline figures relating to zoning details potential housing yield and surplus/deficits<sup>5</sup> It is important that figures relating to population growth, housing and zoning contained within the core strategy are accurately cross referenced with other related sections of the plan.</p> <p>(iii) With regard to the anticipated quantum of lands required to meet future residential needs over life of the plan, it would appear this is based on a density level which is below the level recommended in other sections of the plan and the Guidelines for Sustainable Residential Development in Urban Area. As such it is suggested that this matter is given further consideration.</p> <p>(iv) Given that the development envelope of the town includes land which cater for rural housing (within the agricultural zoned lands) it may be useful to include reference to development in such areas in accordance with DoEHLG rural guidance provisions within the core strategy.</p> <p>(v) It may also be useful to elaborate on some of the key transport assets in the text and a brief description of how the</p>	<p><b>Manager's Response</b> (ii) The relevant figures have been crossed referenced.</p> <p><b>Manager's Recommendation</b> (ii) No change</p> <p><b>Manager's Response</b> (iii) Indicative Residential Densities are contained in Table 4.2 Chapter 4 Housing of the Draft Plan. These densities, while indicative, will inform the development management process.</p> <p><b>Manager's Recommendation</b> (iii) No change</p> <p><b>Manager's Response</b> (iv) Include reference to rural housing and the DoEHLG guidelines in Chapter 2 Core Strategy.</p> <p><b>Managers Recommendation</b> (iv) Include statement in Section 2.5.1 Within the agricultural zone, housing will be restricted to people with a genuine housing need and who can demonstrate that they comply with local need requirements as outlined in section 4.9, the "Sustainable Rural Housing – Guidelines for Planning Authorities" and the proper planning and sustainable development of the area.</p> <p><b>Manager's Response</b> (v) Expand reference to key transport assets in Section 2.2. Details in relation to Smarter Travel and NTA Strategy are contained in Chapter 7</p>
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		<p>development strategy for the town links with the objectives of the Smarter Travel documents and forthcoming National Transport Authority Strategy.</p>	
	<p>(vi) The Plan is commended for the considerations given to economic and employment issues within the Core Strategy. It may be useful however to draw out some of the issues in relation to retail development as part of the headline economic issues.</p>	<p>(vii) The Draft Plan and any corresponding map should identify areas within the town are to be prioritised for significant development.</p>	
<p>Movement and Transport.</p> <p><b>Manager's Recommendation</b>                  (v) Include following text in Section 2.2 of the Draft Plan:                  The town's main vehicular axis runs east/west along the N78 National Secondary route and forms part of the main street. <u>The R417 Monasterevin/Carlow Regional Road bisects Athy in a north-south direction and connects the town to Monasterevin in the north and Carlow in the south. The R428 regional road (Stradbally Road) enters the town from Portlaoise to the west and the R418 enters from Castledermot to the southeast. Numerous county roads link the town to its hinterland. Athy is also serviced by public rail transport and includes mainline intercity service on the Carlow/ Kilkenny/ Waterford line.</u></p> <p><b>Manager's Response</b>                  (vi) Section 2.3 of the Core Strategy identifies Athy's role in the overall retail hierarchy of the county and region. Furthermore, it recognises deficiencies in its retail offer and the need to develop into its designated role in the County Retail Hierarchy. Detailed policies and objectives to support this are contained in Chapter 6.</p> <p><b>Manager's Recommendation</b>                  (vi) No Change</p> <p><b>Manager's Response</b>                  (vii) Refer to item 2.1 (i) above. Residential land use zonings were proposed in the original Proposed Draft Development Plan in accordance with the RPGs. This included overzoning in accordance with the DoEHLG Development Plan Guidelines. Future development lands to 2022 have been identified as "white lands" to align with the RPG timeframe 2010-2022.</p> <p><b>Manager's Recommendation</b>                  (vii) As per item (i) above.</p>			

2.2	Environmental Protection Agency	<p><u>Core Strategy</u>                  (i) Amend the following policies/objectives as follows:                  Policy CS9: "... by providing for <b>appropriate</b> landuses"</p> <p>(ii) Policy CS 10: "To ensure that developments are <b>appropriate and</b> accessible to meet the needs...."</p> <p>(iii) Policy CS 11: "To seek the delivery of <b>adequate and appropriate</b> physical and community infrastructure...."</p>	<p><b>Manager's Response</b>                  (i) Agreed  <b>Manager's Recommendation</b>                  (i) Amend Policy CS9 as follows:                  To promote and facilitate the development of sustainable communities through land use planning, by providing for <u>appropriate</u> land uses capable of accommodating employment, community, leisure, recreational and cultural facilities, accessible to and meeting the needs of all individuals and local community groups, in tandem with the delivery of residential and physical infrastructure to create quality environments in which to live.</p> <p><b>Manager's Response</b>                  (ii) Agreed  <b>Manager's Recommendation</b>                  (ii) Amend Policy CS10 as follows                  To ensure that developments are <u>appropriate and</u> accessible to meet the needs of all individuals and local community groups.</p> <p><b>Manager's Response</b>                  (iii) Agreed  <b>Manager's Recommendation</b>                  (iii) Amend Policy CS11 as follows                  To seek the delivery of <u>adequate and appropriate</u> physical and community infrastructure in conjunction with high quality residential developments to create quality living environments.</p>	17
2.3	The National Transport Authority Hugh Creegan	<p>(i) Concerns expressed over zoning for residential development in the draft plan. The core strategy needs to fully address this issue and should set out a mechanism for the sustainable build out of zoned land within the timeframe of the development plan. This is particularly important in the context of</p>	<p><b>Manager's Response</b>                  (i) As per response to item 2.1 (i) above.  <b>Manager's Recommendation</b>                  (i) As per response to item 2.1 (i) above.</p>	55

	<p>any potential downward revision of population projections by the DoEHLG following the publication of the Census 2011.</p> <p>(ii) The Authority requests that a policy of sequential development for residentially zoned land be included in the Core Strategy. This should favour the development of brownfield sites and areas contiguous to the existing built up area. Phasing should be directly linked to accessibility to key destinations and areas which can best facilitate walking and cycling to employment, education and services.</p>	<p><b>Manager's Response</b></p> <p>(ii) Zoning as proposed in item no 2.1 (i) has regard to the sequential development of land with zoned lands identified which are contiguous to the existing built up area of the town which is best served by existing and proposed infrastructure. "White Lands" which are located adjoining the proposed zoned lands will form the next phase of development. Development of white lands will be deferred until new residential zoned lands are substantially developed.</p> <p><b>Manager's Recommendation</b></p> <p>(ii) Include following statement in Section 2.5.1 of the Plan:</p> <p>Arising from population and unit allocations for the County as set out by the RPGs up until 2022, it is proposed to identify lands contiguous to existing New Residential lands as "White Lands". The purpose of these "White Lands" is to direct and accommodate future development outside the period of this plan up to 2022. The lands will act as a strategic land reserve for future development to be carried out in a sequential manner thereby consolidating development in the medium to longer term in Athy.</p>
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6.4 Chapter 3 Economic Strategy

Item No.	Name	Summary of Issues Raised	Manager's Response and Recommendation	Sub. No.
3.1	Environmental Protection Agency	<p>3. <u>Economic Strategy</u>                      Consideration should be given to amending the following policies/objectives as follows:</p> <p>(i) ED 1: "To facilitate and support the <b>sustainable</b> growth of Athy...."</p> <p>(ii) ED 4: "To support the <b>appropriate</b> development of high quality built environment...."</p> <p>(iii) ED 10: ".... and expanding new categories of business in Athy and support their development in a <b>phased and sustainable manner</b>"</p> <p>(iv) ED 11: "To facilitate the <b>sustainable</b> development of knowledge based intensive and technology based companies in Athy."</p>	<p><b>Manager's Response</b>                      (i) Agreed</p> <p><b>Manager's Recommendation</b>                      (i) Amend ED1 as follows:  <b>ED1:</b> To facilitate and support the <u>sustainable</u> growth of Athy as an attractive location for employment development.</p> <p><b>Manager's Response</b>                      (ii) Agreed</p> <p><b>Manager's Recommendation</b>                      (ii) Amend ED 4 as follows:  <b>ED4:</b> To support the <u>appropriate</u> development of a high quality built environment to attract and sustain enterprise and employment.</p> <p><b>Manager's Response</b>                      (iii) Agreed</p> <p><b>Manager's Recommendation</b>                      (iii) Amend ED 10 as follows  <b>ED 10:</b> To encourage the development of existing manufacturing industries in the town while establishing and expanding new categories of business in Athy and support their development <u>in a phased and sustainable manner.</u></p> <p><b>Manager's Response</b>                      (iv) Agreed</p> <p><b>Manager's Recommendation</b>                      (iv) Amend ED 11 as follows  <b>ED11:</b> To facilitate the <u>sustainable</u> development of knowledge-intensive</p>	17

	<p>(v) AG 2: "To support <b>and protect</b> the development of agriculture within the agricultural zone...."</p> <p>(vi) EDO 3: "To ensure the provision of <b>adequate and appropriate</b> water, waste water...."</p> <p>(vii) TS 9: "To support the <b>sustainable</b> development of <b>appropriate</b> new tourist facilities..."</p> <p>(viii) TSO 6: Should also reflect the recommendation of the Flood Risk Assessment to protect Athy from insensitive</p>	<p>and technology based companies in Athy and to encourage the provision of Research and Development/ Innovation facilities and SMEs to support enterprise and employment.</p> <p><b>Manager's Response</b> (v) Agreed</p> <p><b>Manager's Recommendation</b> (v) Amend AG 2 as follows AG2 : To support <u>and protect</u> the development of agriculture within the agricultural zone in Athy; to develop a sustainable agricultural sector that is compatible with the sustainable development of the town and maintains the viability of farming.</p> <p><b>Manager's Response</b> (vi) Agreed</p> <p><b>Manager's Recommendation</b> (vi) Amend ED03 as follows EDO 3: To ensure the provision of <u>adequate and appropriate</u> water, wastewater treatment and waste management facilities to accommodate future economic growth of the town.</p> <p><b>Manager's Response</b> (vii) Agreed</p> <p><b>Manager's Recommendation</b> (vii) Amend TS9 as follows TS 9: To support the <u>sustainable</u> development of <u>appropriate</u> new tourist facilities or upgrading / extension of existing tourist facilities, including hotels, guesthouses and B&amp;B's, in accordance with the proper planning and sustainable development of the area.</p> <p><b>Manager's Response</b> (viii) Policies and recommendations from the SFRA are contained within the Plan particularly in Chapter 8, Water Drainage and Environmental</p>
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	<p>Services and Chapter 16 Landuse Zoning. It is the policy of the Council to ensure that development proposals on lands identified in the Athy Strategic Flood Risk Assessment are subject to an appropriate Flood Risk Assessment in accordance with the DoEHLG "The Planning System and Flood Risk Management- Guidelines for Planning Authorities (2009)" Policy SW 4 (pg 82) refers</p> <p><b>Manager's Recommendation</b> (viii) No Change.</p> <p><b>Manager's Response</b> (ix) Agreed</p> <p><b>Manager's Recommendation</b> (ix) Amend TSO10 as follows: TSO10: To encourage the <u>sustainable</u> development of tourism activities such as waterways activities, agri-tourism, green/eco-tourism, niche retailing, food markets, local and other craft type activities so as to diversify the tourism product in Athy</p>	<p>or inappropriate development of lands at risk of flooding.</p> <p>(ix) TSO 10: "To encourage the <b>sustainable</b> development of tourism activities such as waterways facilities....."</p>
<p>3.2</p>	<p><b>Manager's Response</b> (i) The Athy Draft Plan contains an overarching objective to encourage Economic Development as follows: Objective EDO 1 (pg 36) refers as follows: "It is an objective of the Council to encourage economic development and employment development in the Moderate Sustainable Growth Town of Athy in accordance with national and regional policies and objective and in accordance with the overall development strategy of this Plan."</p> <p><b>Manager's Recommendation</b> (i) No change</p> <p><b>Manager's Response</b> (ii) Section 3(B) of the Draft Plan deals with Tourism Strategy in the context of the Plan addressing various issues including waterways tourism, sport and recreation tourism, Heritage and Arts and Culture.</p>	<p>(i) Additional Objectives required to encourage and retain jobs.</p> <p>(ii) Tourism and recreation facilities should be emphasised.</p>



		<p>(iii) Natural Amenities should be protected and incorporated into tourism promotion projects.</p>	<p>Further detail is not considered necessary.</p> <p><b>Manager's Recommendation</b> (ii) No change.</p> <p><b>Manager's Response</b> (iii) As above 3.2 (ii)</p> <p><b>Manager's Recommendation</b> (iii) No change</p>	
<p><b>3.3</b></p>	<p>Brand Project Team</p>	<p>Requests the following be included in the plan:</p> <p>(i)</p> <ul style="list-style-type: none"> <li>• provision of unified approach to business collaboration in the town eg central website</li> <li>• Assist and encourage Athy Town Promoters as the Festival and Events Organisers in the Town</li> <li>• Promote social entrepreneurship</li> <li>• Develop arts and crafts in Athy</li> </ul> <p>(ii) Assist in further developing Athy Enterprise Centre</p> <p>(iii) Set up award scheme for local businesses</p>	<p><b>Manager's Response</b> (i) The function of the development plan is to deal with land use matters; as such the issues identified are not a matter for the Development Plan. However there are numerous policies included in the Plan to support these initiatives including TS 11 (pg 39): <i>"It is the policy of the Council to promote festivals and sporting events to increase the tourism, cultural and lifestyle profile of the town including the use of appropriate green areas throughout the town."</i></p> <p>TSO 10 (pg 40): <i>"It is the policy of the Council to support sustainable tourism initiatives which develop the tourist potential of the rural area around the town while recognizing and enhancing the quality and values of the rural area."</i></p> <p><b>Manager's Recommendation</b> (i) No change</p> <p><b>Manager's Response</b> (ii) This is a matter for consideration by the Members at their Annual Budget and is not a matter for the Development Plan.</p> <p><b>Manager's Recommendation</b> (ii) No change</p> <p><b>Manager's Response</b> (iii) This is a matter for consideration by the Members at their Annual</p>	<p>23</p>

		<p>(iv) Develop the amenities of the River Barrow and Grand Canal</p> <p>(v) Investigate feasibility of developing White Castle as a tourist/business centre.</p> <p>(vi) Assist cross border activities which enhance tourism in conjunction with INTERREG Programme.</p>	<p>Budget Meeting and is not a matter for the Development Plan.</p> <p><b>Manager's Recommendation</b> (iii) No change</p> <p><b>Manager's Response</b> (iv) Policies R 8 (pg 112) and A 1 (pg 112) refer to the development of amenities associated with both the River and Canal. R 8: <i>"It is the policy of the Council to promote active amenity sports along the River Barrow and the Grand Canal."</i></p> <p>A 1: <i>"It is the policy of the Council to continue the development of riverside and canal side walking routes with the creation of a linear park along the River Barrow and Canal in conjunction with the relevant statutory bodies"</i></p> <p><b>Manager's Recommendation</b> (iv) No change</p> <p><b>Manager's Response</b> (v) Agreed. A new policy should be included in Chapter 3 to encourage the appropriate development of White Castle as a tourist/business asset. It should be noted that the site is zoned Town Centre and a wide range of uses would be compatible with the zoning.</p> <p><b>Manager's Recommendation</b> (v) Insert new policy under Section 3.12.1 to read as follows: <i>"It is the policy of the Council to facilitate the appropriate use and development of White Castle as a tourist attraction, in order to ensure its conservation and protection."</i></p> <p><b>Manager's Response</b> (vi) This is not a matter for the Development Plan. However the council will support the INTERREG Programme to promote angling and other activities through its linkages with towns in the UK.</p>
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3.4	Vivian Cummins and Assoc Ltd.	<p><b>Manager's Response</b> (i) It should be noted that Section 3.12 specifically supports Waterways Tourism. In addition, numerous policies and objectives contained in the Draft Plan support this type of tourism, most notably Policy TS 5 (pg 39) which reads as follows: <i>"It is the policy of the Council to continue to work closely with key stakeholders in the tourism industry including Kildare Fáilte, Fáilte Ireland and Waterways Ireland in conjunction with local clubs and stakeholders, in order to further develop the overall tourist and economic potential in and around the town with particular emphasis on water based and waterside activities such as angling, boating, canoeing etc."</i> The role of the Council in the development of the Waterways is not a matter for the development plan and may be considered separately by the Elected Members.</p> <p><b>Manager's Recommendation:</b> (i) No change</p> <p><b>Manager's Response</b> (ii) Approximately 49 ha of lands have been zoned Open Space and Amenity in the Draft Athy Plan which could accommodate such a use. Furthermore it is proposed that an additional 3.9ha are proposed to be changed from C: New Residential to F: Open Space and Amenity. It is also the policy of the Council <i>"To promote the establishment of tourist destinations in Athy subject to them being of an appropriate scale, located in sustainable locations, adequately served by public transport and would not impact upon a Natura 2000 site"</i>. Any application for a theme park may be considered in light of the above</p>	<p>(vii) Assist in training ambassadors under the Ambassador Project.</p> <p>(i) Recommends that the plan contain an objective that Athy Town Council takes the lead in the development of Athy's waterways and to act as a facilitator in the development of the waterways.</p> <p>(ii) Suggests that Athy TC zone a large area of land with an objective of it being developed as a Theme Park and actively seek a business partner to develop such a facility.</p>	34

		<p>(iii) Examine a possibility of reduced or no rates for start up businesses that create new employment opportunities.</p>	<p>policy and the proper planning and sustainable development of the area.  <b>Manager's Recommendation:</b>                  (ii) No change   <b>Manager's Response</b>                  (iii) This is not a matter for the Development Plan and may be considered by the Elected Members as part of the annual budgeting process.   <b>Manager's Recommendation:</b>                  (iii) No change</p>	
<p><b>3.5</b></p>	<p>Conor Winkle</p>	<p><u>Tourism</u></p> <ul style="list-style-type: none"> <li>Increased tourism must play a part in the future success of the town. The Town Council must seek to help and promote any innovative projects which can promote new tourist potential in the town.</li> <li>Athy has major assets such as its rich history, and its waterways. Both of these need to be promoted to the full.</li> <li>Visitors to the town need to be made fully aware of all local attractions and activities; the Town Council has a part to play in this area.</li> </ul>	<p><b>Managers Response</b>                  Section 3.1 of the Draft Plan recognizes and promotes the development of Tourism in Athy. The Council will continue to work with Kildare Fáilte / Fáilte Ireland and other agencies to promote Athy as a tourist attraction based on its status as a heritage town, waterways, and adjoining scenic and historic sites.                  The Town Council is supporting the BRAND Project Team to develop a single website for Athy that will promote the town and link all relevant organisations within the town. Town signage is being upgraded on a phased basis. In addition, the Council supports the Athy Heritage Centre Museum, which is now an accredited Fáilte Ireland 'Visitor Information Point' (VIP).   <b>Manager's Recommendation</b>                  No change</p>	<p>52</p>
<p><b>3.6</b></p>	<p>The National Transport Authority                  Hugh Creegan</p>	<p>The Draft Plan identified a requirement for an additional 1,201 jobs in Athy. Having regard to the calculations set out in Table 3.3 of the Draft Plan which states that 12.01ha of zoned employment land would be required to accommodate this growth. Currently there is 57ha of lands zoned for employment purposes undeveloped in Athy excluding</p>	<p><b>Manager's Response</b>                  Policy ED3 of the Draft Plan states that "It is the policy of the Council to promote economic development on appropriately zoned land throughout the town, especially at or in close proximity to transport nodes".                  Furthermore Policy TC3 states that "It is the policy of the Council to reinforce Athy Town Centre as the priority location for new retail and services development, with quality of design and integration / linkage with the existing urban form / layout being fundamental prerequisites".</p>	<p>55</p>

	<p>town centre, retail or leisure and amenity uses. The NTA would recommend that the Draft Plan sets out criteria to guide the phasing of employment zoned land. The NTA would reiterate the importance of linking the location and sequencing of new development to transport accessibility at a strategic level with walking and cycling at a local level.</p>	<p>Policy LU 1 (pg 216) adequately addresses the issue of phasing of lands as follows: " It is the policy of the Council to ensure that a logical and sequential approach is adopted for development within the Athy Town Plan area (i.e. prioritising the development from the core area outwards)"</p> <p><b>Manager's Recommendation</b> No change</p>	<p>56</p>
<p>3.7</p>	<p>Athy Chamber of Commerce (Paul A. Cunningham)</p>	<p>Tourism Issues (i) Exploit the natural assets of the Barrow and Grand Canal and develop the tourism potential of Athy by: - Encouraging development of river and canal site walkways - Encourage the construction of a marina with ancillary activities - Work closely with Waterways Ireland, Fáilte Ireland, County Kildare Tourism, Heritage Council etc to promote water based tourism. - Implement the recommendations of the "Strategic Exploitation of Athy Waterways" prepared by ATC. - Work in conjunction with the Chambers in New Ross and Carlow to ensure the Barrow's potential is fully exploited. - Ensure the Canal is conserved and kept in a navigable state. - Walking tours need to be promoted along with C.I.E. to promote the Barrow Way. - Identify and develop other tourist attractions in Athy.</p>	<p><b>Manager's Response</b> (i) The overall aim of the development plan is to establish the policy framework to facilitate the sustainable development of Athy. With reference to tourism various policies and objectives have been included in Chapter 3 (B) Tourism Strategy. Various policies support the issues outlined as follows:  TS 2: To recognise and improve the existing tourism potential of Athy such as the Grand Canal and River Barrow waterside amenity activities such as walking, fishing, boating will be further enhanced through specific objectives of the Plan.  TS 3: To implement the recommendations of the River Barrow Valley Study currently being carried out by Waterways Ireland in conjunction with Fáilte Ireland and other local authorities.  TS 4: To identify opportunities to improve the tourist product in Athy and to co-operate with the appropriate statutory agencies, private tourism sector and community groups.  TS 5: To encourage tourism related uses along the Grand Canal and River Barrow including the investigation of the feasibility of developing a marina within the town boundary (in accordance with Policy R 9) and associated boating uses and activities in co-operation with the relevant statutory agencies, voluntary bodies and private property owners to develop the infrastructure and amenity of both water bodies.</p>

			<p>TS 6: To continue to work closely with key stakeholders in the tourism industry including Kildare Fáilte, Fáilte Ireland and Waterways Ireland in conjunction with local clubs and stakeholders, in order to further develop the overall tourist and economic potential in and around the town with particular emphasis on water based and waterside activities such as angling, boating, walking, canoeing etc.</p> <p>TS 7: To work with the relevant agencies and bodies in the development and improvement of tourism related infrastructure, facilities activities in Athy.</p> <p>TS 9: To support the development of new tourist facilities or upgrading / extension of existing tourist facilities, including hotels, guesthouses and B&amp;B's, in accordance with the proper planning and sustainable development of the area.</p> <p>TS 10: To promote the establishment of tourist destinations in Athy subject to them being of an appropriate scale, located in sustainable locations, adequately served by public transport and would not adversely impact upon a Natura 2000 site.</p> <p>TS11: To promote festivals and sporting events to increase the tourism, cultural and lifestyle profile of the town including the use of appropriate green areas throughout the town.</p> <p><b>Manager's Recommendation</b> No change</p> <p><b>Manager's Response</b> (ii) The site of White Castle and adjoining lands are zoned A: Town Centre. Various uses including commercial uses are permissible within this land use zoning objective. It is a matter for the registered owner to propose developments which would be assessed on their merits, having regard to the policy provision of the plan and the proper planning and sustainable development of the area. It should be noted that a new</p>
			<p>(ii) Work with the owner of White Castle to create a major heritage tourism attraction.</p>

		<p>policy is proposed to be included in Chapter 3 to encourage the appropriate development of White Castle as a tourist/ business venture. Refer to response to Item No. 3.3 (v)</p> <p><b>Manager's Recommendation</b>                  (v) As per Item No. 3.3 (v). Insert new policy under Section 3.12.1 to read as follows:  <i>"It is the policy of the Council to facilitate the appropriate use and development of White Castle as a tourist attraction, in order to ensure its conservation and protection."</i></p> <p><b>Manager's Response</b>                  (iii) This is not a matter for the Development Plan</p> <p><b>Manager's Recommendation</b>                  (iii) No change</p> <p><b>Manager's Response</b>                  (iv) It should be noted that the lands comprising Ardrew (Lord's) Island are zoned F: Open Space and Amenity. Recreational type uses in such areas would be open for consideration subject to proper planning considerations.                  Furthermore policy TS 5 refers: <i>"To encourage tourism related uses along the Grand Canal and River Barrow including the investigation of the feasibility of developing a marina within the town boundary (in accordance with Policy R 9) and associated boating uses and activities in co-operation with the relevant statutory agencies, voluntary bodies and private property owners to develop the infrastructure and amenity of both water bodies."</i></p> <p><b>Manager's Recommendation</b>                  (iv) No change</p> <p><b>Manager's Response</b>                  (v) This is not a matter for the Development Plan</p>	<p>(iii) Hand over all aspects of the St. Patrick's Day Parade to the Athy Promoters Group.</p> <p>(iv) Designate Ardrew (Lord's) Island c. 22 acres as the location for the development of a 150 berth marina.</p> <p>(v) Hotels and guesthouses should come together to market the town for short breaks etc.</p>
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		<p>(vi) Remove the old fountain from the front square and relocate it to a more suitable location. Replace it with artistic tourist features such as a representation of the Gordon Bennett Rally and Shackelton.</p> <p>(vii) The old swimming pool could have been converted into a 10 pin bowling alley or a multi storey car park. The flat ground car park is restricting the potential of the site.</p> <p>(viii) The fishing market from England needs to be exploited.</p> <p>(ix) The Tri Athy weekend should be further promoted and the designated as a training course for the forthcoming Olympics.</p>	<p><b>Manager's Recommendation</b> (v) No change</p> <p><b>Manager's Response</b> (vi) This is not a matter for the Development Plan</p> <p><b>Manager's Recommendation</b> (vi) No change</p> <p><b>Manager's Response</b> (vii) The old swimming pool site is zoned town centre within which various uses, including recreation uses are permissible.</p> <p><b>Manager's Recommendation</b> (vii) No change</p> <p><b>Manager's Response</b> (viii) Policy TS 6 (pg 39) refers as follows: "It is the policy of the Council to continue to work closely with key stakeholders in the tourism industry including Kildare Fáilte, Fáilte Ireland and Waterways Ireland in conjunction with local clubs and stakeholders, in order to further develop the overall tourist and economic potential in and around the town with particular emphasis on water based and waterside activities such as angling, boating walking, canoeing etc."</p> <p><b>Manager's Recommendation</b> (viii) No change</p> <p><b>Manager's Response</b> (ix) Policy TS 11 refers: "To promote festivals and sporting events to increase the tourism, cultural and lifestyle profile of the town including the use of appropriate green areas throughout the town."</p> <p><b>Manager's Recommendation</b> (ix) No change</p>
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<p><b>3.8</b></p>	<p>Gabriel Dooley</p>	<p>(i) Requests that White Castle is considered as a tourist destination or similar use in the Athy Plan, allowing the ground floor to be used as a licensed restaurant, coffee shop or tourist related retail store similar to the one of Wicklow Gaol.</p> <p>Also consider the adjoining site for commercial use, theatre, tourism related products or Town Centre usage as it is currently zoned in the Draft Plan.</p>	<p><b>Manager's Recommendation</b> (xiii) No change</p> <p><b>Manager's Response</b> As per response 3.3(v) above. The site of White Castle and adjoining lands are zoned A: Town Centre. Various uses including commercial uses are permissible within this land use zoning objective. It is a matter for the registered owner(s) or a potential developer to propose developments which would be assessed on their merits, having regard to the policy provision of the plan and the proper planning and sustainable development of the area.</p> <p><b>Manager's Recommendation</b> (v) As per item No. 3.3 (v). Insert new policy under Section 3.12.1 to read as follows: <i>"It is the policy of the Council to facilitate the appropriate use and development of White Castle as a tourist attraction, in order to ensure its conservation and protection."</i></p>	<p>63</p>
<p><b>3.9</b></p>	<p>Athy Chamber of Commerce Paul A. Cunningham</p>	<p>(i) Requests that efforts should be made to combine all access routes including road and rail and the river and canal can also provide access to the town, it should be promoted as part of the town's tourist potential.</p>	<p><b>Manager's Response</b> (i) Policies TS 4 and TS 7 (pg 39) refers as follows: TS 4: <i>"It is the policy of the Council to identify opportunities to improve the tourist product in Athy and to co-operate with the appropriate statutory agencies, private tourism sector and community groups."</i> TS 7: <i>"It is the policy of the Council to work with the relevant agencies and bodies in the development and improvement of tourism related infrastructure, facilities and activities in Athy."</i> It is considered that the foregoing policies would support the promotion of tourism in Athy and would support the improvements and promotion of the access arrangements into the town.</p> <p><b>Manager's Recommendation</b> (i) No change</p>	<p>56</p>

3.10	Vivian Cummins and Assoc Ltd.	Examine the possibility in conjunction with other stakeholders of establishing a policy of Athy becoming the centre of a Barrow Valley Heritage Trail.	<p><b>Manager's Response</b>                  This is not a matter for the Development Plan. This issue should be referred to ATC for consideration separate to the development plan process.                  However policies TS 2 and TS 3 (pg 38) support the development of the River Barrow as a tourism product while supporting the recommendations of the River Barrow Corridor Study carried out by Waterways Ireland in conjunction with Fáilte Ireland, Kildare County Council and other local authorities.</p> <p><b>Manager's Recommendation</b>                  No change</p>	34
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6.5 Chapter 4 Housing

Item No.	Name	Summary of Issues Raised	Manager's Response and Recommendation	Sub. No.
4.1	Environmental Protection Agency	The development of residential zoned lands should occur on a phased basis. The Plan should promote the infilling of existing residential zoned lands in the initial phases of development as appropriate. The development of zoned residential lands should also take account of the current demand and the existing economic climate.	<p><b>Manager's Response</b> Refer to item no. response to item no. 2.1(i). Lands have been prioritised with strategic reserves identified as "white lands" beyond the period of this plan. Also policy LU 1 (pg 216) adequately addresses the issue of phasing as follows: <i>"It is the policy of the Council to ensure that a logical and sequential approach is adopted for development within the Athy Town Plan area (i.e. prioritising the development form the core area outwards)"</i></p> <p><b>Manager's Recommendation</b> No change</p>	17
4.2	The National Transport Authority Hugh Creegan	The NTA would suggest that the Draft Plan should take into account the requirement for good pedestrian and cycle links between new residential developments and key destinations within Athy as a stated policy in the Plan.	<p><b>Manager's Response</b> Agreed</p> <p><b>Manager's Recommendation</b> Include additional policy under Section 4.4.5 of the Plan to read as follows: <i>"It is the policy of the Council to require planning applications for new housing to demonstrate good pedestrian and cycle links between residential developments and key destinations within Athy."</i></p>	55

6.6 Chapter 5 Town Centre

Sub. No.	Name	Summary of Issues Raised	Manager's Response and Recommendation	
5.1	Environmental Protection Agency	The intention to promote further vehicular and pedestrian bridge crossings over the River Barrow cSAC is noted. However, it should be ensured that EIA and AA are required. A Flood Risk Assessment should also be required to assess any adverse effects and the recommendations and requirements contained within the Flood Risk Management Guidelines should be taken into account in this regard.	<p><b>Manager's Response</b> The Planning Authority will require compliance with appropriate legislative requirements regarding EIA/AA and FRA as appropriate.</p> <p><b>Manager's Recommendation</b> No change</p>	17
5.2	RAPID	In conjunction with relevant bodies improve external conditions of commercial properties.	<p><b>Manager's Response</b> The Council supports the overall improvement of the external condition of commercial properties. Policy TCO 3 (pg 57) refers: <i>"It is the policy of the Council to prepare and implement an Environmental Improvement Scheme within the lifetime of this Plan to visually enhance the streetscape and key urban spaces with an emphasis on promoting a pedestrian and public transport friendly environment."</i></p> <p><b>Manager's Recommendation</b> No change</p>	22
5.3	Brand Project Team	Ensure vacant premises have something positive to display to prevent dereliction and enhance tourism.	<p><b>Manager's Response</b> While this is an issue for property owners, the Council will implement Policy TCO1. <i>"to maintain the Council's Derelict Sites Register and to exercise its powers under the Derelict Sites Act 1980."</i></p> <p><b>Manager's Recommendation</b> No change</p>	22

5.4	Vivian Cummins and Assoc Ltd.	<p>(i) Recommends inclusion of objective to remove vast amount of visual clutter in the town and restrict level of signage to the operator of the premises and limited to a single fascia sign and single hanging sign.</p>	<p><b>Manager's Response</b>                  (i) Policy TCO 2 refers as follows:  <i>"it is the policy of the Council to seek the removal of unauthorised advertising/signage through enforcement provisions and to encourage new advertising and signage which is appropriate to the streetscape and positively contributes to the public realm."</i></p> <p>Policy TCO 3 (pg 57) also supports the overall visual improvement of the town:  <i>"it is the policy of the Council to prepare and implement an Environmental Improvement Scheme within the lifetime of this Plan to visually enhance the streetscape and key urban spaces with an emphasis on promoting a pedestrian and public transport friendly environment."</i></p> <p>Furthermore, requirements regarding shop front design and advertising are outlined in Section 15.10 of the Plan and unauthorised signage can be addressed through appropriate enforcement proceedings by Athy Town Council.</p> <p><b>Manager's Recommendation</b>                  (i) No change</p> <p><b>Manager's Response</b>                  (ii) It is considered that Section 15.2.5 and 15.2.6 of the Draft Plan adequately refers to the provision of hard and soft landscaping and provides appropriate development management guidance.</p> <p><b>Manager's Recommendation</b>                  (ii) No change</p> <p><b>Manager's Response</b>                  (iii) The issue of rates is not a matter for the Development Plan.</p>
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		<p>(iv) Commission a feasibility study on the provision of an additional bridge crossing of the River Barrow north of the existing Cromaboo Bridge to facilitate movement from Woodstock Street and the swimming pool area to the educational campus on the Monasterevin Rd.</p>	<p><b>Manager's Recommendation</b> (iii) No change</p> <p><b>Manager's Response</b> (iv) It is considered that Objective TCO 5 (pg 57) adequately supports the construction of this bridge. TCO 5: <i>"It is an objective of the Council to construct a pedestrian crossing over the River Barrow as appropriate to link schools, parks, playing fields and residential areas on both sides of the River."</i></p> <p><b>Manager's Recommendation</b> (iv) No change</p>	
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6.7 Chapter 6 Retail

Item No.	Name	Summary of Issues Raised	Manager's Response and Recommendation	Sub. No.
6.1	Conor Winkle	<p>(i) All retail development must be restricted to areas of Leinster and Duke Street and bordering streets until that core area is saturated and a solid retail core is consolidated.</p>	<p><b>Manager's Response</b>                      (i) Policy RS 3 (pg 61) of the Draft Plan specifically refers to the Core Retail Area and is illustrated on Map 6.1 which includes Leinster Street and Duke Street. The policies adequately support the development and consolidation of a central retail core.</p> <p><b>RS 3:</b> <i>"It is the policy of the Council to promote the Core Retail Area and town centre as the primary focus and preferred location for new retail development."</i></p> <p><b>Manager's Recommendation</b>                      (i) Delete Policy RS 2 <b>RS-2:</b> <i>"It is the policy of the Council to define the Core Retail Area of Athy Town Centre in accordance with Map 6.1"</i> as core retail area is defined in Map 6.1 (see attached) and amend numbering of remaining Policies RS 3 – RS 5.</p> <p><b>Manager's Response</b>                      (ii) Section 5.3 Town Centre uses indicate that "In exceptional circumstances development management standards may be relaxed in the town centre". This approach is considered to be appropriate. Each application will be considered on its merits and in accordance with the proper planning and sustainable development of the area.</p> <p><b>Manager's Recommendation</b>                      (ii) No change</p> <p><b>Manager's Response</b>                      (iii) This is not a matter for the Development Plan and may be considered by the Elected Members as part of the annual budget process.</p>	52
		<p>(ii) The town should be viewed as one large outdoor shopping centre and with this in mind the Town Council would have to fill the role of a developer, with a view to the optimum uses of the space available. A flexible approach to negotiations required to ensure the best outcome for the town without making it uneconomical to develop in Athy.</p>		
		<p>(iii) Requests a review of commercial rates used in the town to attempt to promote certain types of businesses which could have a positive benefit for tourism e.g. boutique/artisan type shops providing a</p>		



	<p>unique draw to the town. Any changes to the rates system should not be to the detriment of existing businesses and should be applied universally to existing and new businesses. If it is not possible to alter rates structures under existing legislation, then the town council should lobby central government for a change to an experimental structure, with Athy being given a period of exclusive use of the new structure, to both prove it can work elsewhere, and to gain a head start advantage e.g. allow independent businesses to pay a lower rate where they are judged to provide a unique offering which will attract visitors to the town. Large multiple type stores could be charged a premium rate to discourage them from opening in Athy.</p> <p>(iv) As all of the nearby major towns have gone down the route of having large supermarkets and shopping centres populated by chain stores, Athy needs to differentiate and provide something different. The town cannot hope to compete on the same level with these towns and would not be recommended to try to compete in this way as by bringing chain stores to the town it would lose a sense of character which can set it apart from, and above, other urban areas.</p> <p>(v) A large supermarket should only be granted planning permission in the retail core, as to allow a supermarket to open outside this area would ensure</p>	<p><b>Manager's Recommendation</b> (iii) No change</p> <p><b>Manager's Response</b> (iv) The overriding policy for retail development within Athy is set out in SR1 (pg 58) as follows: <i>"It is the policy of the Council to promote the role of Athy as a key town serving the large rural hinterland of South Kildare seeking to create a critical mass within the urban core so that the retail opportunities in the town centre are developed to create a viable, attractive local destination for convenience and comparison shopping and thus reduce market leakage from this area."</i></p> <p>Any planning application for significant retail development will be considered having regard to the criteria for assessment outlined in Section 15.9 in accordance with the Retail Planning Guidelines.</p> <p><b>Manager's Recommendation</b> (iv) No change</p> <p><b>Manager's Response</b> (v) Any significant retail application must be assessed against the criteria outlined in Section 15.9 of the Draft Plan, the</p>	
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6.2	Tesco Ireland Ltd.  GVA Planning	<p>At present there are no suitable sites available to provide for large modern format convenience floorspace and unless a suitable site is provided in the new Plan Tesco will not be in a position to invest in the town.</p> <p>(i) There are no suitably zoned sites to cater for large modern format convenience floorspace.</p> <p>(ii) The permitted schemes and scheme that is currently in planning are speculative developments. These developments are unlikely to be constructed or become operational.</p> <p>(iii) Athy needs a foodstore of a size large enough to prevent leakage to other centres outside the county.</p> <p>(iv) An appropriately sized retail outlet could provide up to 100 badly needed jobs Athy and to be a catalyst for further investment and job creation.</p> <p>Tesco have assessed the feasibility of developing a modern food store in Athy at a number of locations including Geraldine Road, Leinster Street and the Batchelor's Site and found them to be of limited capability of providing Athy with the form and scale of retail development that is required to keep prevent expenditure leakage.</p>	<p><b>Manager's Response</b> It is considered that adequate and comprehensive retail policies are contained in Chapter 6 Retail of the Draft Plan. In addition specific Assessment Criteria are contained in Section 15.9 of the Draft Plan.</p> <p>Lands zoned for retail development comprise 2.9ha in the Draft Plan. Furthermore there is approximately 39 ha of lands zoned Town Centre within which convenience shopping is acceptable in principle.</p> <p><b>Manager's Recommendation</b> No change</p>	53
6.3	Athy Chamber of Commerce  Paul A. Cunningham on behalf of	<p>The serious issue of expenditure leakage out of the town needs to be addressed. The town can provide for all the retail needs of the residents of Athy. The Development Plan should encourage the construction of a major shopping centre with a major supermarket chain as an anchor and encourage retailers to open boutique shops so as to enrich the Athy shopping experience and curtail leakage to adjoining towns. The Plan should support up market restaurants and a cinema/theatre in the town.</p>	<p><b>Manager's Response</b> As per response to item no. 6.2 above</p> <p><b>Manager's Recommendation</b> No change</p>	56

### 6.8 Chapter 7 Movement and Transport

Item No.	Name	Summary of Issues Raised	Manager's Response and Recommendation	Sub No.
7.1	Emmet Mc Donagh	Identifies need for working reliable road network in the town.	<p><b>Manager's Response</b> Chapter 7 Movement and Transport of the Athy Draft Development Plan 2012-2018 identifies the need to improve the standard of transportation infrastructure in Athy. Section 7.5 recognises that the N78 which serves as the principal commercial thoroughfare and the principal vehicular route through the town is subject to frequent delays. In this regard further road infrastructure is recognised as a requirement to facilitate the future economic development of Athy. Key road infrastructure proposals provided for in the plan include the Southern Distributor Road, the Northern Distributor Road, and the New Town Centre Street. Objectives for the delivery of the Council's road programme are contained in section 7.7.3 of the Draft Plan which will facilitate ease of movement within and access to Athy.</p> <p>Furthermore the Traffic Management Plan and Parking Strategy 2009 provides specific traffic and transport recommendations for the town centre streets which can be developed in tandem with key infrastructure projects proposed for the town.</p> <p><b>Manager's Recommendation</b> No change</p>	1
7.2	Environmental Protection Agency	(i) The Plan should promote the provision of adequate infrastructure on a planned and phased basis to address any current problems and/or deficits and to reflect predicted increases in population. Consideration should be given to reviewing the existing traffic management plan to ensure it is robust enough to meet the population growth and development requirements proposed in	<p><b>Manager's Response</b> (i) The Core Strategy ((iv), pg 14) seeks "to encourage and support the delivery of key infrastructural projects to ensure that future development needs are met in a sustainable and coordinated manner." Furthermore, policy CS1 (pg 20) of the Draft Plan states that it is the policy of the Council "To facilitate sustainable levels of housing growth at appropriate locations within the town in</p>	17

	<p>the Plan. It should be ensured that critical infrastructure is provided in advance of permission for development being granted and that it is adequate and appropriate to meet the pressure expected in implementing the Plan.</p> <p>(ii) In relation to Policy GT15 reference should be made to the "Precautionary Principle" under the Habitats Directive, in addition to demonstrating the need for the project in light of "do nothing context" as referred to.</p> <p>(iii) Policy WC 12 relating to the provision of a boardwalk along Cromaboo Bridge should also take into account the requirements of the Habitats Directive.</p>	<p>tandem with social /community infrastructure and local services adequate to meet the needs of the population of the town and surrounding rural area."</p> <p>In addition, it is proposed that the Plan will provide for phasing of lands which in turn will inform phasing of infrastructure provision.</p> <p><b>Manager's Recommendation</b>                  (i) Amend policy CS1 (pg 20) of the Draft Plan to read as follows: "it is the policy of the Council to facilitate sustainable levels of housing growth at appropriate locations within the town in tandem with the <b>delivery of physical, social and community infrastructure along with local services adequate to meet the needs of the population of the town and surrounding rural area.</b>"</p> <p><b>Manager's Response</b>                  (ii) Noted.</p> <p><b>Manager's Recommendation:</b>                  (ii) Amend bullet point 3 of policy GT 15 (pg 70) to read as follows:                  ".....Demonstrate how each route has taken due account of, and accommodated ecological considerations and legislative requirements including the Precautionary Principle."</p> <p><b>Manager's Response</b>                  (iii) Noted.</p> <p><b>Manager's Recommendation</b>                  (iii) Amend Policy WC 12 (pg 72) as follows:                  "..... it's locations within the ACA and the SAC status of the River Barrow and the associated requirements of the Habitats Directive."</p>
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	<p>(iv) The impact of further river crossing should also take into account the potential impacts with regard to flooding also.</p>	<p><b>Manager's Response</b>                  (iv) Policy SW1 (pg 82) refers "It is the policy of the Council : To implement the requirements of the DoEHLG <i>The Planning System and Flood Risk Management – Guidelines for Planning Authorities</i> (2009) in the carrying out of functions during the period of the Plan. Any such proposal will therefore be considered in light of the above.</p> <p><b>Manager's Recommendation</b>                  (v) No change</p>	
<p>7.3</p>	<p>Francis B. Taaffe &amp; co</p>	<p>Seeks the provision for bicycle parking in Emily Square and Edmund Rice Square</p> <p><b>Manager's Response</b>                  Agreed.</p> <p><b>Manager's Recommendation</b>                  The provision of secure public cycle parking facilities (subject to funding becoming available) in strategic locations within the town is important to encourage and promote cycling in the town. It is considered that Policies WC 7 and WC 13 of the draft plan adequately support the provision of such facilities as follows:                  WC 7: "It is the policy of the Council to provide and seek the provision of secure cycle parking facilities at key areas in Athy Town Centre and to encourage and promote the use of cycling by employees, shoppers and visitors to the town."                  WC 13: "It is the policy of the Council to encourage the provision of secure bicycle parking facilities in the town centre at public facilities such as schools, the library, the train station and in all new developments in accordance with the standards set out in the development management standards in Chapter 15."</p> <p><b>Manager's Recommendation</b>                  Revise Policy WC13 to read as follows:                  "It is the policy of the Council to encourage the provision of secure bicycle parking facilities in town centre e.g <u>Emily</u></p>	<p>20</p>

7.4	RAPID	<p>The following items are requested for inclusion in the Plan:</p> <p>(i) the pathway between St.Johns Lane and Greenhills is upgraded in order to increase amenity value of the area</p>	<p><u>Square and Edmund Rice Square and at public facilities such as.....</u></p>	22
<p>(ii) Erect footbridge across River Barrow at Rathstewart to assist school going children and reduce traffic congestion</p>		<p>(i) It is recognised that this route could benefit from footpath improvements. The Transportation Department and Athy Town Council would fully support any works that would improve this area of the town. It should be noted that public lighting on this pathway has already been improved this year. It is reasonable to include an additional objective to support the improvement of this area in Athy.</p> <p><b>Manager's Recommendation:</b></p> <p>(i) Insert an additional objective under Section 7.7.1 to read as follows:  <i>"It is an objective of the Council to further upgrade and improve the pathway between St. John's Lane and Greenhills in order to maximise the accessibility and amenity value of the area. These works should be carried out within the context of a strategic plan to upgrade and improve pedestrian connectivity and permeability throughout the town."</i></p> <p><b>Manager's Response</b></p> <p>(ii) It is considered that this project is adequately supported in the Draft Plan. Objective TCO 5 and Policy STO 5 refer as follows:          TCO 5: <i>"It is an objective of the Council to construct a pedestrian crossing over the River Barrow as appropriate to link schools, parks, playing fields and residential areas on both sides of the river."</i>          STO 5: <i>"It is the policy of the Council to construct a pedestrian bridge over the River Barrow as appropriate to link schools, parks playing fields and residential areas on both sides of the river....."</i></p> <p>It should be noted that subject to the necessary funding</p>	<p><b>Manager's Response</b></p> <p>(i) It is recognised that this route could benefit from footpath improvements. The Transportation Department and Athy Town Council would fully support any works that would improve this area of the town. It should be noted that public lighting on this pathway has already been improved this year. It is reasonable to include an additional objective to support the improvement of this area in Athy.</p> <p><b>Manager's Recommendation:</b></p> <p>(i) Insert an additional objective under Section 7.7.1 to read as follows:  <i>"It is an objective of the Council to further upgrade and improve the pathway between St. John's Lane and Greenhills in order to maximise the accessibility and amenity value of the area. These works should be carried out within the context of a strategic plan to upgrade and improve pedestrian connectivity and permeability throughout the town."</i></p> <p><b>Manager's Response</b></p> <p>(ii) It is considered that this project is adequately supported in the Draft Plan. Objective TCO 5 and Policy STO 5 refer as follows:          TCO 5: <i>"It is an objective of the Council to construct a pedestrian crossing over the River Barrow as appropriate to link schools, parks, playing fields and residential areas on both sides of the river."</i>          STO 5: <i>"It is the policy of the Council to construct a pedestrian bridge over the River Barrow as appropriate to link schools, parks playing fields and residential areas on both sides of the river....."</i></p> <p>It should be noted that subject to the necessary funding</p>	22

	<p>becoming available, Kildare County Council in conjunction with Athy Town Council, intends to carry out a feasibility study for this scheme, with the aim of identifying the most appropriate location for the footbridge.</p> <p><b>Manager's Recommendation</b> (ii) No change</p> <p><b>Manager's Response</b> (iii) It is considered that Policy GT 7 adequately supports this request. GT 7: <i>"It is the policy of the Council to improve road safety within the town centre by implementing gateway entry treatments and other speed reduction measures (incl. 50kph signage) inside the town boundary. This measure will include reducing the speed limit appropriately in the core town centre and between the town centre and town boundary."</i></p> <p><b>Manager's Recommendation</b> (iii) No change</p> <p><b>Manager's Response</b> (iv) Fortbarrington Road junction improvements are currently ongoing. Kildare County Council has already commenced improvement works at this location involving the provision of traffic signals at the junction. The traffic signals will improve safety at the junction for all road users and allowing greater control over congestion at this location. Objective RP 5 (pg 77) of Draft Plan refers as follows: <i>"To complete road improvements to the Fortbarrington Road from Blackparks to Ardrew."</i></p> <p><b>Manager's Recommendation</b> (iv) No change</p>	<p>(iii) Athy Town Council should cooperate with Kildare County Council in upgrading approach roads to Athy.</p> <p>(iv) Upgrade the Fortbarrington Road Junction.</p>	
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		<p>(v) In conjunction with KCC provide additional speed ramps in Woodstock Street.</p>	<p><b>Manager's Response</b>                  (v) Roads Policy and Objective RP 11 and GT 7 of the draft plan refers as follows:                  RP 11: <i>"It is an objective of the Council to implement traffic calming measures on the R417 and R428 as part of new developments."</i>                  GT 7: <i>"It is the policy of the Council to improve road safety within the town centre by implementing gateway entry treatments and other speed reduction measures (incl. 50kph signage) inside the town boundary. This measure will include reducing the speed limit appropriately in the core town centre and between the town and the town boundary."</i>                  Traffic calming schemes are developed and implemented where traffic speeds have been identified as a major road safety issue. The type of traffic calming features used is dependent on different factors and therefore it is not considered appropriate to insert an objective to specifically provide ramps on Woodstock Street into the Development Plan.</p>
<p>7.5</p>	<p>Brand Project Team</p>	<p>(i) Requesting that the Council prioritise the construction and delivery of the Southern Distributor Road.</p>	<p><b>Manager's Recommendation</b>                  (v) No change</p> <p><b>Manager's Response</b>                  (i) Provision of the SDR is an objective of the development plan, and significant work has been completed to date with regard to the design of the scheme. Kildare County Council intends to proceed with the construction of the Southern Distributor Road once funding has been secured for same. Objective RP 1 (pg 77) supports the delivery of the SDR as follows:  <i>"It is an objective of the Council to construct a Southern Distributor Road including a proposed link from this route to the town centre via the train station and to preserve these routes free from development. This is a priority objective of this Plan."</i></p>

	<p>It should be noted also that policy RP9 of the Kildare County Development Plan 2011-2017 refers: <i>It is the policy of the Council to build the Athy Southern Distributor Road and preserve the route free from development.</i></p> <p><b>Manager's Recommendation</b>          (i) No change</p> <p><b>Manager's Response</b>          (ii) Objective GO 6 (pg 76) adequately supports the improvement of road signage as follows:  <i>"It is an objective of the Council to improve road/street signage by undertaking a survey to assess proliferation, gaps and quality of signage and to develop a policy for the future provision of signage within the town, including the location of parking facilities and key public buildings and attractions throughout the town."</i></p> <p>It should be noted all Athy Town Council approach road signage will now be considered for redesign taking into account recommendations of the BRAND image. BRAND is a three year project running from October 2009 to September 2012 The project is 75% funded by the European Regional Development Fund (ERDF) through the EU's Ireland-Wales Interreg IVA programme. This programme is an EU community initiative that aims to strengthen economic and social cohesion by promoting international and cross-border co-operation. The BRAND Project partners are: - Denbighshire County Council, Wales (lead partner) - Isle of Anglesey County Council, Wales - Kildare County Council, Ireland - Dun Laoghaire-Rathdown County Council, Ireland.</p> <p><b>Manager's Recommendation</b>          (ii) No change</p>	<p>(ii) Request that approach road signage is revamped and improved.</p>
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<p>7.6</p>	<p>National Roads Authority</p>	<p>(i) Recommends that the Council have regard to the provisions of the <i>Spatial Planning and National Roads (Draft) Guidelines for Planning Authorities</i>.</p> <p>(ii) Recommends that the Planning Authority exercise care in the assessment and management of development proposals relating to the zoning of locations at or close to junctions on the N78 and the new N78 (M9 Athy Link Road) which could generate significant additional traffic potentially compromising the capacity and efficiency of the national road network. It identifies the extent of residential zonings at C32 and industrial and warehousing zoning in the Townparks and Woodstock area as locations which will need to be addressed.</p> <p>At these particular locations the NRA advises that where the plan incorporates sections of national roads on the approaches to or exit from urban centres that are subject to a speed limit of 60kph before a lower 50kph is encountered a limited level of direct access to be provided to facilitate orderly development. Road safety audits should also be carried out to avoid proliferation of such entrances.</p>	<p><b>Manager's Response</b> (i) Agreed</p> <p><b>Manager's Recommendation</b> (i) Include additional policy under Section 7.4 of the Draft Plan to read as follows: "It is the policy of the Council to ensure that the national roads system throughout County Kildare is planned for and managed in an integrated manner enabling sustainable economic development of the County and wider area while encouraging a shift towards more sustainable travel and transport in accordance with the Draft Spatial Planning and National Road Guidelines (DoEHLG, 2010) as may be amended."</p> <p><b>Manager's Response</b> (ii) Policy LU 1 (pg 216) adequately addresses the issue of phasing as follows: "It is the policy of the Council to ensure that a logical and sequential approach is adopted for development within the Athy Town Plan area (i.e. prioritising the development form the core area outwards)"</p> <p>Regarding lands identified as C32 it is recommended that these revert to agricultural use. Employment lands in Woodstock which are significantly affected by flooding are also proposed to revert to agricultural use. The objectives of the development plan that provide for the Athy Inner Relief Street, Southern and Northern Distributor Road will present an opportunity to provide for improved traffic management in Athy. Speed limits are already in place in Transitional Zones on all approaches to Athy.</p> <p><b>Manager's Recommendation</b> (ii) No change</p>	<p>27</p>
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		<p>(iii) Recommends that Section 15.6.3 be amended to require the submission of a transport and traffic assessment and road safety audit for significant development proposals, to be carried out by a competent consultant, which will be assessed in association with their cumulative impact with neighbouring developments on the road network.</p>	<p><b>Manager's Response</b>                  (iii) Each application is assessed on its merits and referred to the Transportation Department as deemed appropriate. It is not considered necessary to amend Section 15.6.3 as requested, as a transport and traffic assessment and road safety audit will be requested when it is considered necessary. All Traffic Impact Assessments must be carried out in accordance with national guidance and best practice.</p> <p><b>Manager's Recommendation</b>                  (iii) No change</p> <p><b>Manager's Response</b>                  (iv) Refer to Policy GT 2 (pg 69):  <i>"It is the policy of the Council to support sustainable modes of transport that ensure that land use planning and zoning are fully integrated with the provision and development of high quality transportation system."</i></p> <p><b>Manager's Recommendation</b>                  (iv) No change</p>
7.7	Winifred and Rowland Cox	<p>(iv) seeks the protection of the safety, carrying capacity and efficiency of the existing and future national road network is maintained and that an integrated approach to land use and transportation solutions throughout the town should be undertaken, such that local traffic generated by developments is catered for primarily within the framework of the local road network.</p> <p>Propose the Green Alley be converted into a one-way street for traffic. As it currently operates it is extremely unsafe and very narrow, particularly at the junction joining William Street and Leinster Street.</p>	<p><b>Manager's Response</b>                  It is a longer term recommendation of the Traffic Management Plan to provide a shared surface on Green Alley. There is nothing precluding one-way traffic flow on the street in the shorter term. This is a matter for consideration by Athy Town Council separate to the Development Plan process</p> <p><b>Manager's Change</b>                  No change</p> <p><b>Manager's Response</b>                  (i) Refer response 7.5 (i)</p>
7.8	Conor Winkle	<p>(i) The primary and overriding objective for all future development and progress in Athy has to be the construction of the Southern Distributor Road in the</p>	<p>46</p> <p>52</p>

	<p>shortest time frame possible. All other policies should be made with the assumption that the SDR is completed.</p> <p>(ii) The proximity of Athy to the M7 and M9 motorways should be emphasised in the promotion of the town as a hub location.</p> <p>(iii) Given current economic difficulties it is imperative that the town council have flexibility and an open minded approach to all issues affecting businesses in the town. This includes both rates and pay parking. As large shopping centers in nearby towns provide free parking to customers, Athy may need to compete on a like for like basis and eliminate pay parking at certain times or in certain areas. Turnover of parking spaces can still be achieved by the use of maximum time limits. If the retail draw of the town improves and more visitors are coming to the town, the town council will have to continually evaluate available parking and may have to opt to develop new parking spaces; this could be done in conjunction with new developments. Any parking developments in the town center should be down away from ground level to ensure the maximum availability of retail space.</p> <p>(iv) Rail connection to the town is currently under utilised. The timetable is restricted as there is only</p>	<p><b>Manager's Recommendation</b> (i) No change</p> <p><b>Manager's Response</b> (ii) As per the RPGs, Athy is recognized as a Moderate Sustainable Growth Town. This is reflected throughout the Plan. The increased attraction of Athy as a place for future investment on completion of the M7/M9 is being actively promoted both by Athy Town Council and Kildare County Council, including the availability of infrastructure in the town. Refer to report entitled Availability of Key Services in County Kildare, 2010.</p> <p><b>Manager's Recommendation</b> (ii) No change</p> <p><b>Manager's Response</b> (iii) As per 6.1(vi)</p> <p><b>Manager's Recommendation</b> (iii) No change</p> <p><b>Manager's Response</b> (iv) Policy TM 2 (pg 70) is considered to support to the</p>
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		<p>one track in both directions. It is requested that the Town Council seek to lobby Irish Rail and government to upgrade the connection to Kildare Town with two tracks.</p>	<p>development of the rail services as follows:  <i>"it is the policy of the Council to facilitate and promote the development of upgraded rail infrastructure and services on the Dublin- Waterford line through Athy."</i>                  Policy TM 3 (pg 71): <i>"it is the policy of the Council to co-operate with the relevant transport bodies and authorities to secure improvements and further developments of the public transport system."</i>                  Athy Town Council and Kildare County Council will liaise with Irish Rail in order to achieve an upgraded connection to Athy Town.</p> <p><b>Manager's Recommendation</b>                  (iv) No change.</p>
<p><b>7.9</b></p>	<p>National Transport Authority                  Hugh Creegan</p>	<p>(i) The Draft Plan should refer directly to the local authority's requirement under Section 65 of the Act and the Draft Plan should identify the role of the "Local Traffic Plan" in relation to the identification of, and requirement for, walking and cycling routes, new road schemes or improvements to existing roads and location of parking etc. These plans will play a key role in the funding and prioritisation of strategic and local transport interventions in the GDA.</p> <p>(ii) The NTA suggests that the role of parking as a transport demand management measure should be acknowledged in the Draft Plan. The Draft Plan states that <i>"car parking provision shall normally be provided within the curtilage of the development site"</i> (pg 198). The NTA considered that this puts an onus on developers to provide on-site parking for every new development, where possible. This may</p>	<p>55</p> <p><b>Manager's Response</b>                  (i) Agreed. A Traffic Management Plan has already been prepared for Athy in consultation with the NTA. The TMP will be updated accordingly as the town develops, and will have regard to all statutory requirements.</p> <p><b>Manager's Recommendation:</b>                  (i) Include policy RP14: <i>"To review and set out an implementation plan for the roads programme, including the improvement of walking and cycling routes, as part of a "local traffic plan" to be prepared following publication of the NTA Transport Strategy for the GDA and in accordance with Section 65 of the DTA Act 2008"</i>.</p> <p><b>Manager's Response</b>                  (ii) Noted. Section 15.6.6 (pg 198) indicates that "Council reserves the right to alter the requirements outline below (Table 15.9), having regard to the circumstance of each particular development."                  Bullet point 4 of this Section also states that "Car parking shall normally be provided within the curtilage of the development site. Where, in the opinion of the Council, it</p>

		<p>encourage an inefficient use of land, particularly in the town centre area and may facilitate the role of the private car to maintain a dominant transport mode within the town. This statement should be clarified in the Draft Plan and the requirement for new development car parking should be considered in the context of the wider area, taking into account the potential for shared parking spaces which could serve a number of developments or edge of centre communal parking to serve the area as a whole. This should be considered in the context of the Local Traffic Plan for Athy.</p> <p>(iii) The NTA welcomes the inclusion of maximum car parking standards in the Draft Plan for destination development, however the NTA considers that the level at which the maximum standards have been set in the Draft Plan are not stringent enough. The NTA recommends that the parking standards set out in the Draft Plan are amended to reflect the proposed Regional Maximum Parking Standards. (Refer to Table 8.21 of Regional Maximum Parking Standards)</p>	<p>would be impractical for individual developers to provide for on site parking, a development/financial contribution will be required in accordance with the Development Contribution Scheme.”</p> <p><b>Manager's Recommendation</b>                  (ii) Amend paragraph (bullet point 4, pg 198) to read as follows:                  'Where, in the opinion of the Council, it is appropriate in the context of the level of car parking within the wider area and with regard to the parking strategy to be developed under policy PK 6, car parking shall be provided within the curtilage of the development site.'</p> <p><b>Manager's Response</b>                  (iii) It is considered premature to change the maximum level of car parking in the area, in the absence of a GDA Parking Requirement Policy Document which is currently part of the NTA work programme.</p> <p>However it is recommended that an additional policy be included to facilitate a review of parking standards during the lifetime of the Plan which will be informed by the completed NTA Strategy for the GDA and inputs from relevant stakeholders.</p> <p><b>Manager's Recommendation</b>                  (iii) Include additional policy in Section 7.6 as follows:                  To review all parking standards, in consultation with relevant stakeholders during the life of this Plan”.</p>	56
7.10	Athy Chamber of Commerce Paul A. Cunningham	(i) The SDR is the most important piece of infrastructure and be given no. 1 priority. The SDR should be constructed in three phases.	<p><b>Manager's Response</b>                  (i) The SDR is a priority objective in the Draft Plan RP1 refers: To construct a Southern distributor road including a proposed link from this route to the town centre via the train station and to preserve these routes free from development.</p>	56

	<p><i>This is a priority objective of this plan. (Refer to Land Use Zoning Map 16.1).</i></p> <p>The construction of the SDR is subject to funding becoming available.</p> <p><b>Manager's Recommendation</b>                  (i) Amend Map 16.1 showing the connection of the SDR to the train station.</p> <p><b>Manager's Response</b>                  (ii) The Traffic Management Plan was developed to balance the needs of all road users. Traffic signals are used to manage traffic flows and balance delays at junctions and, contrary to the submission, offer significantly safer facilities for pedestrians than other junction types.</p> <p><b>Manager's Recommendation</b>                  (ii) No change</p>		
7.11	<p>Tegral Building Products Ltd                  Patrick Kelly</p>	<p>(ii) Traffic congestion is one of the biggest problems facing Athy and it discourages people to come into town. The Chamber is not convinced that the new Traffic Management Plan will be successful. Traffic jams and traffic lights will not benefit the town and will further discourage travelling to the town centre. Traffic lights will disrupt traffic flow and will not provide pedestrian safety.</p> <p>Supports the Athy Town Bypass proposal and requests that adequate access be provided to the Tegral site directly from the proposed new road. Requests that this access to the Tegral site is included in the final design of the roadway and as such be included as an objective of the Athy Town Development Plan.</p> <p>This would have the effect of removing significant numbers of heavy good vehicles from the current entrance at William Street and the feeder roads to the William Street.</p>	<p>64</p> <p><b>Manager's Response</b>                  It is not appropriate to apply an objective to provide direct access to a single development from the SDR as the precedent set could encourage the proliferation of entrances onto the SDR even before it is constructed. Access to the SDR will generally be made via a number of strategically located junctions. Planning for access to individual developments from the SDR can be assessed at the appropriate stage of the design/construction stage for the proposal.</p> <p><b>Manager's Recommendation</b>                  No change</p>



### 6.9 Chapter 8 Water, Drainage and Environmental Services

Item No.	Name	Summary of Issues Raised	Manager's Response and Recommendation	Sub. No.
8.1	RPGs Patricia Potter	<p>The SFRA carried out for Athy as part of the preparation of the Draft Plan, identifies a number of parcels of lands which do not appear to adhere to the recommendations within the SFRA, in that they did not pass the justification test, with potential future uses considered incompatible – thus increasing the flood risk impact to lands zoned for future development e.g. future housing. It is considered this approach is contrary to the recommendations of the RPGs. It is recommended that the local authority considers a revision of current land use zoning policies which are vulnerable to flood risk and to ensure compliance with the Regional Flood Risk Appraisal, RPG Flood risk policies and recommendations and the findings of the SFRA for Athy.</p>	<p><b>Manager's Response</b>                      Agreed. Lands located within the identified flood lines significantly affected by flooding should not be zoned for 'sensitive' land uses such as residential and instead should be zoned for water compatible uses such as Open Space and Amenity.</p> <p><b>Manager's Recommendation</b>                      Amend land use zoning map and objectives within the plan area to reflect the recommendations of the SFRA. Proposed to amend the zoning of the sites affected by flooding as follows:</p> <ul style="list-style-type: none"> <li>• C3 and C4 from C: New Residential to F: Open Space and Amenity.</li> <li>• C5 and C 32 from C: New Residential to I: Agricultural.</li> <li>• Part of lands zoned H: Industry &amp; Warehousing to I: Agricultural.</li> </ul>	4
8.2	Environmental Protection Agency	<p>(i) A clear statement should be provided in the Plan stating whether phased development of undeveloped zoned lands is being proposed. It is noted in the SEA Environmental Report, that an initial recommendation which involved the rezoning of 130 ha of lands was not carried forward into the Final Draft Plan. In light of this, the amount, type and extent of any re-zoning proposed or lands to be subject to phased development should be clarified.</p> <p>(ii) It should also be ensured that recommendations of the SFRA carried out relating to the development of these lands are fully integrated into the Plan to ensure appropriateness</p>	<p><b>Manager's Response</b>                      (i) Agreed. Refer to response to Item No. 2.1(i)</p> <p><b>Manager's Response:</b>                      (i) As per response to Item No. 2.1(i)</p> <p><b>Manager's Response</b>                      (ii) Furthermore the Draft SFRA identified lands which, although at possible risk of flooding, were being considered for types of development not generally compatible with flood risk areas. The</p>	17

	<p>of landuse.</p>	<p>scope of the Draft SFRA was extended to include a detailed Flood Risk Assessment (FRA) for such with the purpose of establishing the extent of flooding during the 1 in 100 year and 1 in 1000 year flood events (Flood Zones A and B respectively). The Flood Zones thus established were used in carrying out the Justification Test for the types of Development being considered.</p> <p>While the OPW welcomes the identification of Flood Zones for such lands, it recommends that they be extended 'throughout the entirety of the flood plain' i.e. regardless of proposed land-use. This would require the scope of the detailed FRA to be extended to include the entire lengths of the Barrow and Moneen Rivers located within the subject area of the Development Plan. It is considered that extending the scope of the detailed FRA in this way would not affect the strategic land-uses currently envisaged in the Draft Plan.</p> <p><b>Manager's Recommendation</b> (ii) No Change</p> <p><b>Manager's Response</b> (ii) Athy Town Council is aware of its national and European legislative requirements and various reference to same are made throughout the Plan.</p> <p><b>Manager's Recommendation</b> (ii) No change.</p> <p><b>Manager's Response</b> (iv) Section 3.6.2 of the Environmental Report considers relevant information on drinking water supply and quality and the assessment of the likely significant effects of implementing the Plan contained in Sections 7 and 8 of the Environmental Report consider drinking water supply and quality as key criteria (Strategic Environmental Objective). Various aspects of water services will be considered during the preparation of a Water Services Strategic Plan (Policy W53), including leakage.</p>
	<p>(iii) Plan should refer to Athy Town Council's responsibilities and obligations in accordance with all national and EU environmental legislation.</p> <p><b>Water Framework Directive</b> (iv) The SEA and Plan making processes should address drinking water supply capacity, leakage and quality in the Plan area. Future predicted increases in population and demand should be taken into consideration in the context of current drinking water supply and future requirements. The Plan should implement and include, as appropriate, the relevant recommendations set out in 'The Provision and Quality of Drinking Water in</p>	

	<p><i>Ireland- A Report for the Years 2008-2009 (EPA)</i></p> <p>(v) The Plan should highlight the requirement under The Waste Water Discharge (Authorisation) Regulations for all wastewater discharges, including storm water discharges which come within the scope of Regulations 43 and 44 of the Waste Water Discharge Regulations.</p> <p>(vi) The Plan should provide for protection, management and as appropriate enhancement of existing wetland habitats where flood protection/management measures are necessary.</p> <p>(vii) It should be ensured that the Flood Risk Management Guidelines, 2009 are fully integrated into the Plan and that the zoning and development of lands, they are appropriate to the risk of flooding identified.</p>	<p><b>Manager's Recommendation</b>                  (iv) Include additional policy in Section 8.5.1 Water Supply: <i>It is the policy of the Council to provide a clean water supply which meets the requirements of the European Communities (Drinking Water) (No 2) Regulations 2007 and any subsequent amendments to the regulations during the period of this Plan.</i></p> <p><b>Manager's Response</b>                  (v) Agreed</p> <p><b>Manager's Recommendation</b>                  (v) Include in Section 8.5.2 following statement <i>The Council will have regard to all relevant waste water legislation particularly sections 43 and 44 of the Waste Water Discharge (Authorisation) Regulations 2007.</i></p> <p><b>Manager's Response</b>                  (vi) Policy NH 2 refers: To facilitate the conservation and enhancement of the Grand Canal pNHA, and the River Barrow cSAC, including the adjacent wetlands and associated habitats and to ensure that development does not significantly adversely affect conservation values.</p> <p><b>Manager's Recommendation</b>                  (vi) No change</p> <p><b>Manager's Response</b>                  (vii) A Strategic Flood Risk Assessment has been conducted as part of the Development Plan Process and contains recommendation regarding particular sites throughout the town (refer 8.1 above). Furthermore, Policy SW 1 (pg 82) refers as follows:  <i>"It is the policy of the Council to implement the requirements of the DoEHLG The Planning System and Flood Risk Management-Guidelines for Planning Authorities (2009) in the carrying out of its functions during the period of the Plan."</i></p>
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	<p>(viii) The Plan should refer to the requirement under <u>The Waste Water Discharge (Authorisation) Regulations</u> for all waste water discharges which come within the scope of the Regulations to be licensed.</p> <p>(ix) <u>Waste Management</u>                  (a) The Plan should promote the integration of land use zoning and development to existing and planned availability of water infrastructure and capacity, with priority given to waste related infrastructure in advance of any development.</p> <p>(ix)(b) The Plan should promote and incorporate the information and any recommendation in the EPA report as follows, The National Waste Report 2009 and The National Hazardous Waste Management Plan 2008-2012.</p>	<p><b>Manager's Recommendation</b>                  (vii) No change</p> <p><b>Manager's Response</b>                  (viii) As per response to Item No. 8.2 (v) above</p> <p><b>Manager's Recommendation</b>                  (vii) As per response to Item No. 8.2 (v) above.</p> <p><b>Manager's Response</b>                  (ix)(a) Policy CS 2 (pg 20) refers as follows: "To facilitate greater co-ordination of residential and employment provision with the delivery of public infrastructure, amenities, community facilities, schools, public transport etc."</p> <p><b>Manager's Recommendation:</b>                  (ix)(a) No change</p> <p><b>Manager's Response:</b>                  (ix)(b) Agreed. Paragraph 3 under Section 8.13 of the Draft Plan should have regard to the information and recommendations contained in the aforementioned EPA reports.</p> <p><b>Manager's Recommendation</b>                  (ix)(b) Amend paragraph 3 under Section 8.13 of the Draft Plan to read as follows: "The County Waste Management Plan 2005-2010 sets out the overall waste management objectives and includes details on waste prevention, minimisation, recovery/reuse, recovery/recycling, energy recover, disposal, waste collection, animal slurries, sludge hazardous waste and litter prevention. <b>This Plan shall have regard to the County Waste Management Plan 2005-2010 and also the information and recommendations contained in the EPA reports, The National Waste Report 2009 and the National Hazardous Waste Management Plan 2008-2012.</b>"</p>
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		<p>(x) <u>Flooding</u> A clear statement should be provided in the Plan stating whether phased development of the undeveloped zoned lands is being proposed. The recommendations of the Flood Risk Assessment for 130ha of lands should be integrated into the land use zoning as appropriate to ensure appropriate land use. In light of the above it should ensure that adequate and appropriate critical service infrastructure is provided in advance of development proposals being granted.</p> <p>(xii) <u>Water, Drainage and Environmental Services</u> The inclusion of numerous policies within this chapter relating to appropriate infrastructure provision, SUDS, protection of groundwater etc is noted.</p>	<p><b>Manager's Response</b> (x) As per 8.1 and 8.2 (vi) above</p> <p><b>Manager's Recommendation</b> (x) As per 8.2 (vi) above</p> <p><b>Manager's Response</b> (xii) Noted</p> <p><b>Manager's Recommendation</b> (xii) No change</p>	
<p><b>8.3</b></p>	<p>RAPID</p>	<p>Request that an objective to be included to promote litter free town.</p>	<p><b>Manager's Response</b> Policies L 1 and L 2 (pg 88) adequately support the promotion of a litter free town. L 1: "It is the policy of the Council to enforce, where applicable, the provisions of the Litter Pollution Act 1997." L 2: "It is the policy of the Council to prepare a Litter Management Plan for Athy in accordance with the Litter Pollution Act 1997."</p> <p><b>Manager's Recommendation</b> No change</p>	<p>22</p>
<p><b>8.4</b></p>	<p>Office of Public Works</p>	<p>(i) Indicates that the Flood Zones A and B do not appear to extend throughout the full flood plain in places and recommends they be extended in their entirety of the flood plain, to ensure that all areas at risk of flooding are identified.</p>	<p><b>Manager's Response</b> (i) The Draft SFRA identified lands which, although at possible risk of flooding, were being considered for types of development not generally compatible with flood risk areas. The scope of the Draft SFRA was extended to include a detailed Flood Risk Assessment (FRA) for such with the purpose of establishing the extent of flooding during the 1 in 100 year and 1 in 1000 year flood events</p>	<p>33</p>

		<p>(ii) OPW welcomes the inclusion of the following policies: SW1, SW2, SW3, SW4, SW5, SW6, WDO13, WDO14 and SEOW3.</p> <p>(iii) OPW welcomes the incorporation of Flood Risk Management into the plan making process and the statement in Section 8.8 of the Draft Plan to avoid development in the flood plains and to recognise and preserve the flood plains and wetlands as Green Infrastructure which provides a natural defence against flood risk.</p> <p>(iv) Recommends that the SFRA be updated in the future when flood risk management information becomes available.</p>	<p>(Flood Zones A and B respectively). The Flood Zones thus established were used in carrying out the Justification Test for the types of Development being considered.</p> <p>While the OPW welcomes the identification of Flood Zones for such lands, it recommends that they be extended 'throughout the entirety of the flood plain' i.e. regardless of proposed land-use. It is considered that extending the scope of the detailed FRA in this way would not affect the strategic land-uses currently envisaged in the Draft Plan.</p> <p><b>Manager's Recommendation</b> (i) No change</p> <p><b>Manager's Response</b> (ii) Noted</p> <p><b>Manager's Recommendation</b> (ii) No change</p> <p><b>Manager's Response</b> (iii) Noted</p> <p><b>Manager's Recommendation</b> (iii) No change</p> <p><b>Manager's Response</b> (iv) Agreed this has already been incorporated into the Draft SFRA.</p> <p><b>Manager's Recommendation</b></p>
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		<p>(v) Any site at risk of flooding should need to provide site-specific FRA and also satisfy development management justification test.</p> <p>(vi) Recommends that the justification test be carried out on all sites affected by flood zones and not just those that were significantly affected.</p> <p>(vii) Indicates that some of the zonings do not follow the recommendations of the SFRA and recommends that this be reviewed and that the recommendations of the SFRA are followed in full.</p>	<p>(iv) No change</p> <p><b>Manager's Response</b>                  (v) Policy SW4 refers "it is the policy of the Council to ensure that development proposals on lands identified in the Athy Strategic Flood Risk Assessment are subject to an appropriate Flood Risk Assessment in accordance with the DoEHLG The Planning System and Flood Risk Management – Guidelines for Planning Authorities (2009)".</p> <p><b>Manager's Recommendation</b>                  (v) No change</p> <p><b>Manager's Response</b>                  (vi) The application of the Justification Test to those lands where encroachment of Flood Zones A and B is not significant relative to the overall land parcel will not affect the strategic land-uses currently envisaged in the Draft Plan.</p> <p><b>Manager's Recommendation</b>                  (vi) No change</p> <p><b>Manager's Response</b>                  (vii) Agreed</p> <p><b>Manager's Recommendation</b>                  (vii) As per 8.1 above</p>
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### 6.10 Chapter 9 Energy and Communications

Sub. No.	Name	Summary of Issues Raised	Manager's Response and Recommendation	
9.1	Dept. of Communications, Energy & Natural Resources Carmel Conaty	No Comments / Observations to make on draft plan.	<p><b>Manager's Response</b> Noted</p> <p><b>Manager's Recommendation</b> No change</p>	16
9.2	Conor Winkle	<p>(i) Athy is currently at a disadvantage compared to other towns in Kildare and nearby towns in neighbouring counties. This is primarily due to the fact that Athy was not included in the Metropolitan Area Network programs.</p> <p>(ii) There has been no major upgrade of the Athy exchange since DSL was introduced almost 10 years ago which means that the maximum available speed via phone line now available in Athy is 1/3<sup>rd</sup> that of other towns. There has also been no upgrade to the UPC network in the town. UPCs infrastructure would be capable of providing wired broadband over 12 times the speed of that currently available. The Town Council in coordination with other representative groups should liaise with the two companies above to ensure they maximise the potential connectivity over their existing infrastructure. Other DSL broadband companies should also be encouraged to un-bundle the Eircom exchange to offer further connectivity</p>	<p><b>Manager's Response</b> (i) Policy TE 1 (listed hereunder) supports the development and expansion of broadband in Athy.</p> <p><b>Manager's Recommendation</b> (i) No change</p> <p><b>Manager's Response</b> (ii) The provision of telecommunication infrastructure by private companies is supported by the following policies:</p> <p><i>TE 1: To encourage the development and expansion of communication, information and broadcasting networks, including mobile phone networks, broadband and other digital services</i></p> <p><i>TE 7: To promote and encourage the delivery of a high capacity ICT infrastructure, broad-band network, cable and broadcasting technologies throughout Athy and to facilitate access to these services by all sectors of the community by developing initiatives through the public library service.</i></p>	52



		<p>options.</p> <p>Owners/operators of fibre optic infrastructure in the vicinity of Athy should be approached to provide the greatest possible wholesale bandwidth options to the town. These include BT, ESB Telecom, Bord Gais (Aurora Telecom) and Eircom.</p> <p>As stated in the new developments category the town council should encourage the upgrade of all telecom links in the town to fibre optic.</p> <p>(iii) As part of an open once policy for roads/streets the town council could lay empty ducting to enable easy telecoms infrastructure additions in future.</p>	<p><b>TE 8:</b> <i>To support national policy for the provision of new and innovative telecommunications infrastructure, including a fibre optic broadband network and to recognise that the development of such infrastructure is a key component of future economic prosperity of Athy.</i></p> <p><b>EC1:</b> <i>To support the modernisation and development of telecommunications and broadband infrastructure to support the economic development of Athy.</i></p> <p><b>EC3:</b> <i>To support the implementation of the National Broadband Scheme insofar as it relates to Athy and to co-operate with the Department of Communications, Energy and Natural Resources in any future additions to the scheme.</i></p> <p><b>Manager's Recommendation</b> (ii) No change</p> <p><b>Manager's Response</b> (iii) This is not a matter for the Development Plan.</p> <p><b>Manager's Recommendation</b> (iii) No change</p>
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6.11 Chapter 10 Social, Community and Cultural Development

Sub. No.	Name	Summary of Issues Raised	Manager's Response and Recommendation
10.1	Emmet Mc Donagh	No further housing developments should take place due to insufficient Garda personnel and equipment to keep the peace and manage traffic.	<p><b>Manager's Response</b> The issue of Garda personnel and equipment is outside the remit of the Development Plan.</p> <p><b>Manager's Recommendation</b> No change</p>
10.2	Athy Comhairle Na nOg	<p>Requests that:</p> <p>(i) ATC strengthen links with local Comhairle Na nOg by officially acknowledging their role as a consultative body representing young people within the town and surrounding areas. To acknowledge motions in writing and update the Comhairle on issues relevant to young people.</p> <p>(ii) The building formerly known as Athy Youth Café now known as a community building to revert to its previous name.</p> <p>(iii) Provision of facilities for teenagers should be considered a high priority as many programmes favour children or established groups. Provision of a skate park is an urgent priority in this regard</p>	<p>21</p> <p><b>Manager's Response</b> (i) Comhairle na nOg were set up under the National Children's Strategy (2000) by the City and County Development Board around the State. The Comhairle na nOg is the responsibility of the Local Authority in each city and County. The Town Council welcomes input from Comhairle na nOg on relevant matters and facilitates its engagement in Council work, where appropriate.</p> <p><b>Manager's Recommendation</b> (i) No change</p> <p><b>Manager's Response</b> (ii) The community building at Meeting Lane was refurbished by the Council and is leased to a service provider to provide services to young and elderly people in the town. This is not a matter for the Development Plan.</p> <p><b>Manager's Recommendation</b> (ii) No change</p> <p><b>Manager's Response</b> (iii) Policy RAO 6 (pg 115) refers- to undertake a feasibility study to determine the most appropriate location for a skateboard park.</p>

10.3	RAPID	<p>(i) Requests that the plan contain specific objectives and timeframes for enhancing cooperation between the Council and RAPID AIT.</p> <p>(ii) Requests objectives be included to review alcohol bye-laws to allow community / litter wardens issue on spot fines</p>	<p><b>Manager's Recommendation</b> (iii) No change</p> <p><b>Manager's Response</b> (i) This is not a matter for the Development Plan.</p> <p><b>Manager's Recommendation:</b> (ii) No change</p> <p><b>Manager's Response</b> (ii) This is not a matter for the Development Plan.</p> <p><b>Manager's Recommendation</b> (ii) No change</p>	22
10.4	Conor Winkle	<p>The lack of a cinema in Athy is continually listed as a negative point against the town. It may be appropriate for the town council to approach cinema chains to ascertain their willingness to open in the town. As a cinema would be beneficial to the town, planning issues surrounding a cinema development could be approached with more leeway than other developments might experience.</p> <p>A condition for the development of any cinema should be the inclusion of an independent/art house screen. This would be a unique facility in the midlands and would be a draw for new visitors to the town.</p>	<p><b>Manager's Response</b> Agreed. It should be noted that the provision of a cinema is permissible within the town centre zone of Athy. Section 5.3 Town Centre Uses states "In exceptional circumstances standards may be relaxed in the town centre". It is proposed to include an additional policy under Section 10.7 of the Draft Plan to support the development of a cinema.</p> <p><b>Manager's Recommendation</b> Insert additional policy under Section 10.7, Arts and Culture in the Community, to read as follows: "It is the policy of the Council to facilitate the development of a cinema at an appropriate location within the Town Centre area of Athy."</p>	52

6.12 Chapter 11 Recreation and Amenity

Item No.	Name	Summary of Issues Raised	Manager's Response and Recommendation	Sub. No.
11.1	Francis B. Taaffe & co	Seeks the designation of Lords Island as an area of special amenity.	<p><b>Manager's Response</b> Policy RAO4 refers: <i>it is the policy of the Council to investigate developing Lord's Island as a Wildlife amenity area open to all members of the community.</i></p> <p><b>Manager's Recommendation</b> No change</p>	20
11.2	RAPID	<p>(i) Support development of a water based communal sports complex for Tri, Athy, Athy Civil Defence and Rowing Club etc.</p> <p>(ii) An area be identified for a Skate Board Park</p> <p>(iii) The RAPID Equine Project should be inserted into the Plan as an objective.</p>	<p><b>Manager's Response</b> (i) The provision of a sports complex is addressed under the overall Policy R 1 which seeks <i>"To encourage the provision, improvement and expansion of more varied recreational and sporting facilities to serve the needs of the town"</i></p> <p><b>Manager's Recommendation</b> (i) No change</p> <p><b>Manager's Response</b> (i) Policy RAO 6 (pg 115) refers- <i>"To undertake a feasibility study to determine the most appropriate location for a skateboard park"</i>.</p> <p><b>Manager's Recommendation</b> (ii) No change</p> <p><b>Manager's Response</b> (ii) Policy TC 1 addresses the issue of an equine based facility while SC 2 supports services aimed at Rapid Target Groups.</p> <p>TC1 <i>Explore the feasibility of designating lands for the provision of an equine based facility.</i></p>	22

11.3	Brand Project Team	Develop the amenities of river and canal	<p>SC 2: To work with the Athy RAPID Area Implementation Team to co-ordinate and improve services aimed at the RAPID target groups.</p> <p><b>Manager's Recommendation</b> (iii) No change</p>	
			<p><b>Manager's Response</b> Policies R 8 and A1 sufficiently address this issue:</p> <p><i>R 8: To promote active amenity sports along the River Barrow and the Canal.</i></p> <p><i>A1: To continue the development of riverside and canal side walking routes with the creation of a linear park along the River Barrow and canal in conjunction with the relevant statutory bodies.</i></p> <p><b>Manager's Recommendation</b> No change</p>	23
11.4	Vivian Cummins and Assoc Ltd.	(i) Recommends that the plan contains an objective that Athy Town Council takes the lead in the development of Athy's waterways and to act as a facilitator in the development of the waterways.	<p><b>Manager Response</b> (i) This is not a matter for the Development Plan. However it should be noted that Section 3.12 specifically supports Waterways Tourism. In addition, numerous policies and objectives contained in the Draft Plan support this type of tourism, most notably Policy TS 5 (pg 39) which reads as follows: "It is the policy of the Council to continue to work closely with key stakeholders in the tourism industry including Kildare Fáilte, Fáilte Ireland and Waterways Ireland in conjunction with local clubs and stakeholders, in order to further develop the overall tourist and economic potential in and around the town with particular emphasis on water based and waterside activities such as angling, boating, canoeing etc."</p> <p><b>Manager's Recommendation</b></p>	34

		<p>(ii) Suggests that Athy Town Council zone a large area of land with an objective of it being developed as a Theme Park and actively seek a business partner to develop such a facility.</p> <p>(iii) Examine zoning of the site in the vicinity of the boat slip at Rathstewart to facilitate the development of a rowing / boat club and that the redundant structures are utilised for same.</p> <p>(iv) Adopt a policy of providing additional youth facilities in the town.</p>	<p>(i) No change</p> <p><b>Manager's Response</b>                  (ii) There is currently approximately 49 ha of lands zoned Open Space and Amenity in the Draft Athy Plan. Such a use would also be permissible or open for consideration in a range of other land use. The involvement of ATC in such a venture is not a matter for the development plan.</p> <p><b>Manager's Recommendation</b>                  (ii) No change</p> <p><b>Manager's Response</b>                  (iii) There is an extensive planning history associated with the site and facilities in question. Under Pl. Ref. 00/300031 planning permission was granted to the developers for 90 two storey dwellings and a single storey club house and boat house at Rathstewart. The development of the boat house and club house was a condition of the original permission. They were subsequently constructed; however they remain unoccupied on the site.                  The most recent permission Pl. Ref 08/300008 permitted the removal of these two structures and the construction of a riverside path, new site entrance, two storey apartment building and a 24 space car park. The permission has not been implemented.                  The site is currently and it is recommended that it should remain zoned B: Existing Residential/Infill which allows for a wide range of development including community facilities while protecting the amenity of the established residential development in the area.</p> <p><b>Manager's Recommendation</b>                  (iii) No change</p> <p><b>Manager's Response</b>                  (iv) Policies YPC 1 and YPC 2 refer.</p>
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		<p>(v) Examine the possibility in conjunction with other stakeholders of establishing a policy of Athy becoming the centre of a Barrow Valley Heritage Trail.</p>	<p><i>YPC 1: To consider the needs of children and young people, including those with disabilities and additional needs, in the provision of indoor and outdoor recreational facilities (refer to Chapter 11 for additional policies on recreation and amenity).</i>  <i>YPC 2: To support and encourage the establishment of facilities for young people at appropriate locations within the town.</i></p> <p><b>Manager's Recommendation</b>                  (iv) No change</p> <p><b>Manager's Response</b>                  (v) This is a matter for ATC for consideration separate to the Development Plan process. However it should be noted that Policies A1 (pg 112) and A5 (pg 113) support the provision of walking trails as follows:                  A1: "It is the policy of the Council to continue the development of riverside and canal-side walking routes with the creation of a linear parking along the River Barrow and the Grand Canal in conjunction with the relevant statutory bodies."                  A5: "It is the policy of the Council to promote an increased awareness of Athy walking routes and heritage trails as attractive and unique recreational and educational amenities."</p> <p><b>Manager's Recommendation</b>                  (v) No change</p>	65
11.5	Joanna Woodhouse	<p>Requests that the following points are taken on board and that the Council look into the possibility of funding being made available.</p> <p>Identifies the following issues with the People's Park:                  - Equipment removed and vandalised, broken and needing replacement.                  - Serious and constant litter problem.                  - Improvement of rubbish bins and inclusion of</p>	<p><b>Manager's Response</b>                  This is a matter for consideration by ATC separate to the Development Plan process.</p> <p>However the programme of ongoing maintenance and improvement works at the park will continue.                  In addition, the Council is actively engaging with the Tidy Towns group to ensure the park is maintained to a high standard. Ongoing remedial works to the playground will be undertaken, subject to funding.</p>	65

		<p>separate bins for recycling.                  - Equipment in need of maintenance and repair (local hardware stores could come together to sponsor this)                  - Congregation of teenagers can be unsettling to smaller children.                  - Lack of weekly monitoring and maintenance</p> <p>If funding could be made available the idea of outdoor play and benefits of health and exercise to the health of young children and teenagers of the town.</p>	<p><b>Manager's Recommendation</b>                  No change</p>
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6.13 Chapter 12 Archaeological and Architectural Heritage

Item No.	Name	Summary of Issues Raised	Manager's Response and Recommendation	Sub. No.
12.1	RPGs Patricia Potter	The Draft Plan contains a wide range of policies and measures to support the built and natural heritage.	<b>Manager's Response</b> Noted  <b>Manager's Recommendation</b> No change	4
12.2	Scoil Mhíchl Naofa  McCarthy O' Hora Associates	Submission states that Protected Structure AY 071, NIAH Ref 11505013 is not in the ownership of Scoil Mhíchl Naofa. It is currently occupied by the Travellers Club and it is not clear who owns the structure.  It is noted that the Architectural Conservation Area cuts through the actual structure owned by Scoil Mhíchl Naofa (shown on map submitted). It is requested that the ACA boundary is adjusted to exclude the entire site of the school.	<b>Manager's Response</b> A notification letter in accordance with Section 12 of the Act was sent by registered post on 29/03/2011 to Scoil Mhíchl Naofa, Athy. It was returned to Athy Town Council as a submission on 08/06/2011 outlining that the original notification should have been sent to Sisters of Mercy. Having regard to the fact that the registered owners of the structure have not been adequately notified, a Section 55 notice should be issued.  <b>Manager's Recommendation</b> The ACA boundary comprises a place, area, group of structures or townscape of special architectural, historical, archaeological, artistic, cultural, social or technical interest, or which contributes to the appreciation of protected structures in the planning authorities' area. The designation recognises the value of a group of buildings and settings and allows them be treated as a whole. The boundary at Scoil Mhíchl Naofa includes protected structure AY 071 which contributes to the character of this area and extending the boundary to the buildings to the rear is not recommended as these structures do not add to the character of the ACA. Issue a Section 55 Notice to the owners of the structure AY 071, NIAH Ref 11505013.	47
12.3	Dept. of Environment	The SEA Environmental Report contains satisfactory policies and objectives for	<b>Manager's Response</b> Noted	51

	Community and Local Government Development Applications Unit	protection of archaeological heritage.	<p><b>Manager's Recommendation</b> No change</p>	
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6.14 Chapter 13 Natural Heritage and Biodiversity

Item No.	Name	Summary of Issues Raised	Manager's Response and Recommendation	Sub. No.
13.1	RPGs Patricia Potter	<p>(e) <u>Heritage and Biodiversity</u> Specific reference to green infrastructure and a commitment to incorporate the provision of a county wide Green Infrastructure Strategy into the town is considered to be positive.</p>	<p><b>Manager's Response</b> Noted</p> <p><b>Manager's Recommendation</b> No change</p>	4
13.2	Environmental Protection Agency	<p>(i) Provision should be made in the Plan to deliver insofar as possible the requirements in Article 3 and Article 10 of the Habitats Directive relating to land use planning and ecological coherences and the importance of wild flora and fauna.</p> <p>(ii) The Plan should refer to the protection of Annex I and Annex II and Annex IV species which occur within the adjoining Plan area.</p>	<p><b>Manager's Response</b> (i) Noted. Policy NH 12 of the Draft Plan refers: <i>"To require compliance with Article 10 of the Habitats Directive with regard to encouraging the management of features in the landscape which are of major importance for wild fauna and flora. Such features are those which, by virtue of their linear and continuous structure (such as rivers with their banks or the traditional systems for marking field boundaries) or their function as stepping stones (such as ponds or small woods) are essential for the migration, dispersal and genetic exchange of wild species."</i></p> <p><b>Manager's Recommendation</b> (i) No change</p> <p><b>Manager's Response</b> (ii) It is considered that the Draft Plan adequately addresses the issues raised in relation to Annex I, II and iv species under Section 13.4.4 (pg 139) of the Draft Plan. However it is reasonable to insert an additional policy under Section 13.4.5 of the Plan to further support these species It should be noted that the protection of the adjoining Plan area is a function of the KCC</p> <p><b>Manager's Recommendation</b> Insert additional policy under Section 13.4.4 to read as</p>	17

	<p>follows:  <i>"It is the policy of the Council to ensure that development does not have a significant adverse impact on plant species, animals and birds listed in the Flora Protection Order, Wildlife Act 1976-2000, those listed in Annex IV of the Habitats Directive and those listed in Annex I of the Birds Directive."</i></p> <p><b>Manager's Response</b>                  (iii) Under Section 13.11 (pg 144), NH0 7 of the Draft Plan, it is the objective of the Council to: <i>"To request National Parks and Wildlife Service to prioritise the preparation of Management Plans for Natura 2000 Sites which are located in the vicinity of the town."</i></p> <p><b>Manager's Recommendation</b>                  Amend Policy as follows:                  To request National Parks and Wildlife Service to prioritise the preparation of a Management Plan for the River Barrow a Natura 2000 Site <u>and to have regard to the objectives and management practices proposed in the Management Plan as appropriate.</u></p>	<p>(iii) The availability and status of Management Plan for the Natura 2000 sites within the plan area required in accordance with the Habitats Directive should be determined. The Plan should include a specific policy/objective in local authority land use plans to take into account the objective and management practices proposed in the available Management Plans.</p> <p>(iv) With regard to mineral abstraction and Natura 2000 Sites, the EU guidance document "Undertaking Non-Energy Extractive Activities in accordance with Natura 2000 requirements" should be taken into consideration and referenced as appropriate.</p> <p>(v) Policy NH5 promotes the provision of appropriate buffer zones between designated ecological sites and area zoned for development. Where the application of buffer zones is being considered NPWS and Inland Fisheries Ireland should be consulted.</p>
	<p><b>Manager's Response</b>                  (iv) National guidance and regulation will be followed regarding EIA and AA for proposed projects.</p> <p><b>Manager's Recommendation</b>                  (iv) No change</p>	<p>(iv) With regard to mineral abstraction and Natura 2000 Sites, the EU guidance document "Undertaking Non-Energy Extractive Activities in accordance with Natura 2000 requirements" should be taken into consideration and referenced as appropriate.</p>
	<p><b>Manager's Response</b>                  (v) Agreed</p> <p><b>Manager's Recommendation</b>                  (v) No change</p>	<p>(v) Policy NH5 promotes the provision of appropriate buffer zones between designated ecological sites and area zoned for development. Where the application of buffer zones is being considered NPWS and Inland Fisheries Ireland should be consulted.</p>

		<p>(vi) Policy NH1 relating to Non- Designated Habitats and Species should be given further strengthening. Replace the reference to "have regard to" with "will implement/incorporate" (the relevant action in the County Biodiversity Plan).</p> <p>(vii) The Plan should promote the inclusion of a Policy/Objective, as appropriate, for phased and co-ordinated Habitat Mapping (incl. Wetlands) within the Plan area.</p> <p>(viii) Amend Policy NH2 to read as follows:          "To facilitate the conservation, <b>protection</b> and enhancement of the Grand Canal pNHA and the River Barrow cSAC."</p> <p>(ix) The inclusion of policy N13 is welcomed and acknowledged.</p>	<p><b>Manager's Response</b>          (vi) Agreed.</p> <p><b>Manager's Recommendation</b>          (vi) Amend policy NH1 of the Draft Plan to read as follows:          "To have regard to implement the actions contained in the County Biodiversity Plan 2009-2013 through the identification of priority actions subject to the availability of funding."</p> <p><b>Manager's Response</b>          (vii) It is an objective of the Draft Plan under Section 13.11, NHO 4 "To map the habitats contained within the town and adjacent to the Plan area and to identify the biodiversity areas and recommendations made for their protection and enhancement."</p> <p><b>Manager's Recommendation</b>          (vii) No change</p> <p><b>Manager's Response</b>          (viii) Agreed</p> <p><b>Manager's Recommendation</b>          (viii) Amend policy as follows: NH 2: To facilitate the conservation, <b>protection</b> and enhancement of the Grand Canal pNHA, and the River Barrow cSAC, including the adjacent wetlands and associated habitats and to ensure that development does not significantly adversely affect conservation values.</p> <p><b>Manager's Response</b>          (ix) Noted</p> <p><b>Manager's Recommendation</b>          (ix) No change</p>
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		<p>(x) Policy NH 21: Replace the reference to "Regional Fisheries Board" with "Inland Fisheries Ireland"</p> <p>(xi) The inclusion of Section 13.9 Green Infrastructure is acknowledged however policy GI 1 should be amended to read as follows: "To have regard to <b>incorporate the</b> recommendations of the forthcoming Green Infrastructure Strategy ....."</p>	<p><b>Manager's Response</b> (x) Agreed</p> <p><b>Manager's Recommendation</b> (x) Amend NH 21 policy as follows: To consult, as appropriate, with the relevant Fisheries Board Inland Fisheries Ireland in relation to developments that could potentially impact on the aquatic ecosystems and associated riparian habitats.</p> <p><b>Manager's Response</b> (xi) Not agreed. The phrase "have regard" is considered to be sufficient. To revise policy to include "to incorporate" may require a variation of the plan which is deemed unnecessary.</p> <p><b>Manager's Recommendation</b> (xi) No change</p>	
13.3	Brand Project Team	Assist Athy Heritage Centre to develop a 3 year plan.	<p><b>Manager's Response</b> This is a matter for consideration as part of the Town Council's annual budget and not a matter for the development plan.</p> <p><b>Manager's Recommendation</b> No change</p>	23
13.4	Dept. of Environment, Community and Local Government	There are now only two SEOs for Biodiversity Flora Fauna in the current SEA Environmental Report. The Department notes that these SEOs have not included protected species (as opposed to Annexed Species) of flora and	<p><b>Manager's Response</b> SEOs B1 and B2 cover various aspects of biodiversity and flora and fauna. SEO B2 (To ensure compliance with Article 10 of the Habitats Directive with regard to the protection of corridors, stepping stones and contiguous areas of habitat<sup>6</sup></p>	51

<sup>6</sup> Important corridors, stepping stones and contiguous areas of habitat include the River Barrow and the Grand Canal. It is recommended that important corridors, stepping stones and contiguous areas of habitat are identified as part of the monitoring programme and that time and resources are spent in the monitoring of these rather than in the monitoring of corridors or areas of habitat which are not important at Town and environs level.

<sup>7</sup> Important corridors, stepping stones and contiguous areas of habitat include the River Barrow and the Grand Canal. It is recommended that important corridors, stepping stones and contiguous areas of habitat are identified as part of the monitoring programme and that time resources are spent in the monitoring of these rather than in the monitoring of corridors or areas of habitat which are not important at Town and environs level.

	<p>Development Applications Unit</p>	<p>fauna in the wider countryside as previously recommended. The Department recommends that this issue be addressed.</p>	<p>which are important at town and environs level for wild fauna and flora and essential for the migration, dispersal and genetic exchange of wild species) covers corridors, stepping stones and contiguous areas of habitat which may include protected species. SEO B2 is to be reworded as detailed below.</p> <p><b>Manager's Recommendation</b>          To amend SEO B2 to read as follows:  <i>"To ensure compliance with Article 10 of the Habitats Directive with regard to the protection of corridors, stepping stones and contiguous areas of habitat' which are important at town and environs level for wild fauna and flora and essential for the migration, dispersal and genetic exchange of wild species and to protect protected species."</i></p>
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### 6.15 Chapter 14 Urban Design and Opportunity Areas

Item No.	Name	Summary of Issues Raised	Manager's Response and Recommendation	Sub. No
14.1	Brand Project Team	Upgrade where necessary street furniture in line with new Brand imagery.	<p><b>Manager's Response</b> This is a matter for consideration separate to the development plan process. However the Town Council supports the work of the BRAND Project team and will carry out upgrades of street furniture on a phased basis, subject to funding.</p> <p><b>Manager's Recommendation</b> No change</p>	23
14.2	Raggett Construction Ltd Maguire and Associates on behalf of	<p>Indicates that the proposals regarding the design of the town core area will have an adverse and detrimental impact on the owner's property and conflict with the grants of permission in existence on site and requests amendments to facilitate orderly development of the site. In particular the following is identified:</p> <ul style="list-style-type: none"> <li>(i) Boulevard at the eastern approach conflicts with the permissions granted.</li> <li>(ii) Route of town centre street is at variance with permission.</li> <li>(iii) No. 5 and 6 Leinster Street are proposed protected structures the provision of a boulevard will require demolition of these properties.</li> <li>(iv) Provision of vehicular access through St. Michaels terrace is at variance with the permission.</li> <li>(v) Excessive, unequal and unreasonable area of owners landholding proposed for vehicular and pedestrian access.</li> <li>(vi) Destroy viability of the landholding as a single planning unit.</li> </ul>	<p><b>Manager's Response</b> Agreed. A revised Design Brief has been drawn up to more appropriately reflect the existing permission on the subject site.</p> <p><b>Manager's Recommendation:</b> Revised design brief to reflect the permissions granted on the site.</p>	37



**6.16 Chapter 15 Development Management Guidelines**

Item No.	Name	Summary of Issues Raised	Manager's Response and Recommendation	Sub. No.
15.1	Environmental Protection Agency	Consideration should be given to promoting the requirement for an appropriate "Visual Impact Assessment" for proposed development that may have an impact adversely on landscape features within the Plan area. The Plan should promote the application of standard impact assessment methodology for all such development.	<p><b>Manager's Response</b> This is an issue which is dealt with on a case by case basis in the assessment of individual planning applications.</p> <p><b>Manager's Recommendation</b> No change</p>	17
15.2	Vivian Cummins and Assoc Ltd.	Request cohesive policy for both hard and soft landscaping proposals including street furniture.	<p><b>Manager's Response</b> It is considered that Section 15.2.5 and 15.2.6 of the Draft Plan adequately refers to the provision of hard and soft landscaping and provides appropriate development management guidance.</p> <p><b>Manager's Recommendation</b> No change</p>	34
15.3	Paddy Raggatt Homes Ltd Maguire and Associates	Objects to the inclusion of planning conditions in permissions which require the construction of boundaries with block walls 2m in height, capped and plastered on the basis that these lead to excessive costs and that there are unsustainable due to the excessive amount of concrete and cement used which have a very high Co2 content.	<p><b>Manager's Response</b> In the interests of proper development, longterm durability and privacy it is considered appropriate to require the provision of boundary treatments in accordance with Section 15.3.3 as follows. <i>High quality boundary treatments are generally required to enclose private open space. A 1.8m – 2m high wall of solid block and capped and plastered on both sides is generally acceptable although this should be in keeping with the overall design of the development. Post and wire or concrete post and timber fencing is not permitted.</i></p> <p><b>Manager's Recommendation</b> No change</p>	36

### 6.17 (A) Chapter 16 Land Use Zoning

As per Section 6.3.1 of this Manager's Report: it is recommended that 52ha of land be zoned for residential purposes over the plan period 2012-2018. The sites proposed for new residential zoning are outlined in the table below and Revised Map 16.1 (Appendix 2):

Proposed New Residential Lands	
<b>C2</b>	4.5
<b>C16</b>	1.7
<b>C6</b>	3.9
<b>C17</b>	1.66
<b>C8</b>	1.5
<b>C19</b>	1.0
<b>C9</b>	0.7
<b>C26</b>	6.9
<b>C11</b>	4.93
<b>C28</b>	3.8
<b>C12</b>	4.1
<b>C35</b>	0.34
<b>C13</b>	8.7
<b>C36</b>	4.0
<b>C15</b>	4
<b>C37</b>	0.7
<b>TOTAL</b>	<b>52 Ha</b>
WHITE LANDS	
<b>W1</b>	17.0
<b>W2</b>	4.7
<b>W3</b>	3.4
<b>TOTAL</b>	<b>25.1 Ha</b>

The level of zoning and the sites identified are deemed most appropriate having regard to the factors to be considered in determining zoning as per the Development Plan Guidelines for Planning Authorities published by the DoEHLG and include:

- Amount of land must be clearly based on need
- Compliance with the NSS, RPGs and other infrastructure plans and programmes of State and semi-state bodies
- Existing and future availability of, or capacity to provide infrastructure
- Ability to provide supporting infrastructure and facilities
- Location of zoned land should offer the best value for money in terms of efficient use of existing infrastructure, while minimising the need for costly new infrastructure.
- Logical sequential approach should be taken to zoning extending outwards from the centre of an urban area, with undeveloped lands closest to the core and public transport routes being given preference with a strong emphasis on infill opportunities and better use of under utilised lands.
- Regard to heritage policy.

Sub. No.	Name	Summary of Issues Raised	Manager's Response and Recommendation	Sub. No.
16.1	Graham Kennedy	<p>Requests inclusion of additional objective to lands zoned C Low Residential Density (See map).                      AE4: Low to Medium Density                      This zoning provides for low density residential development. Low density (15-20 dwellings per ha) is appropriate at urban – rural transition areas at the edge of towns, including the provision of an access road from A to B which may form or may be potentially upgraded to form, part of the Athy Northern Distributor Route”.</p>	<p><b>Manager's Response</b>                      Refer to Part 2, Sections 6.3.1 and 6.17 which outline the zoning requirements for Athy over the Plan period 2012-2018. Having regard to the level of zoning required to facilitate development over the plan period together with other factors to be considered in determining the zoning of lands it is considered that the subject lands are inappropriate for new residential zoning as they fall on the factors to be considered in determining zoning and in particular the sequential test being located on the edge of the town and leapfrogging lands which are more appropriate for residential development in the short to medium term.</p> <p><b>Manager's Recommendation</b>                      Amend Map 16.1 Land Use Zoning as follows, re-zone the subject site from C: New Residential to I: Agriculture.</p>	8
16.2	Graham Kennedy	<p>Requests inclusion of additional objective to lands zoned H Industrial and Warehousing (See map).                      H3 “This zone relates to the Athy Business Campus in Woodstock South. In order to consolidate the employment base in the town other uses ancillary or similar to industry and warehousing including offices, office based industry, professional and medical services will normally be acceptable in this zone subject to the provision of appropriate service infrastructure and car parking to support such uses”.</p>	<p><b>Manager's Response</b>                      The uses proposed comprising offices, office based industry, professional and medical services are more appropriately accommodated in A: Town Centre zone or Q: Employment and Enterprise zone which comprise the brownfield lands adjoining the town centre zoning. To facilitate such uses at this location could adversely impact the vitality and viability of the town centre area and accordingly, it is not considered appropriate to amend the zoning objective as requested to H3.</p> <p><b>Manager's Recommendation</b>                      No change to Draft Plan. Site to remain zoned H: Industrial and Warehousing.</p>	9
16.3	Michael Hennessy	<p>Requests retention of site zoned C: New Residential (C20) on lands previously granted permission under pl ref: 01/300045.</p>	<p><b>Manager's Response</b>                      Refer to Part 2, Sections 6.3.1 and 6.17 which outline the zoning requirements for Athy over the Plan period 2012-2018. Having regard to the level of zoning required to facilitate</p>	10

			<p>development over the plan period together with other factors to be considered in determining the zoning of lands it is considered that the subject lands are inappropriate for new residential zoning as they fail on the factors to be considered in determining zoning and in particular the sequential test being located on the edge of the town and leapfrogging lands which are more appropriate for residential development in the short to medium term.</p> <p><b>Manager's Recommendation</b> Amend Map 16.1 Land Use Zoning as follows, re-zone the subject site from C: New Residential to I: Agriculture.</p>	
<p><b>16.4</b></p>	<p>Jim McCall</p>	<p>Requests that an area of 1.5 acres be zoned from agricultural to residential to ensure that it will not be used as an area for anti-social behaviour. Indicates that the zoning would provide planning gain for the area by way of providing community based uses such as playground and allotments as part of any future planning application.</p>	<p><b>Manager's Response</b> This submission seeks the zoning of 1.5 acres of lands currently zoned agriculture. Having regard to the level of zoning required to facilitate development over the plan period together with other factors to be considered in determining the zoning of lands it is considered that the subject lands are inappropriate for new residential zoning as they fail the sequential test being located on the edge of the town and leapfrogging lands which are more appropriate for residential development in the short to medium term. Note: Adjoining lands reference C31, C30 are proposed for downzoning.</p> <p><b>Manager's Recommendation</b> No change. Site to remain zoned I: Agricultural</p>	<p>12</p>
<p><b>16.5</b></p>	<p>Jim Mc Call</p>	<p>Requests that zoning H Industrial and Warehousing at Woodstock be changed to Q: Employment and Enterprise for the balance of the undeveloped lands as sufficient industrial units are available. The high quality campus already complies with the Q zoning.  To date 36 industrial units have been sold and there are 22 more units for sale. A more operable zoning of Q would provide more</p>	<p><b>Manager's Response</b> The lands identified as Q: Enterprise and Employment located adjoining the Grand Canal comprise underutilised brownfield land located in proximity to the established town centre zone. The Core Strategy of the Athy Draft Plan seeks to support, protect and reinforce the role of the town centre and to promote the appropriate reuse of under utilised sites to promote regeneration Policies CS6 and CS9 (pg 20) refer as follows:  CS6: "It is the policy of the Council to support, protect and reinforce</p>	<p>13</p>

	<p>flexibility and usage and will entice more businesses to the area.</p>	<p>the role of the town centre as the central retailing and service area of Athy through the intensification, consolidation and appropriate redevelopment of the town centre.”                  CS8: “it is the policy of the Council to promote the appropriate use and re-use of town centre backland and under-utilised sites to promote the regeneration of areas in need of renewal.”                   The lands currently identified as Q are in need of regeneration adjoining the Canal and existing town centre and as such a higher value use which could compliment the town centre zoning is deemed appropriate.                  It is not considered appropriate to extend the Q zoning to the subject site as it does not comprise brownfield lands and is located at a more remote location from the town centre zoning and could potentially impact on the viability and vitality of the established town centre.</p> <p><b>Manager's Recommendation</b>                  No change</p>
<p><b>16.6</b></p>	<p>Hickey / Ennis Partnership                  Simon Clear and Assoc.</p> <p>Indicates draft plan provides a strong policy framework for the expansion of retail floorspace. However no specific policy on the location of a standalone supermarket. In this regard requests that:   <b>(a) Plot A:</b> The south western part of the lands be rezoned H2 Industrial and Warehousing as an extension to the existing H2 Zoning adjoining the lands   <b>(b) Plot(s) B:</b> The remainder of the lands be rezoned G: Light Industrial and Commercial</p>	<p><b>Manager's Response</b>  <b>(a)</b> The subject site is currently zoned B: Existing Residential and Infill. As outlined in Table 3.3 of the Draft Plan there are more than sufficient lands zoned for employment purposes at a variety of locations within the plan area. It is not considered appropriate to zone these lands H2: Industrial and Warehousing.   <b>Manager's Recommendation:</b>  <b>(a)</b> No change. Lands to remain zoned B: Existing Residential and Infill   <b>Manager's Response:</b>  <b>(b)</b> The subject site is currently zoned B: Existing Residential and Infill, and C: New Residential. As outlined in Table 3.3 of the Draft Plan there are more than sufficient lands zoned for employment purposes at a variety of locations within the plan area. It is not</p>

			<p>considered appropriate to zone these lands G: Light Industrial and Commercial.</p> <p><b>Manager's Recommendation:</b> (b) No change</p> <p>(c) It is considered inappropriate to identify this site for the provision of a standalone supermarket as it is removed from the Town Centre area and would detract from the function and viability of the Town Centre.</p> <p><b>Manager's Recommendation</b> (c) No change</p> <p><b>Manager's Response:</b> (d) It is considered inappropriate to include a specific policy in the Plan identifying a site for a standalone supermarket as outlined in part (c) above. The policies in relation to retail development in Athy are outlined in Chapter 6 of the Draft Plan and the Draft Kildare County Retail Strategy 2010.</p> <p><b>Manager's Recommendation:</b> (d) No change</p>	
16.7	Francis B. Taaffe & co	<p>(c) the lands be identified as a strategic site with a specific local objective to provide for a supermarket.</p> <p>(d) An associated policy RP7 be included in the written statement, which identifies the lands for a standalone supermarket.</p> <p>Seeks retention of zoning of a four acre field (C27)</p>	<p><b>Manager's Response</b> Having regard to the location of these lands adjoining C12, it is considered appropriate that these lands remain zoned C: New Residential. However it should be noted that as recommended in the SFRA, the layout and design of development on these lands should be such that water vulnerable features are located outside of the 1:100 and 1:1000 year flood lines B. Refer to Table 16.2 (pg 219).</p> <p><b>Manager's Recommendation</b> No change. Site to remain zoned C: New Residential</p>	20
16.8	Michael Purcell	Requests a change in zoning from Q: Enterprise and Employment to A: Town	<p><b>Manager's Response:</b> The subject site is zoned Q: Enterprise and Employment in the Draft</p>	26

	Cormac Dooley	Centre providing for mixed use development on disused industrial site of 2.33 acres at Upper William Street. In the event that the entire rezoning is unacceptable it is requested that portion of the site be rezoned to include the public house and the grain store and associated frontage along the Grand Canal and that the enterprise and employment zone provide a separate definition for acceptable development within the zone which could be backed up with a masterplan for the key site prepared in conjunction with Mr. Purcell.	<p>Plan. A wide range of uses are considered acceptable or open for consideration within the Q zoning. Any proposed extension to the pub or other uses on the land could be considered in the context of Section 16.3.3 of the Development Plan.</p> <p>Section 16.3.3 (pg 226) refers: "Throughout the town there are uses that do not conform to the zoning objective for that area. These are uses which:</p> <ol style="list-style-type: none"> <li>1. Were in existence on 1<sup>st</sup> October 1964</li> <li>2. Have valid permissions or,</li> <li>3. Have no permission and which may or may not be the subject of enforcement proceedings.</li> </ol> <p>Extensions to and improvement of premises referred to in categories 1 and 2 above may be permitted. This would apply where proposed development would not be seriously injurious to the amenities of the area and would not prejudice the proper planning and sustainable development of the area."</p> <p><b>Manager's Recommendation:</b> No change</p>	
16.9	Kevin Maher and Andrew Doona  Vivian Cummins	Requests that the Council re-examine the zoning of a 0.09ha currently proposed transport and utilities in the draft plan (previously town centre and transport and utilities) which it indicated may have been to facilitate last years traffic management proposals which have been aborted to a single objective of town centre to facilitate its future development and ensure that it is not an eyesore at the entrance to the town.	<p><b>Manager's Response</b> Having regard to the restricted nature, size and shape of the site and the previous planning history (pl ref. 07/300066) associated with the site, it is considered that a zoning of J: Transport and Utilities would be more appropriate at this location and would provide a more complementary land use adjoining the Railway Station.</p> <p><b>Manager's Recommendation</b> No change. Site to remain zoned J: Transport and Utilities.</p>	35
16.10	Paddy Raggatt Homes  Maguire and	Requesting the retention and new zoning of land use zonings from the Athy Town Development Plan 2006-2012 on three parcels of land :  <b>(i) Plot A:</b> Currently zoned C: New	<p><b>Manager's Response:</b> <b>(i) Plot A:</b> Having regard to Part 2, Sections 6.3.1 and 6.17 of the Manager's Report outlining the zoning requirements of the Athy Town Development Plan 2012-2018 in accordance with the population allocations set out in the RPG's and the CDP , it is not considered appropriate to zone these sites in their entirety as C:</p>	41

<p>Associates</p>	<p>Residential. Proposed to be zoned B: Existing Residential/Infill.</p> <p><b>(ii) Plot B:</b> Currently zoned C: New Residential. Proposed to be zoned C: New Residential.</p> <p><b>(iii) Plot C</b> Currently zoned I: Agricultural. Proposed to be zoned I: Agricultural</p> <p>It is submitted that the above lands should retain their existing zoning for the following</p>	<p>New Residential. White Lands are recommended to be ear marked for future zoning. White lands will be located adjoining the proposed zoned lands and may form the next phase of development after 2012-2018. Development of white lands will be deferred until new residential zoned lands are substantially developed</p> <p><b>Manager's Recommendation:</b>  <b>(i) Plot A:</b> It is recommended that part of the site identified as Plot A comprising 3.9ha to remain zoned C: New Residential Part of Plot A that is currently zoned B: Existing Residential &amp; Infill remain so zoned.                  The remainder of Plot A comprising 3ha to be zoned W: White Lands.                  Revise Map 16.1 Land Use Zoning to reflect same. (Refer to Appendix 2, Revised Map 16.1).</p> <p><b>Manager's Response:</b>  <b>(ii) Plot B:</b> Having regard to Part 2, Section 6.3.1 and 6.17 of the Manager's Report outlining the zoning requirements of the Athy Town Development Plan 2012-2018 in accordance with the population allocations set out in the RPG's and the CDP, it is not considered appropriate to zone these sites in their entirety as C: New Residential. White Lands are recommended to be ear marked for future zoning. White lands will be located adjoining the proposed zoned lands will form the next phase of development after 2012-2018. Development of white lands will be deferred until new residential zoned lands are substantially developed</p> <p><b>Manager's Recommendation:</b>  <b>(ii) Plot B:</b> Revise Map 16.1 Land Use Zoning to zone lands identified as Plot B comprising 7.4ha from C: New Residential to W: White Lands.                  (Refer to Appendix 2, Revised Map 16.1).</p> <p><b>Manager's Response:</b>  <b>(iii) Plot C:</b> Agreed</p>	
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		<p>reasons:</p> <ul style="list-style-type: none"> <li>• strategic location of lands</li> <li>• proximity to facilities including infrastructure</li> <li>• previous zoning of lands</li> <li>• compliance with overall vision, core strategy, creation of sustainable communities etc</li> </ul>	<p><b>Manager's Recommendation</b> (iii) Plot C: No change</p>	
<p><b>16.11</b></p>	<p>Paddy Raggatt Homes Ltd Maguire and Associates</p>	<p>Requesting the retention of land use zonings from the Athy Town Development Plan 2006-2012 of land (identified on the attached map) it is submitted that the lands should retain there existing zoning for the following reasons:</p> <ul style="list-style-type: none"> <li>• strategic location of lands</li> <li>• proximity to facilities including infrastructure</li> <li>• previous zoning of lands</li> <li>• compliance with overall vision, core strategy, creation of sustainable communities etc</li> </ul>	<p><b>Manager's Response</b> It is acknowledged that these lands are strategically located and are surrounded by existing developments. However arising from the results and recommendations of the SFRA it is recommended that the site (originally C3) is de-zoned in its entirety along with site originally identified as C2. These sites identified could be significantly affected by flooding and it is recommended that they are designated for water compatible uses only.</p> <p><b>Manager's Recommendation</b> Amend Map 16.1 Land Use Zoning as follows; re-zone sites C3 and C2 from C: New Residential to F: Open Space and Amenity. (Refer to Appendix 2, Revised Map 16.1).</p>	<p>42</p>
<p><b>16.12</b></p>	<p>Paddy Raggatt Homes Ltd Maguire and Associates</p>	<p>Requests change in zoning from new residential to existing residential / infill on 1.603ha at Tomard part of the Cois Bhearu Scheme. Indicates that there is a current permission on these lands which forms Phase 3 of the overall scheme. Request change in zoning on basis of :</p> <ul style="list-style-type: none"> <li>• existing permission</li> <li>• adjoining completed Cois Bhearu Housing Estate</li> <li>• previous zoning for residential use 2006-2012</li> </ul>	<p><b>Manager's Response</b> While the planning permission associated with this site is acknowledged, the site in question has not been developed to date. Therefore it is considered appropriate to retain the zoning on the site as C: New Residential</p> <p><b>Manager's Recommendation</b> No change. Site to remain zoned C: New Residential.</p>	<p>43</p>

16.13	Paddy Raggett Homes Ltd Maguire and Associates	Requests that a 0.048ha site in Tonlegee Court is <u>specifically</u> zoned existing residential /infill to enable two dwellings to be constructed as it was refused previously on the basis of contravening materially the zoning objective pertaining to the site.	<p><b>Manager's Response</b> The subject site has been zoned B: Existing Residential/Infill in the previous 2006-2012 Athy Development Plan and it is proposed to retain this zoning in the 2012-2018 Development Plan. The site was designated as open space as part of permission ref no. 02/300052 which is a separate matter.</p> <p><b>Manager's Recommendation</b> No change. Site to remain zoned B: Existing Residential/Infill.</p>	44
16.14	Paddy Raggett Homes Ltd Maguire and Associates	Requests a change in zoning from C: New Residential to B: Existing Residential/Infill on lands comprising 4.05ha located at Lui Na Greine, Ardree. The lands are the subject of an existing permission (Ref. 06/300074 & 09/300007). The lands were originally zoned in the 2000 Development Plan together with the RESPOND site to the east and the Kildare County Council site to the north.	<p><b>Manager's Response:</b> While the planning permission associated with this site is acknowledged, the site in question has not been developed to date. Therefore it is considered appropriate to retain the zoning on the site as C: New Residential</p> <p><b>Manager's Recommendation:</b> No change. Site to remain zoned C: New Residential.</p>	45
16.15	Mr. John McDonnell MCD Civil Engineering Consultants Ltd	Requests that lands comprising 9.96ha located at Prusselstown (C30) remain zoned as C:New Residential. The Northern Distributor Road study area identified in the Draft Plan crosses lands to the south of the subject site but does not cross the subject site. This site should therefore retain its New Residential designation as they are the only lands in the area which are developable in the short to medium term. It is also requested that the Low Residential Density be applied to the site in order to provide an alternative housing provision from that on offer at present in Athy.	<p><b>Manager's Response</b> As per response to 16.1 Refer to Sections 6.1.3 and 6.17 which outline the zoning requirements for Athy over the Plan period 2012-2018. Having regard to the level of zoning required to facilitate development over the plan period together with other factors to be considered in determining the zoning of lands it is considered that the subject lands are inappropriate for new residential zoning as they fail on the factors to be considered in determining zoning and in particular the sequential test being located on the edge of the town and leapfrogging lands which are more appropriate for residential development in the short to medium term.</p> <p><b>Manager's Recommendation</b> Amend Map 16.1 Land Use Zoning as follows, re-zone subject site (originally C30) from C: New Residential to I: Agricultural.</p>	49

16.16	Mr. Jim Lawler  MCD Civil Engineering Consultants Ltd.	<p>Requests that lands comprising 2.36ha at Prusselstown retain their C34 New Residential Low Density zoning in the new Plan.</p> <p>There is a previous planning history on the site Ref. 07/300001 where permission was refused for the construction of 40 houses due to lack of services and proximity to the NDR.</p> <p>The preferred route agreed for the NDR does not cross the subject site however even if the NDR study area persists approximately half of the lands will remain outside the area and are immediately available for development. Furthermore a number of technical solutions can be provided in terms of servicing the site.</p>	<p><b>Manager's Response</b> As per response to 16.1 Refer to sections 6.3.1 and 16.17 which outline the zoning requirements for Athy over the Plan period 2012-2018. Having regard to the level of zoning required to facilitate development over the plan period together with other factors to be considered in determining the zoning of lands it is considered that the subject lands are inappropriate for new residential zoning as they fail on the factors to be considered in determining zoning and in particular the sequential test being located on the edge of the town and leapfrogging lands which are more appropriate for residential development in the short to medium term.</p> <p><b>Manager's Recommendation</b> Amend Map 16.1 Land Use Zoning as follows, re-zone subject site (originally C34) from C: New Residential to I: Agricultural. Retain the NDR Study Area as shown on Map 16.1.</p>	50
16.17	Department of Education and Science  Lorraine Brennan	<p>Having regard to the potential increase of population from 7,943 in 2006 to a population target of 10,819 by 2018, it is estimated that this will generate a requirement for 345 additional primary school places or 12 classrooms and 245 additional post-primary school places. It is intended to develop a campus of 3 existing primary schools on the Department owned site at Tormard.</p> <p>Therefore, it may be prudent to reserve lands for the provision of additional school accommodation arising from the projected increase in population with this plan.</p> <p>Other general points raised are: (i) The Department requests that site reservations are made as close as possible to community facilities so that these can be</p>	<p><b>Manager's Response</b> The Draft Development Plan has zoned an additional 4.4ha of lands adjoining the existing Education Campus site on the Monasterevin Road to cater for future educational demand. In addition approximately 29.6 ha of lands are provided for throughout the plan area for further Community and Educational uses.</p> <p><b>Manager's Recommendation</b> No change.</p>	54

		<p>shared between the school and community.</p> <p>(ii) The Department is open to the concept of multi campus school arrangements.</p> <p>(iii) Refer to the DoEHLG guidelines "Sustainable Residential Development in Urban Areas" which advises that no significant development should take place without an assessment on impact of school provision. Refer also to the "Code of Practice for Planning Authorities and the provision of schools".</p>	
<p><b>16.18</b></p>	<p>Athy Chamber of Commerce</p> <p>Paul A. Cunningham</p>	<p>Requests that approx. 5 acres to the south of the existing cemetery and adjoining the planned route for the SDR and parallel to the rail line be designated for future expansion of the cemetery.</p>	<p><b>56</b></p> <p><b>Manager's Response</b> 3.8ha of land is zoned as E: Community and Education at the location described in this submission. This is considered to be sufficient to accommodate the future extension to the cemetery. There is no other land available at this location unless it is provided across the route of the SDR which would be inappropriate.</p> <p><b>Manager's Recommendation</b> No change</p>
<p><b>16.19</b></p>	<p>Greencore Developments Ltd</p> <p>John Spain &amp; Associates</p>	<p>(i) Requests that the appropriate planning framework be put in place in the new Plan to ensure that the delivery of the approved retail warehouse park Ref: 07/300059 at Woodstock South is not compromised. In this regard requests:</p> <p>(a) That a H2 Industrial and Warehousing zoning objective be introduced on the subject site in order to seek to "provide for light industrial and industrial office type employment in a high quality campus environment and to provide for</p>	<p><b>59</b></p> <p><b>Manager's Response:</b> (i) (a) It is considered that the provision of retail and warehousing should be concentrated at a single appropriate location within the town rather than dispersed at various locations throughout the plan area. This is referenced in lands zoned H2: Industrial and Warehousing have been identified in the Draft Plan to the south of the SDR. The zoning of the subject site as H: Industrial and Warehousing does not preclude the development of the scheme granted under PI Ref: 07/300059.</p> <p><b>Manager's Recommendation:</b> (i)(a) No change</p>

	<p><i>retail warehousing in accordance with the retail policy and subject to the provision of necessary physical infrastructure.</i>"</p> <p>This amendment would be consistent with the County Retail Strategy which supports the provision of a retail warehouse park on Greencore lands. The site is currently zoned H: Industrial and Warehousing.</p>	<p><b>Manager's Response:</b> <b>(i)(b)</b> As per previous response to Item No. 16.19 (i)(a)</p>
<p><u>Or</u></p> <p><b>(b)</b> If this amendment is not accepted by the Council, at the very least "retail warehousing" should be included in the zoning matrix and should be "permitted in principle" or open for consideration" under zoning objective H and amend land use zoning description accordingly.</p>	<p><b>Manager's Recommendation:</b> <b>(i)(b)</b> No change</p>	<p><b>Manager's Response:</b> <b>(ii)</b> Having regard to the previous responses above, it is not considered appropriate to include a specific policy facilitating the development of retail warehousing on the subject site at Woodstock South.</p>
<p><b>(ii)</b> Requests that Policy RP 6 be amended to acknowledge the existing permission on the subject site and the recommendations of the Athy Town Retail Strategy 2008 as follows: RP 6: <i>"To facilitate retail, warehousing to the west of the town on the Woodstock South site where the existing permission exists in order to meet more sustainably the needs in this sector of the market in the south of the County."</i></p>	<p><b>Manager's Recommendation:</b> <b>(ii)</b> No change</p>	<p><b>Manager's Response:</b> <b>(iii)</b> Lands currently zoned I: Agriculture should remain so zoned. There is more than sufficient lands zoned for Industrial and Warehousing purposes. Refer to Chapter 3 of the Draft Plan. Furthermore the site in question is the subject of a significant</p>
<p><b>(iii)</b> Requests that the zoning objective H Industrial and Warehousing be extended onto the Greencore lands at Woodstock South. This lands are currently zone I : Agricultural</p>	<p><b>Manager's Response:</b> <b>(iii)</b> Lands currently zoned I: Agriculture should remain so zoned. There is more than sufficient lands zoned for Industrial and Warehousing purposes. Refer to Chapter 3 of the Draft Plan. Furthermore the site in question is the subject of a significant</p>	

16.20	Greencore Developments Ltd. John Spain Associates	Requests that the subject site be zoned R: Commercial and Retail. This site is currently zoned Q: Enterprise and Employment. The R zoning would accord with the recommendations of the Athy Town Retail Strategy 2008, which is endorsed by the Kildare County Retail Strategy and would be similar zoning to the Geraldine Road site and would provide the opportunity for a supermarket development to serve the western environs of Athy and the wider area.  Two previous planning applications on the subject site for a supermarket were refused by An Bord Pleanála. In order to overcome the concerns of the Bord it is requested that the zoning is changed to R: Commercial and Retail or D: Neighbourhood Centre.	<p>flooding risk.</p> <p><b>Manager's Recommendation</b> (iii) No change</p> <p><b>Manager's Response</b> The primary objective of the Q: Employment and Enterprise zoning is "To facilitate opportunities for employment and enterprise uses, manufacturing, research and developed uses within a high quality campus/ park type development". Within this zone a convenience shop is open for consideration; however the scale of such a use will be restricted to service the needs of employees within this employment area. A supermarket development would not be supported by the proposed zoning.</p> <p><b>Manager's Recommendation:</b> No change</p>	60
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6.17 (B) General Zoning

Item No.	Name	Summary of Issues Raised	Manager's Response and Recommendation	Sub. No.
17.1	Environmental Protection Agency	<p>(a) Policy H5, the provision of appropriate buffer zones between designated ecological sites and area zoned for development. Where the application of buffer zones is being considered the NPWS and Inland Fisheries Ireland should be consulted.</p> <p>(b) <u>Land Use Zoning</u> Reference should be made in Section 16.2 – Strategy that the Plan should be consistent with the Regional Planning Guidelines 2010-2022.</p> <p>In the development of a core strategy as part of the Plan, clarification should be given regarding the amount, extent and location of any lands proposed to be further zoned/rezoned and phased. Given that it has been noted that no lands are proposed be rezoned, it should be ensured that a phased approach to development is carried out in implementing the Plan to ensure sustainable development and provision of adequate and appropriate infrastructure. In the zoning and development of lands it should be ensured that it is appropriate to the flood risk identified to ensure appropriateness of land use.</p>	<p><b>Manager's Response</b> (a) Agreed</p> <p><b>Manager's Recommendation</b> (a) Insert additional objective under Section 13.11 to read as follows: "To identify suitable buffer zones between designated ecological sites and areas zoned for development."</p> <p><b>Manager's Response</b> (b) Agreed</p> <p><b>Manager's Recommendation</b> (b) As per response to Item Nos. 2.1, 8.1 and Section 6.3.1 and 6.17 of this Manager's Report.</p>	17
17.2	RAPID	Additional zonings should be provided for educational facilities.	<p><b>Manager's Response</b> In addition to the existing Education zoned lands from the 2005-2011 Athy Town Development Plan, a further 4.4ha is proposed in the Draft Plan. The combined total of approximately 33 ha is</p>	22

		considered to be adequate for Educational and Community use for the period of the Plan.	
		<b>Manager's Recommendation</b> No change	



6.18 Miscellaneous

Item No.	Name	Summary of Issues Raised	Manager's Response and Recommendation	Sub. No.
18.1	RAPID	<p>(a) AIT should be involved in a formal manner in the planning process (referred certain planning applications, attend meetings etc)</p> <p>(b) AIT should be advised of infrastructural projects at planning stage and included as objective of Plan.</p> <p>(c) All applications to be proofed against RAPID Strategic Plan and compliance sought.</p> <p>(d) Objective to be included that the PA will require all major P/A should be accompanied by a proposal which has been agreed with RAPID AIT setting out how the developer proposes sharing benefits of the development with the local community.</p>	<p><b>Manager's Response</b> (a) &amp; (b) AIT is not a Prescribed Body. The Planning Lists are available online or are available at the offices of Athy Town Council.</p> <p><b>Manager's Recommendation</b> (a) &amp; (b) No change</p> <p><b>Manager's Response</b> (c) This is a matter for RAPID who may make a submission to any planning application.</p> <p><b>Manager's Recommendation</b> (c) No change</p> <p><b>Manager's Response</b> (d) RAPID is not a Prescribed Body but may make submissions to the Planning Authority regarding any planning application. The list is available online.</p> <p><b>Manager's Recommendation</b> (d) No change</p>	22
18.2	Kildare Water Safety  Leo Mahon	<p>Request the inclusion of the following policy statement in the Athy Plan " <i>that support be given to Kildare Water Safety and related statutory bodies for the development of local water safety awareness and activities and for the planning and development of open water safe areas for training and amenity uses</i>".</p>	<p><b>Manager's Response</b> Chapter 11 contains numerous policies/objectives in relation to recreation and amenity facilities. While no specific policies/objectives relate to water safety regarding water based activities, it is acknowledged that Athy has a significant body of water, and it is considered appropriate to include an additional policy in relation to water safety</p> <p><b>Manager's Recommendation</b> Include a new policy in Chapter 11, Section 11.4 as follows:</p>	29

	<p>To encourage and support the development of water safety awareness initiatives in association with Kildare Water Safety.'</p>		52
18.3	<p>Conor Winkle</p>	<p><u>Other Issues</u>                  (a) The town council should investigate the introduction of an open once policy for road works. Under such a policy utilities companies would apply for a permit to dig up road surfaces and when a permit is granted it would be advertised to all other interested utilities companies. They would be offered the opportunity to take advantage of the issued permit with the original applicant which would reduce costs for all partaking companies. The condition of the permit would be that there could be no further opening of the affected surface for five years after works are completed. This would provide a major benefit to the public who would suffer less inconvenience from road works.                  (b) A unified approach should be taken to the introduction/ replacement of street furniture in the town. Either maintaining a uniform style across the town or implementing a specific style in certain areas to give them a defining character.</p>	<p><b>Manager's Response</b>                  (a) This in not a matter for the Development Plan. This should be discussed with Athy Town Council and the Town/Area Engineer.  <b>Manager's Recommendation</b>                  No change</p>
18.4	<p>Athy Chamber of Commerce                  Paul A. Cunningham</p>	<p>(a) There is a major problem with beer drinking and anti social behaviour in the town and around the waterways. It is proposed that ATC install a can crusher and buy back facility in a suitable location. The cost of this item should be levied against all of the businesses who provide off licence, fast food and public house facilities.</p>	<p><b>Manager's Response</b>                  (b) The Town Council supports the work of the BRAND Project team and will carry out upgrades of street furniture on a phased basis, subject to funding.  <b>Manager's Recommendation</b>                  (b) No change</p>
			56

	<p>(b) Athy is the malting capital of the country. This brand should be further exploited.</p> <p>(c) Athy should establish a website detailing the numerous sports and recreation clubs in the town (over 100).</p> <p>(d) Athy Town Council should establish a special award for the person(s) or company which creates the best innovation or job creations</p> <p>(e) Proposals must be considered to support the Tidy Towns Committee in its litter campaign and in its endeavours to make the streetscapes more environmentally friendly.</p>	<p><b>Manager's Response</b>                  (b) Section 3 (B) of the Draft Plan supports the development of the tourism industry in Athy. It is proposed to include an additional policy under Section 3.12.1 supporting the development and promotion of the malting industry in Athy.</p> <p><b>Manager's Recommendation</b>                  (b) Insert additional policy under Section 3.12.1 to read as follows: <i>"it is the policy of the Council to recognise the importance of the malting industry to the economy of Athy and to support and encourage the development of the town's association with the malting industry as a tourist attraction."</i></p> <p><b>Manager's Response</b>                  (c) This is not a matter for the Development Plan</p> <p><b>Manager's Recommendation</b>                  (c) No change</p> <p><b>Manager's Response</b>                  (d) This is not a matter for the Development Plan. However, the council will work with other organisations to develop and promote an awards system for local businesses.</p> <p><b>Manager's Recommendation</b>                  (d) No change</p> <p><b>Manager's Response</b>                  (e) Objective TCO 3 (pg 57) refers: <i>"It is an objective of the Council to prepare and implement an Environmental Improvement Scheme within the lifetime of this Plan to visually enhance the streetscape and key urban spaces with an emphasis on promoting a pedestrian and public transport friendly environment."</i>                  Policy L3 (pg 88) also refers:</p>
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		<p>(f) A "Guide to Athy Businesses" should be produced and widely circulated.</p>	<p><i>"It is the policy of the Council to continue education and awareness programmes in local schools and to promote grant schemes and initiatives to resident associations and other groups which aim to reduce litter in the town"</i></p> <p>It is considered that Objective TCO 3 supports the improvement of the streetscape in Athy, however it is appropriate to amend Policy L3 to include specific reference to the work of the Tidy Towns Committee".</p> <p><b>Manager's Recommendation</b>                  (e) Amend Policy L3 to read as follows:  <i>"It is the policy of the Council..... in local schools and to promote grant schemes and initiatives to resident associations and other groups, in particular the Tidy Towns Committee, which aim to reduce litter in the town"</i></p> <p><b>Manager's Response</b>                  (f) This is not a matter for the Development Plan.</p> <p><b>Manager's Recommendation:</b>                  (f) No change</p>
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### 6.19 Record of Protected Structures

It should be noted that an owner or occupier of a protected structure may make a written request to the Planning Authority to issue a declaration as to the type of works which it considers would or would not materially affect the character of the structure or any element of that structure. Within 12 weeks after receiving a request or within such other period as may be prescribed, a planning authority shall issue as declaration under this section to the person who made the request.

Section 2.7.1 of the DoEHLG Architectural Heritage Protection Guidelines for Planning Authorities state that deletion of a of a structure should only take place where the planning authority considers that the protection of a structure or part of a structure is no longer warranted. This will generally take place only when the structure has entirely lost its special interest value through major accident or where new information has come to light which proves that the special interest value was mistakenly attributed.

Item No.	Name	Issues raised	Managers Response and Recommendation	Sub. No.
19.1	Kevin McNair Tegral	Indicates that the Chimney Stack referred to in RPS number AY182 no longer exists.	<p><b>Managers Response</b> AY 182 comprised a red brick factory chimney, erected 1938, on square plan with steel corner reinforcing and braces. The structure was identified as having a local rating and of technical interest. Having regard to the fact that the structure no longer exists it is appropriate that it be removed from the RPS.</p> <p><b>Manager's Recommendation</b> Delete AY 182 from the Athy RPS.</p>	2
19.2 (i)	Gerard Tanham PP	(i) Requests that AY 042, St Michaels Parish Church not be included on the RPS for a period of five years to facilitate works to the church including sound proofing tiling and construction of additional rooms.	<p><b>Manager's Response</b> (i) As described on the NIAH listing, AY 042 refers to St. Michael's Parish Church and comprises a cruciform plan neo-Romanesque Catholic church, c. 1964, with apsidal chancel, square bell tower, octagonal baptistery, projecting portico, side porches and single-storey offices adjacent. It should be noted that the protected status of the structure does not preclude the carrying out of works to the structure. However, following further assessment and analysis of the structure, it is considered that the structure's inclusion within the ACA boundary would afford the exterior of the structure sufficient protection,</p>	3

<p><b>19.2</b> <b>(ii)</b></p>	<p>Gerard Tanham PP</p>	<p><b>(ii)</b> Requests that AY 030, Stanhope Place not be included on the RPS for a period of five years to facilitate works to the church including sound proofing tiling and construction of additional rooms.</p>	<p><b>Manager's Recommendation</b> <b>(i)</b> It is proposed to delete AY 042 from the Athy RPS. As the structure is located within the ACA, it will be governed by policies Architectural Conservation Policies contained in Section 12.7.2.</p> <p><b>Manager's Response</b> <b>(ii)</b> As described on the NIAH, AY 030 refers to Stanhope Plan, a three-bay two-storey over basement Regency villa, c. 1830, used as parochial house since c. 1840, with two-storey split-level return to rear. Front garden with rendered plinth wall, granite coping, iron railings and original gates. Rubble boundary wall with stock brick top to garden to side, granite steps, hand pump with lead pipe work to rear yard. Gates inscribed: 'J and C Mc Loughlin Dublin'. It has been designated as of Regional significance and of architectural and technical interest. It is recommended that the structure be retained on the RPS for the following reasons: 1. Retain on RPS as in accordance with DEHLG Guidelines section 2.7 of the Act, The structure has not lost its heritage character and attribution has not been made in error. 2. It was recommended by the DoEHLG Minister for inclusion on the RPS through the NIAH survey.</p>	<p><b>3</b></p>
<p><b>19.3</b></p>	<p>Melvin Moynan</p>	<p>Requests that AY 100, 16 Duke Street, not be included on the RPS.</p>	<p><b>Manager's Recommendation</b> <b>(ii)</b> No change</p> <p><b>Manager's Response</b> As described on the NIAH, AY 100 is a terraced four-bay three-storey house, c. 1850, with central segmental-headed carriageway, having two retail outlets to ground floor and flats to upper floors. Originally two houses with three-storey returns to rear to both former houses. The structure was designated as of local significance and of architectural interest. <b>Manager's Recommendation</b> Following further assessment and analysis of the structure and its remaining features of interest/character, it is proposed to remove AY 100 from the Athy RPS. As the structure is located within the ACA,</p>	<p><b>5</b></p>

19.4	Michael J Dwyer	Requests that AY 094, 13 Emily Square, not be included on the RPS.	<p>it will be governed by policies Architectural Conservation Policies contained in Section 12.7.2.</p> <p><b>Manager's Response</b> As described on the NIAH, AY 094 is a terraced three-bay three-storey double-pile house, with integral carriageway arch, originally end-of-terrace. Remodelled, c. 1880, using earlier fabric, c. 1810. Single-bay two-storey extension to side and extended to rear, c. 1965, now in retail use. The structure is designated as of Regional significance and as of architectural and technical interest. It is recommended that this structure should be retained on the RPS for the following reasons: 1. This structure is of Regional significance and was recommended by the DoEHLG Minister for inclusion on the RPS and is identified in the NIAH as a structure of architectural and technical importance. 2. This structure has not lost its special interest value and attribution has not been made in error.</p> <p><b>Manager's Recommendation</b> No change</p>	6
19.5	Stuart and George Griffin	Requests that AY 079, 22 Duke Street not be included on the RPS as this classification is a hindrance to the commercial status of the building.	<p><b>Manager's Response</b> As described on the NIAH, AY 079 is a terraced three-bay three-storey double-pile house, with integral carriageway arch, originally end-of-terrace. Remodelled, c. 1880, using earlier fabric, c. 1810. Single-bay two-storey extension to side and extended to rear, c. 1965, now in retail use. The structure is designated as of Regional significance and as of architectural and technical interest.</p> <p>Structure should be retained on the RPS for the following reasons: It is recommended that this structure should be retained on the RPS for the following reasons: 1. This structure was recommended by the DoEHLG Minister for inclusion on the RPS and is identified in the NIAH as a structure of regional importance and of architectural and technical importance. 2. In accordance with DEHLG Architectural Heritage Protection Guidelines section 2.7. This structure has not lost its special interest</p>	7

		value and attribution has not been made in error.		
19.6	Jack Wall TD on behalf of Margaret Kane	<p><b>Manager's Recommendation</b> No change</p> <p><b>Manager's Response</b> Terraced five-bay three-storey house and licensed premises with integral carriageway arch, rebuilt, c. 1900. Containing fabric of c. 1800. Formerly a hotel with two-storey return and annexed coach house with integral carriageway arch to rear. The structure is designated as of Regional significance and as of architectural and social interest. It is recommended that this structure should be retained on the RPS for the following reasons: 1. This structure was recommended by the DoEHLG Minister for inclusion on the RPS and is identified in the NIAH as a structure of regional importance and of architectural and social importance. 2. In accordance with DoEHLG Architectural Heritage Protection Guidelines section 2.7. This structure has not lost its special interest value and attribution has not been made in error.</p>	<p>Requests that AY061, Kane's Public House (11 Leinster Street) not be included on the RPS as changes have been made to ensure the safety of the structure thus the overall design of the front and interior has been dramatically changed. Listing may also give rise to a cost that the applicant cannot maintain.</p>	11
19.7	Sinead Osborne	<p><b>Manager's Recommendation</b> No change</p> <p><b>Manager's Response</b> Terraced five-bay three-storey house and licensed premises with integral carriageway arch, rebuilt, c. 1900. Containing fabric of c. 1800. Formerly a hotel with two-storey return and annexed coach house with integral carriageway arch to rear. The structure is designated as of Regional significance and as of architectural and social interest. It is recommended that this structure should be retained on the RPS for the following reasons: 1. This structure was recommended by the DoEHLG Minister for inclusion on the RPS and is identified in the NIAH as a structure of regional importance and of architectural and social importance.</p>	<p>Objects to the inclusion of AY088, 6 Offaly Street on the RPS and seeks letter of recommendation from the Minister regarding inclusion on the RPS.</p>	14



		<p>2. In accordance with DoEHLG Architectural Heritage Protection Guidelines section 2.7. This structure has not lost its special interest value and attribution has not been made in error.</p> <p>3. The structure forms part of a terrace of building nos. 4-8 on Offaly Street which are contained in the RPS.</p> <p><b>Manager's Recommendation</b> No change</p>		
19.8	Maeve Osborne	<p><b>Manager's Response</b> Corner-sited end-of-terrace three-bay three-storey late Georgian house, c. 1800, with two-storey return with carriageway arch, c. 1900. The structure is designated as of Regional significance and as of architectural interest. It is recommended that this structure should be retained on the RPS for the following reasons:</p> <ol style="list-style-type: none"> <li>1. This structure was recommended by the DoEHLG Minister for inclusion on the RPS and is identified in the NIAH as a structure of regional importance and of architectural importance.</li> <li>2. In accordance with DoEHLG Architectural Heritage Protection Guidelines section 2.7. This structure has not lost its special interest value and attribution has not been made in error.</li> <li>3. The structure forms an important architectural feature within Emily Square.</li> </ol> <p><b>Manager's Recommendation</b> No change</p>	<p>Objects to the inclusion of AY123, 6 Emily Square on the RPS and seeks letter of recommendation from the Minister regarding inclusion on the RPS.</p>	15
19.9	Andy and Pat Dunne	<p><b>Manager's Response</b> Terraced four-bay three-storey house, c. 1830, with licensed premises to ground floor. Rear extension and shopfront, c. 1960. The structure is designated as of Regional significance and is of architectural interest. Alterations and extensions were carried out to the structure during the 1960's.</p> <p><b>Manager's Recommendation</b> Following further assessment and analysis of the structure, it is</p>	<p>Requests that AY 106, 46 Duke Street Athy not be placed on the RPS.</p>	19

19.10	Michael Purcell and Gerry Deane Cormac Dooley	Requests removal of portion of wall AY008, Wall, Geraldine Road, from the RPS to facilitate vehicular access to the site subject of a planning application.	<p>proposed to delete AY 100 from the Athy RPS. As the structure is located within the ACA, it will be governed by policies Architectural Conservation Policies contained in Section 12.7.2.</p> <p><b>Manager's Response</b> Section of rubble stone wall with limestone coping, c. 1850. <b>Importance values:</b> Part of Model School wall area network, This wall has been reduced in length and breached on numerous occasions in the past. It is considered that policies outlined under Section 12.9, Vernacular Heritage and Section 12.10, Features of Interest would afford sufficient protection to this specific item of interest.</p> <p><b>Manager's Recommendation</b> Following further assessment and analysis of the structure, it is proposed to delete AY 008 from the Athy RPS. The structure will be governed by Architectural Conservation Policies outlined under Section 12.9 and 12.10 of the Draft Plan.</p>	24
19.11	Michael Purcell Cormac Dooley	Requests removal of AY 194, 9 Duke Street Athy from the RPS. The reasons for its removal relate to the fact that the applicant wishes to carry out works which would normally constitute exempt development, the building has been substantially changed with the majority of alterations occurring in the 1960's with further alterations to the shopfront occurring in the late 1990's. The fabric of the building required substantial repair. It is submitted that the protected status of the building is a considerable economic impediment. Reference is made to the location in an ACA which the applicant would have to have regard to notwithstanding whether it is a protected structure.	<p><b>Manager's Response</b> Former RIC barracks, terraced four-bay three-storey house, c. 1780, with dormer attic and central rear projection. Single-storey extensions and converted outbuildings, retail outlet to ground floor with shopfront, c. 1975. Flats to upper floors. Importance values: ARCHITECTURAL, TECHNICAL It is recommended that this structure should be retained on the RPS for the following reasons: 1. Retain on RPS as in accordance with DoEHLG Architectural Heritage Protection Guidelines section 2.7. This structure has not lost its special interest value and attribution has not been made in error. 3. Protected Structures should not be deleted from the RPS solely to facilitate planning permission. Protected Structure status does not preclude the appropriate development of a structure.</p> <p><b>Manager's Recommendation</b> No change</p>	25

19.12	Barry Doyle	Requests that AY 084, Casa Maria, Janeville, not be included on the RPS and requests recommendation from Minister regarding inclusion on RPS. Indicates that inclusion on RPS would interfere with the owners property rights including any further development of the property. If listing is proceeded with owner indicates that he will take legal advice regarding compensation.	<p><b>Manager's Response</b> Detached three-bay two-storey house, c. 1911, with two-storey return, single-storey extension, renovated, c. 1990. Garden to front and rear, cast-iron front gate to lane. Rear wall at lane constructed of roughcast rubble stone with roughly cut quoins. Open shed adjacent to rear of extension. The structure is designated as of Regional significance and as of architectural and technical interest. It is recommended that this structure should be retained on the RPS for the following reasons:</p> <ol style="list-style-type: none"> <li>1. This structure was recommended by the DoEHLG Minister for inclusion on the RPS and is identified in the NIAH as a structure of regional importance and of architectural and technical importance.</li> <li>2. Retain on RPS as in accordance with DEHLG Architectural Heritage Protection Guidelines section 2.7. This structure has not lost its special interest value and attribution has not been made in error.</li> </ol> <p><b>Manager's Recommendation</b> No change</p>	28
19.13	D A Perry HG Donnelly & Sons	Requests that AY 103, 24-25 Duke Street Athy not be included on the RPS and regards it as an interference with his property rights. Also requests copy of recommendation of Minister for inclusion.	<p><b>Manager's Response</b> Terraced five-bay two-storey house, c. 1855, ground floor converted and extended, c. 1966. In retail use with residential upper floor. The structure is designated as of Regional significance and as of architectural and technical interest.</p> <p><b>Manager's Recommendation</b> Following further assessment and analysis of the structure and the various works and alterations carried out on the structure, it is proposed to remove AY 103 from the RPS. As the structure is located within the ACA, it will be governed by policies Architectural Conservation Policies contained in Section 12.7.2.</p>	30
19.14	Patrick Dawson	Requests that AY 097, 5 Duke Street Athy not be included on the RPS as it has been substantially altered in the late 1960's and	<p><b>Manager's Response</b> Terraced three-bay three-storey house, c. 1897, with two-storey return to rear.</p>	31

	HG Donnelly & Sons	early 1970's and as such there are no grounds for its inclusion. Also requests copy of recommendation of Minister for inclusion.	<p>It is recommended that this structure should be retained on the RPS for the following reasons:</p> <ol style="list-style-type: none"> <li>1. This structure was recommended by the DoEHLG Minister for inclusion on the RPS and is identified in the NIAH as a structure of local importance and of architectural and technical importance.</li> <li>2. Retain on RPS as in accordance with DEHLG Architectural Heritage Protection Guidelines section 2.7. This structure has not lost its special interest value and attribution has not been made in error.</li> </ol> <p><b>Manager's Recommendation</b> No change</p>	
19.15	Shaws Dept Store Tom O'Brien	Requests that the building AY 073, WRTV Duke Street, not be placed on the RPS as permission has been granted for the demolition of the structure under permission 07/300024. Reference is made to conservation reports and engineers report submitted as part of the planning application which should be considered in this context.	<p><b>Manager's Response</b> End-of-terrace two-bay three-storey house, c. 1840, with three-storey return and two-storey extension to rear, c. 1965. Retail outlets to ground floor. The structure is designated as of Regional significance and as of architectural and technical interest. A Conservation Report was submitted and assessed as part of Pl Ref. 07/300024. Following assessment of the Report it was considered acceptable to permit the demolition of the structure to allow for the development of site as proposed.</p> <p><b>Manager's Recommendation</b> Remove AY 073 from the Athy RPS. This structure will remain within the boundary of the ACA and any works carried out to the structure must be in compliance with pl ref 07/300024.</p>	32
19.16	Michael Raggett Maguire and Associates	Objects to the inclusion of AY 049, 9 Leinster Street on the RPS on the basis that the building itself comprises mainly extensions that have been built overtime. Furthermore, considerable changes and alterations have been made internally have not enhanced the character of the building. Requests that the listing relate only to the front elevation and not the entire building.	<p><b>Manager's Response</b> Terraced three-bay two-storey house and licensed premises, c. 1865, with shared carriageway arch. Shopfront, c. 1950. It is recommended that this structure should be retained on the RPS for the following reasons:</p> <ol style="list-style-type: none"> <li>1. This structure was recommended by the DoEHLG Minister for inclusion on the RPS and is identified in the NIAH as a structure of regional importance and of architectural and social importance.</li> <li>2. Retain on RPS as in accordance with DEHLG Architectural</li> </ol>	38

	<p>Heritage Protection Guidelines section 2.7. This structure has not lost its special interest value and attribution has not been made in error.</p> <p>3. Protected Structures should not be deleted from the RPS to facilitate planning permission, as it's inclusion on the RPS does not preclude appropriate development of the structure.</p> <p>4. Protection extends to the exterior, interior and curtilage of a structure.</p> <p><b>Manager's Recommendation</b> No change</p>		
<p>19.17</p>	<p>Michael Raggett Maguire and Associates</p>	<p>Indicates that Mr. Raggett is not the owner of the building (AY059) at No. 6 Leinster Street but owns the rear garden of No. 6</p> <p><b>Manager's Response</b> Terraced three-bay two-storey house and licensed premises, c. 1865, with shared carriageway arch. Shopfront, c. 1950. Importance values: ARCHITECTURAL, SOCIAL. Rating: Regional It is recommended that this structure should be retained on the RPS for the following reasons: 1. This structure was recommended by the DoEHLG Minister for inclusion on the RPS and is identified in the NIAH as a structure of regional importance and of architectural and social importance. 2. Retain on RPS as in accordance with DEHLG Architectural Heritage Protection Guidelines section 2.7. This structure has not lost its special interest value and attribution has not been made in error. 3. Protected Structures should not be deleted from the RPS to facilitate planning permission, as it's inclusion on the RPS does not preclude appropriate development of the structure. 4. Protection extends to the exterior, interior and curtilage of a structure. A Section 12 notice was sent by registered post on 30/03/2011 to the owners of the structure. However a submission was received on 07/06/2011 stating that recipient of the Section 12 Notice does not own the structure itself, only the rear garden of the structure. Having regard to the fact that the registered owners of the structure itself have not been adequately notified, a Section 55 notice should</p>	<p>39</p>

			now be issued for No. 6 Leinster Street.	
			<b>Manager's Recommendation</b> Issue a Section 55 Notice to all the owner(s) of the structure/site AY 089, NIAH Ref 1155229.	
<b>19.18</b>	Michael Raggett Maguire and Associates	Objects to the inclusions of AY060, 5 Leinster Street on the RPS on the basis that changes and alterations made to the existing house have not enhanced the existing character of the building which has been fundamentally altered. In addition it is stated that it is proposed to demolish 5 Leinster Street to provide a boulevard to the eastern approach to Athy.	<b>Manager's Response</b> End-of-terrace two-bay two-storey house, c. 1896, with former retail outlet to ground floor with original shopfront. Two-storey gabled return and two- and single-storey extensions. Forms a pair with the adjoining house to the right-hand side. It is recommended that this structure should be retained on the RPS for the following reasons: <b>1.</b> This structure was recommended by the DoEHLG Minister for inclusion on the RPS and is identified in the NIAH as a structure of regional importance and of architectural and technical importance. <b>2.</b> Retain on RPS as in accordance with DoEHLG Architectural Heritage Protection Guidelines section 2.7. This structure has not lost its special interest value and attribution has not been made in error. <b>3.</b> Protected Structures should not be deleted from the RPS to facilitate planning permission, as it's inclusion on the RPS does not preclude appropriate development of the structure.	<b>40</b>
<b>19.19</b>	Scoil Mhicil Naofa McCarthy O'Hora Associates	(i) Submission states that Protected Structure AY 071, NIAH Ref 11505013, Old National School, Mount Hawkins, is not in the ownership of Scoil Mhicil Naofa. It is currently occupied by the Travellers Club and it is not clear who owns the structure.	<b>Manager's Recommendation</b> No change  <b>Manager's Response</b> (i) NIAH description as follows: Freestanding five-bay single-storey national school with projecting central gabled enclosed entrance porch built 1893. Two-bay two-storey gable-fronted wings to both ends and five-bay two-storey extension to east end. Importance values: ARCHITECTURAL, TECHNICAL. Rating: Regional It is recommended that this structure should be retained on the RPS for the following reasons: <b>1.</b> This structure was recommended by the DoECLG Minister for	<b>47</b>

	<p>inclusion on the RPS and is identified in the NIAH as a structure of regional importance and of architectural and technical importance.  <b>2.</b> The structure is in accordance with DoECLG Architectural Heritage Protection Guidelines section 2.7. This structure has not lost its special interest value and attribution has not been made in error.</p> <p>A Section 12 notice was sent by registered post on 29/03/2011 to Scoil Mhichil Naofa, Athy. It was returned to Athy Town Council as a submission, on 08/06/2011 stating that the original notification should have been sent to Sisters of Mercy.</p> <p>Having regard to the fact that the registered owners of the structure have not been adequately notified, a Section 55 notice should now be issued.</p> <p><b>Manager's Recommendation</b>          Issue a Section 55 Notice to the owners of the structure AY 071, NIAH Ref 11505013.</p> <p><b>Manager's Response</b>          (ii) The ACA boundary comprises a place, area, group of structures or townscape of special architectural, historical, archaeological, artistic, cultural, social or technical interest, or which contributes to the appreciation of protected structures in the planning authorities' area. The designation recognises the value of a group of buildings and settings and allows them to be treated as a whole. Any boundary adjustment would be subject to a review of the ACA.</p> <p><b>Manager's Recommendation</b>          (ii) The structure of Scoil Mhichil Naofa contributes to the architectural character of this area and should remain within the ACA. Extending the boundary to the buildings to the rear is not recommended, as it is considered that these structures do not add to the character of the ACA.</p>		
19.20	<p>(ii) It is noted that the Architectural Conservation Area cuts through the actual structure owned by Scoil Mhichil Naofa (shown on map submitted). It is requested that the ACA boundary is adjusted to exclude the entire site of the school.</p>	<p>Requested that The Ardreich Lock House (AY 091) be removed from the RPS.</p>	
Paul Reid	<p><b>Manager's Response</b>          Detached two-storey outbuilding, c. 1840.</p>		48

<p>19.21</p>	<p>Richard Malone &amp; Company</p>	<p>Planning permission was granted in 2000 for the property to be totally renovated and extended. These works have been carried out in full and the dwelling is now a modern structure built to current standards. It is stated that in 2002 the property was listed when on appeal the works and renovations were explained and the house was understood to be delisted.</p>	<p><b>Importance values:</b> ARCHITECTURAL. <b>Rating:</b> Regional  <b>Manager's Recommendation</b> Following further assessment and having regard to extensive alterations and works carried out to the structure, it is proposed to remove AY 091 from the Athy RPS.</p>	
		<p>Requests that AY 033, NIAH Ref. 11505311, Bapty Maher's, Leinster Street, is removed from the RPS for the following reasons:</p> <p>(i) The NIAH appraisal states that the structure is a "terraced three-bay two storey house c. 1859, with licensed premises to ground floor with pub front c. 1900. Extended to the rear". No detailed external or internal examination of the building was undertaken but the NIAH assessor as there is no reference to the internal condition of the structure. While the building may hold "nostalgic value" for some people the low significance afforded to it does not warrant protection on the RPS or NIAH. The structure is no longer used as a public house and is currently vacant. The protection of the front prevents conversion of the property to a suitable commercial use.</p> <p>(ii) The interior alterations and extension to the rear to include a cold room have changed the character of the structure and largely removed the architectural significance of the structure.</p>	<p><b>Manager's Response</b> Terraced three-bay two-storey house, c. 1859, with licensed premises to ground floor with pub front, c. 1900. Extended to rear <b>Importance values:</b> ARCHITECTURAL <b>Rating:</b> Regional Structure should be retained on the RPS for the following reasons: 1. It was recommended by the DEHLG Minister for inclusion on the RPS through the NIAH survey and identified as a structure of Regional importance and architectural importance. The structure accommodates a significant public house snug interior. 2. Retain on RPS as in accordance with DEHLG Architectural Heritage Protection Guidelines section 2.7. This structure has not lost its special interest value and attribution has not been made in error. 3. The pub front and snug interior are significant architectural heritage items. Appropriate development is not precluded subject to planning permission and gaining proper Architectural Conservation advice at feasibility and pre-planning stage. The owner/ occupier of a Protected Structure has a duty of care to prevent the endangerment of the building. 4. An owner/occupier has a duty of care to maintain the structure. In accordance with Section 59 of the Act, the structure should not be endangered.</p> <p><b>Manager's Recommendation</b> No change</p>	<p>57</p>



<p>19.22</p>	<p>Richard Malone &amp; Company</p>	<p>(iii) The protection of the structure prevents any substantial development at this location due to the lack of original materials remaining and lack of detail of what was originally present. The building does not conform to the characteristics that a structure of architectural significance should display, as outlined in the "Architectural Heritage Protection Guidelines for Planning Authorities".</p> <p>Having undergone a number of changes and alterations over the years and given that the structure is vacant and only serves to have a detrimental impact on the streetscape, it is requested that the structure is removed from the RPS to allow for necessary changes to occur and to improve the streetscape.</p> <p>Requests that AY 037, NIAH Ref. 11505016, Athy Community Centre, Stanhope Street, is removed from the RPS for the following reasons:</p> <p>(i) The interior alteration and extensions have left this structure in poor condition and with the original character largely absent. Many of the original features such as the windows, fire places, wall panelling, roofing, stone work, plaster work have been removed or damaged.</p> <p>(ii) The NIAH appraisal describes the structure as follows:  <i>"Five-bay two storey school extension to convent with two storey gabled projecting central bay to south 1883. Single storey entrance porch to south of projection and single-storey toilet extension to south-west."</i></p>	<p><b>Manager's Response</b>  Five-bay two-storey school extension to convent with two-storey gabled projecting central bay to south, built 1883. Single-storey entrance porch to south of projection and single-storey toilet extension to south-west. Now in use as meeting rooms and offices  Importance values: ARCHITECTURAL, TECHNICAL  Rating: Regional  Structure should be retained on the RPS for the following reasons:  1. It was recommended by the DEHLG Minister for inclusion on the RPS through the NIAH survey and identified as a structure of Regional importance and architectural and technical importance.  2. Retain on RPS as in accordance with DEHLG Architectural Heritage Protection Guidelines section 2.7. This structure has not lost its special interest value and attribution has not been made in error.  3. Development is not precluded subject to planning permission and gaining proper Architectural Conservation advice at feasibility and pre-planning stage. The owner/ occupier of a Protected Structure has a duty of care to prevent the endangerment of the structure.</p>	<p>58</p>
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		<p>Now in use as meeting rooms and offices." No detailed external or internal examination of the building was undertaken by the NIAH assessor. While the building may hold "nostalgic value" for some people the low significance afforded to it does not warrant protection on the RPS or NIAH. The structure is no longer used as a community centre and is currently vacant due to its poor condition.</p> <p>(iii) The protection of the structure prevents any substantial development at this location due to the lack of original materials remaining and lack of detail of what was originally present. The building does not conform with the characteristics that a structure of architectural and technical significance should display, as outlined in the "Architectural Heritage Protection Guidelines for Planning Authorities".</p> <p>Requests that the structure is removed from the RPS in the interest of the property itself and for the benefit of the community and adjoining properties.</p>	<p>4. An owner/occupier has a duty of care to maintain the structure. In accordance with section 59, it should not be endangered.</p> <p><b>Manager's Recommendation</b> No change</p>	
<p>19.23</p>	<p>Raymond Bradley Malcomson Law</p>	<p>Requests that AY 197, Tonlegee House is removed from the RPS. The correspondence issued on 10<sup>th</sup> May 2011 fails to comply with the relevant statutory obligations in a number of crucial respects, including the following: (i) The Planning Authority is obliged to furnish the owner/occupier of the proposed protected structure a notice of the proposed addition or deletion, including the particulars. The correspondence fails to include any 'particulars' in relation to the proposed</p>	<p><b>Manager's Response</b> Double pile late Georgian to Regency residence/guest house. Central chimney stacks hipped roof with bracketed eaves. Rendered walls 3 bay quoined corners with 4-bay return and outbuildings. Gate lodge gates extant It is recommended that this structure should be retained on the RPS for the following reason: Retain on RPS as in accordance with DEHLG Architectural Heritage Protection Guidelines section 2.7. This structure has not lost its special interest value and attribution has not been made in error.</p> <p>Note: Original notification letter issued to the registered owner of the</p>	<p>62</p>

	<p>addition to the RPS. It fails to set out the extent of the property and any reasons for the proposed addition.</p> <p>(ii) Section 12(3) of the Act states that a copy of a proposed addition may be inspected during a stated period of not less than 10 weeks which is a mandatory requirement. The correspondence issued from the Planning Authority dated 10<sup>th</sup> May 2011 stated that it may be inspected until 7<sup>th</sup> June 2011. This is only a 4 weeks time period.</p> <p>(iii) Section 12(3)(b)(iii)(iv) of the Act stated that a notice shall set out whether or not the proposed addition was recommended by the Minister and that if the proposed addition was recommended by the Minister, the Planning Authority shall forward to that Minister for his/her observations any submissions/observation. The correspondence issued by the Planning Authority 10<sup>th</sup> May 2011 fails to state whether or not the proposed addition was recommended by the Minister.</p> <p>The foregoing omissions renders void all subsequent actions that derive from such a failure to strictly adhere to such statutory obligations as outlined above.</p>	<p>structure dated 30/03/2011 in accordance with Section 12 (3) of the Act.</p> <p><b>Manager's Recommendation</b> No change</p>
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**6.20 Proposed Manager's Changes**

Change No.	Proposed change
1	Include link road to Railway Station from the SDR. Amend Map 16.1 (Refer to Appendix 2, Revised Map 16.1).
2	Remove the Open Space & Amenity Layer from Map 13.1 (Refer to Appendix 2, Revised Map 13.1).
3	Revise description of Q: Employment and Enterprise in Table 16.1 (pg 223) to specify that the "lands adjoining the western bank of the Grand Canal" refers only the lands located along the Canal within the identified 100 and 1,000 year flood lines.
4	Revise Map 16.1 and Table 16.2 to re-zone the original Bachelors Site from B: Existing Residential & Infill to D: Neighbourhood Centre. (Refer to Appendix 2, Revised Map 16.1).