

# Draft Kildare County Development Plan 2017-2023

Chief Executive's Report on Submissions and Observations



Kildare County Council  
Comhairle Contae Chill Dara

25<sup>th</sup> August 2016

Forward Planning Section

Planning Department

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## SECTION 1 – INTRODUCTION & OVERVIEW

### 1.0 Introduction

Notice of the preparation of the Draft Kildare County Draft Development Plan 2017-2023 and Environmental Reports was given on 4<sup>th</sup> May 2016 in accordance with the requirements of Section 12 of the Planning and Development Act 2000 (as amended).

The Draft Plan and Environmental Reports were available to view at the following locations from 4<sup>th</sup> May 2016 to 13<sup>th</sup> July 2016:

- Planning Department, Kildare County Council, Áras Chill Dara, Naas;
- Athy Municipal District Office, Rathstewart, Athy;
- Kildare Public Libraries; and
- Kildare County Council Website.

Public information sessions on the Draft Plan were held in each Municipal District of the County as follows:

Tuesday 2 <sup>nd</sup> June 2016	Clane G.A.A Club	3pm to 8pm
Tuesday 7 <sup>th</sup> June 2016	Áras Bhride, Kildare Town	3pm to 8pm
Tuesday 14 <sup>th</sup> June 2016	Athy Municipal District Office	3pm to 8pm
Thursday 16 <sup>th</sup> June 2016	Áras Chill Dara, Naas	3pm to 8pm
Thursday 23 <sup>rd</sup> June 2016	Leixlip Library	3pm to 8pm

Submissions or observations with regard to the Draft Plan and Environmental Reports (Strategic Environmental Assessment and Appropriate Assessment) were invited from 4<sup>th</sup> May 2016 to 13<sup>th</sup> July 2016 inclusive. A total of 481 written submissions or observations were received during this period.

This Chief Executive's Report on submissions and observations received during the Draft Plan consultation is hereby submitted to the members of the Planning Authority for your consideration.

### 1.1 Strategic Environmental Assessment (SEA)

In accordance with the requirements of the Planning and Development (Strategic Environmental Assessment) Regulations 2004 a Draft Environmental Report accompanies the Draft Kildare County Development Plan 2017-2023. The Draft Environmental Report contains a detailed analysis of the Draft Kildare County Development Plan 2017-2023 and how the implementation of the Plan would impact on its receiving environment. The Chief Executive's recommendations as set out in this report (including recommendations of the Environmental Authorities submissions detailed in Appendix A) have been assessed to determine whether they would have any significant impact on the environment. Taking into account the mitigation measures which have already been integrated into the Draft Plan, it was considered that the amendments proposed on foot of recommendations in the Chief Executive's Report would not have any significant adverse effect on the environment. Any proposed material amendment will also be screened for the need to undertake SEA. The findings of this screening along with, if required, a full SEA will accompany any proposed material that is placed on public display following consideration of the Draft Plan and this Chief Executive's Report.

## **1.2 Appropriate Assessment**

In accordance with the requirements under EU Habitats Directive (92/43/EEC) and Section 177 of the Planning and Development Act 2000 (as amended), amendments proposed on foot of this Chief Executive's Report have been screened to assess whether they would have a significant effect on one or more Natura 2000 sites. It was considered that the amendments proposed on foot of the recommendations, alone and in combination with other plans and projects including on the Draft Plan, would not have any significant effect on any Natura 2000 site.

## **1.3 Content and Format of Report**

The content and format of this Report is in accordance with the requirements of Section 12 of the Planning and Development Act 2000, (as amended). Section 2 details the legislative background. Section 3 lists the persons / bodies who made submissions or observations. Section 4 summarises the issues raised in submissions and observations received in respect of the Draft Plan, and sets out the Chief Executive's response and recommendations in relation to the issues raised, including recommendations for changes to the Draft Plan. Section 5 outlines the submissions received on the Strategic Environmental Assessment and Appropriate Assessment reports which were prepared in conjunction with the Draft Development Plan.

The report forms part of the statutory procedure for the preparation of the Kildare County Development Plan 2017 – 2023.

## 1.4 Summary of County Development Plan Process

STAGE 1 PRE DRAFT (COMPLETE)	Comment
Notice of Review	Notice given in newspaper April 2015
Stakeholder and Public Consultation	5 public meeting information sessions: Naas, Maynooth, Kildare, Athy, Leixlip.
Chief Executive's Report on Consultation submission to Members	CE Report issued July 2015.
Members consider Chief Executives Report and give direction regarding preparation of the Draft Plan	September 2015
Proposed Draft Development Plan prepared draft plan and submitted to members for consideration	The Proposed Draft issued to members for consideration. March 2016
Members consider draft plan and can accept or amend	Special Meetings of KCC to consider proposed Draft CDP. March and April 2016
STAGE 2 DRAFT (CURRENT STAGE)	Current Stage
Notice of Draft Plan	Notice of Draft Plan. May 2016
Public consultation on draft plan	5 public drop-in information sessions: Naas, Clane, Kildare, Athy, Leixlip.
Chief Executive's Report on submissions/observations submitted to members	<b>Chief Executive' Report on the Draft Plan Submissions/Observations. 25<sup>th</sup> August 2016</b>
Members consider report and draft plan and can materially alter if required	<b>October 2016</b>
Notice of proposed material alterations	<b>November 2016</b>
Public consultation on proposed material amendments	<b>November 2016</b>
CE Report on submissions/observations submitted to members	<b>December 2016 / January 2017</b>
Members consider report and proposed amendments and can accept or modify	<b>February 2017</b>
<b>PLAN ADOPTED</b>	<b>February 2017</b>

## SECTION 2 – LEGISLATIVE BACKGROUND

Section 12(4) of the Planning & Development Act 2000 (as amended) requires that the Chief Executive prepare a report on the submissions and observations received during the consultation period for the Draft Development Plan and submit it to the members of Kildare County Council.

The Act requires that the Chief Executive Report shall:

- (a) List the persons or bodies who made submissions or observations.
- (b) Summarise the issues raised by the Minister for Housing, Planning, Community and Local Government, the Eastern and Midland Regional Assembly and the National Transport Authority and outline recommendations of the Chief Executive in relation to the manner in which those issues and recommendations should be addressed in the Development Plan.
- (c) Summarise the issues raised by other bodies and people.
- (d) Give the response of the Chief Executive to the issues raised, taking account of
  - Any directions issued by the members of Kildare County Council under Section 11(4),
  - The proper planning and sustainable development of the area,
  - The statutory obligations of any local authority in the area,
  - Any relevant policies or objectives for the time being of the Government or of any Minister of the Government, and
  - Any submissions by the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs in response to additions or deletions to the Record of Protected Structures.

This Chief Executive's Report on the Draft Plan Consultation is hereby submitted to the members of the Planning Authority for consideration. In accordance with Section 12(5)(b) of the Planning & Development Act 2000 (as amended), the members must complete their consideration of the Chief Executive's Report and the Draft Development Plan within 12 weeks of receiving the Report. Members will be briefed in relation to the review in September 2016 and it is proposed to schedule a series of Special Meetings of Kildare County Council in October 2016 to allow for the formal consideration of the Chief Executive's Report and the Draft Development Plan.

Pursuant to Section 12(11) of the Planning and Development Act 2000 (as amended), in making the Development Plan, the Council is restricted to considering the proper planning and sustainable development of the area to which the Development Plan relates, the statutory obligations of the local authority and any relevant policies or objectives of the Government or any Minister of the Government.

Following consideration of the Chief Executive's Report and the Draft Plan, the planning authority can resolve to either make the Plan or materially alter the Plan. If the planning authority resolves to make the Plan, then it comes into effect four weeks from the date that the resolution is made. A further period of public consultation is required if it is resolved to alter the Draft Plan and where the proposed amendment (s) is (are) material. In addition, where the proposed amendment(s) is (are) material, the Planning Authority must then determine whether a Strategic Environment Assessment or an Appropriate Assessment, or both, are required to be carried out.

### **Proposed Amendments – Stage 3 of the Development Plan Review**

Where a proposed amendment(s) would, if made, be a material alteration of the Draft Plan, it is a requirement under Section 12(7) of the Planning and Development Act 2000 (as amended) for the Planning Authority to publish notice of the Proposed Amendment(s) within 3 weeks after the passing of the resolution and to make the amendment (s) available for inspection and invite written submissions or observations from the public for a period of not less than 4 weeks. A further Chief Executive's Report must be prepared within 8 weeks of the published notice of the proposed amendments(s).

It is then a requirement for the Elected Members, by resolution to make the County Development Plan with or without the proposed amendment not later than 6 weeks after the submission of a Chief Executive's Report on the Material Alterations.

In the case where it is determined that a Strategic Environmental Assessment and/or an Appropriate Assessment is or are required to be carried out in respect of one or more of the proposed material alterations, it is a requirement (within 2 weeks of the determination) for the Chief Executive to specify the period required for assessment following the passing of the resolution. In such instance, it is a requirement of the planning authority to publish notice of the proposed material alteration and the determination to carry out the assessment(s).

## SECTION 3 – LIST OF PERSONS / BODIES

### 3.1 List of Persons / Bodies

A total of 481 submissions and observations were received during the prescribed public consultation period. A list of all the persons/bodies that made submissions or observations on the Draft Plan during the prescribed consultation period is provided in Table 3.1 below.

**Table 3.1: List of Persons/Bodies that Made Submissions**

1	Minister of Environment, Community & Local Government
2	Eastern & Midland Regional Assembly
3	National Transport Authority
4	Ann Marie Kearney
5	BME CDA
6	Cllr John McGinley
7	Sorcha O'Neill, Sinn Fein
8	James Lawless
9	Dr. Louie Harris & Dr. Richard Harris
10	Felipe Reitz
11	James Cocoman
12	McCarthy Meats Ltd
13	Robert Walsh
14	Sarah Gillespie
15	JP Quinn & Sons Ltd
16	Ann Moran
17	Meath County Council
18	Masonbrook Holdings Ltd
19	Aedin Finn
20	Amie Colgan
21	The Burke Family
22	C O'Connell
23	Fiona McKillen
24	Hartwell Enterprises
25	Jenny Harris
26	John Weekes
27	Michael Leavy
28	Miriam Slane
29	Pat O'Carroll
30	Paul Gorry
31	Rachel Mahon
32	Vyvyan Byrne
33	Yvette Eiffe
34	Ciara, Enda, Brenda & Ronan O'Flaherty
35	Ballymore Eustace Trout & Salmon Anglers Association
36	Dr. Giles O'Neill
37	John Williams
38	Raquel Harverye
39	Theresa Spillane
40	Charles Slane
41	Judith Devine
42	Scoil Mhuire Ballymore Eustace
43	Lydia Vitalis
44	Sean O'Flaherty Crookstown Mill
45	Pat Dunne
46	Dierdre O'Connor
47	Valarie Charlton
48	RGDATA
49	Stephen Deegan
50	Keep Ireland Open
51	Lightsource Renewable Energy Holdings Ltd
52	Joan Flanagan
53	Bernard Flanagan
54	Des Flanagan
55	Cyril Condell
56	Catriona O'Dwyer
57	Transport Infrastructure Ireland
58	EirGrid
59	Blockstar Ltd
60	Fáilte Ireland
61	Deirdre Mullins
62	Sharon Loughnane, Daire Loughnane & Gerard Mullins
63	Tadhg O Cruadhlaich
64	Dublin Airport Authority
65	Elgin Energy
66	Carmel Sheerin
67	Joanna Bennett
68	Pamela de Bri
69	Rose Beahan
70	Environmental Protection Agency
71	Castletown Foundation



72	Sean English, Brinsley Sheridan & Family, Breifne Conroy, Mary Teahan, Geert & Catherine Boonstra, Michael Moran, Leo Purcell
73	Eadestown Against Spin
74	Dunne Family
75	Joseph Fleming
76	Gerard Devine & MA Tudor Investments Ltd
77	Brian McCoy
78	Albert Greville
79	Claire & Kevin Gibb
80	Nyle Rafferty
81	Cllr Brendan Young
82	Rossan Investments Ltd
83	JJ & Deirdre Power
84	Ciara Brazil
85	Seamus O'Reilly
86	South Kildare Educate Together Second-level Campaign Group (SKET2L)
87	Dublin Simon Community
88	Emma Donaghy
89	Celbridge Historical Society
90	North Kildare Chamber
91	Celbridge Action Alliance
92	Emma Donaghy
93	Fine Gael Group
94	Engineering Services OPW
95	Ballymore Ireland Ltd, Brian O'Farrell, Bruton Family, Rowan Families & N
96	Kildare/West Wicklow IFA
97	Department of Education and Skills
98	David Pansegrouw & Eilin O'Carroll
99	Thomas Reid
100	Andrew Finn
101	Michael Mooney
102	Land and Utility Compensation Consultants Limited
103	Kildare Environmental Network
104	DS Breathnach
105	Carol Donaghy
106	Patrick Sutton
107	Raymond Conlan
108	Frank Reynolds
109	Michael Smullen
110	Brian Higgins
111	Martin Kennelly
112	Michael & Jean Wade

113	Robertstown Community Amenities Association Limited
114	James Farrell
115	Wolfe Tone FF Cumann, Ballymore Eustace
116	PJ McGrath
117	Natalie Farrell
118	Bord na Mona
119	Inland Fisheries Ireland
120	Irish Wind Energy Association (IWEA)
121	Kalima Faraday
122	Kathryn Morgan
123	Thomas Stanley
124	Kildangan Community Development Association - KCDA
125	Shane Whyte
126	OPW - Castletown House
127	Robert O'Rourke
128	Deirdre Coleman
129	Glenwave Developments Ltd
130	Roadstone Ltd
131	Dept of Arts, Heritage Regional & Gaeltacht Affairs
132	Vivienne Kelly-Keane
133	Kildare (Sallins) - Scout Group
134	Cllr. Rob Power
135	Brian McCabe
136	Irish Heart Foundation
137	Johnstown Community Association
138	Robertstown Community Amenities Association
139	The O'Connor Family
140	Stephen Whelan
141	Kildangan Community Development Association - KCDA
142	Comer Group
143	Devondale Ltd
144	Mark Reilly
145	Colette Newman KCS
146	Michael Madden & Michael Coyle
147	Mc Dermott Building Services Ltd
148	Crylock Developments Ltd
149	Origin Enterprises PLC
150	Targeted Investment Opportunitites ICAV
151	Sequana Assets Ltd
152	Sequana Assets Ltd
153	W.P. & R.O. Holdings
154	Colette Newman KCS
155	Aldi Stores (Ireland) Ltd

156	Irish Water
157	Alley Castle Ltd
158	Ballymore (Killashee) Developments Td, Tetrarch Capital Ltd & Midwest Holding
159	Killross Properties
160	Joe Mulligan
161	Celbridge Community Council
162	RJ Goff & Co. Ltd
163	Noel Higgins
164	Maynooth Cycling Campaign & Naas Neighbourhood Greenway
165	Value Retail Dublin Ltd.
166	Columbia Estates Management (IE) Ltd
167	Mackros Ltd
168	Ballymore Eustace Handball Club
169	Topaz Energy Ltd.
170	Keira-Eva Mooney
171	Anne Ainsworth
172	KFC UK & Ireland
173	Weston Airport
174	Tesco Ireland Limited
175	Ballymore Naas Developments Ltd
176	St. John of God Trust (Ire) and St. John of God Services Ltd. and St. John of God Community Services Ltd.
177	Kildare GAA
178	Masonbrook Holdings Ltd
179	Waterstown Land Co-owners
180	Sean O'Flaherty
181	Clane Community Council
182	Susan Slane
183	Padraig McEvoy
184	Electricity Supply Board (ESB)
185	Aileen Nevin
186	Laura Canning
187	Catherine Murphy
188	Anthony Lawlor
189	Rose Barrett O'Donoghue
190	Jill Barrett
191	Adrian Fox
192	Raymond Conlan
193	Castletown Action Group
194	Janus Securities Ltd & Castle Town Homes Ltd
195	Iarnrod Eireann
196	Shay Sargent
197	Dan Boland
198	Kevin Walker

199	Gavin O'Connor
200	Brendan Farrell
201	Pauline Byrne
202	Bridie Dunney
203	Barina Construction Ltd
204	Springwood Ltd
205	Harry Deegan
206	Two Mile House parish
207	Simon Cross
208	Kildare Environmental Awareness Group
209	Dalan de Bri
210	Arkle Ltd
211	Paddy Dowling
212	Tony McNamee
213	Eric Carter
214	Gavin O'Connor
215	Peter Duffy
216	Paul Carroll
217	Michael Hickey
218	Moortrim Construction
219	Birdwatch Kildare
220	Lawlor Family
221	Jimmy Kelly
222	Shay Boyle
223	Queally Group Ltd
224	Craddock House Nursing Home
225	Clarke & Company
226	Suzanne Doyle
227	Protect Caragh Group
228	Fine Gael Group
229	Adrian Mc Andrews
230	Kevin Walker
231	James Henegan
232	Craddockstown Golf Course
233	Alan Torpey, Robbie Winder, Mick McGinn
234	Twomilehouse Construction Ltd
235	Dept of Communications, Energy & Nat Resources - GSI
236	Element Power Ireland Ltd
237	John Farrell
238	Benny Nolan
239	Pat Mc Cabe
240	Geraldine & Clarrie Fawcett
241	Mona Symes
242	Brendan Tarrant
243	Kate Farrell
244	Shauna Smith
245	Seamus Kelly

246	Simone Kilduff
247	John Kilduff
248	Suzanne Saunders
249	Daria Hilliard
250	Patricia Creegan
251	Jim Creegan
252	Geraldine Kilduff
253	Darren Smith
254	Andy Cochrane
255	Matthew McCann
256	Valerie Kerins
257	Joe Agnew
258	Esther Agnew
259	Rose McCabe
260	Diarmuid Kennedy
261	Shane O'Dwyer
262	Margaret Kennedy
263	Una O'Dwyer
264	John Greene
265	Anne Greene
266	Mette Lebech
267	Pat Mc Cabe
268	Annette Da Silva
269	Jackie Allison
270	Abigail Carrick
271	Orlaith McCann
272	Amber Quinn
273	Olive Sloan
274	Oisin MacEanna
275	Cathy Carr
276	John McCann & Family
277	Declan Bradbury
278	Concepta Bradbury
279	Nathan Jackson
280	Seamus Scanlan
281	Niamh Jackson
282	James Fryar
283	Fiona McCabe
284	Ciara McCabe
285	Cathal McCabe
286	Deirdre McCabe
287	Peter McCabe
288	Anne McCabe
289	Rosheen Gray
290	Gavin Reilly
291	Peggy Reilly
292	Martin Reilly
293	Sharon Jones

294	Brian McCormac
295	Bernadette McCormac
296	Joan Hyland
297	Lorraine Davidson
298	Catherine Cullen
299	James Murray
300	Jack Freil
301	Robert Hand
302	Katrin Schmitt
303	Adrienne Murray
304	Ciara Fitzgerald
305	Suzy Farrell
306	Suzanne Doyle
307	Lisa Donovan
308	Mark Domican
309	Cindy Redmond
310	Catherine Perry
311	Lesley Moran
312	Ben Goodwin
313	Denis Lynch
314	Steven Lynch
315	Simon Andrews
316	Annette O'Farrell
317	PD
318	Sinead Lynch
319	Mark Finn Lynch
320	Richard Barry
321	Alex Horan
322	Eamonn Killalea
323	Jacinta Pender
324	Austin Nevin
325	Brian Connelly
326	Nigel Doyle
327	Sandra Keane
328	Carol Noone
329	Janice Hoolihan
330	Will Mahon
331	Paul Houlihan
332	Kristina Stanley
333	Ciaran Johnston
334	Meabh Anne McNamara
335	Sean Tracey
336	Peter McNamara
337	Eithne Bean
338	Michael O'Reilly
339	Ray Ball
340	Eoin Leonard
341	John Ennis

342	Maurice Veale
343	Pamela Mahon
344	Emma Veale
345	Sinead Veale
346	Barry Veale
347	Sofia Ljnnggren
348	Avril Malcolm
349	Robin Malcolm
350	Philip Malcolm
351	Benjamin Da Silva
352	Renold Gribbin
353	Conor O'Reilly
354	Melanie Kelly
355	Siobhan McCabe
356	Tony Doyle
357	John Leonard
358	Mary Woods
359	Maureen Woods
360	Sean Woods Jnr
361	Aine Woods
362	Sean Woods
363	Carmel O'Flaherty
364	Peter Lynch
365	Patrick Hughes
366	Liana Roe
367	Liam Friel
368	Donal Fallon
369	Leanne Tyrrell
370	Denis Tyrrell
371	Cathy Tyrrell
372	Linda Irwin
373	Harry Donovan
374	Ellen Donovan
375	Alison Donovan
376	Deirdre Kelly
377	Barry Donaldson
378	Anna Stempel-Wozniak
379	Kevin Carr
380	Barbara Skuratowick
381	Joseph Buckley
382	Peter Mc Cluskey
383	Gearoid O'Dubhraic
384	Olive Flood
385	Nancy Roe
386	Veronica Brady
387	Julia Ivanova
388	Aoife Bambury
389	Niall Delahan

390	Michelle Kenna
391	D'Agosrine Olfoude
392	Carciola Stafania Daniela
393	Lidie Medeet
394	Eddie Lyons
395	Sean D'Arcy
396	Derek Doherty
397	Gerbion Dyksrt
398	Sean Tracey
399	Angela Tracey
400	Eugene Brown
401	LA Mulhall
402	M Mullally
403	Ronan Branagan
404	Garry Carroll
405	Donal Nolan
406	June Galligan
407	Lou Gibson
408	Shirley Gibson
409	Laura Moore
410	Michael Hennessey
411	Sonya Moore
412	Brigid Monaghan
413	Margaret Turner
414	Olive Wardell
415	Violet Conway
416	Joe Brezina
417	Lisa Young
418	Margaret Young
419	Anne Ryan
420	Frank Savino
421	D. Conway
422	Vincent Monaghan
423	Declan Kelly
424	Joan Casey
425	Daven Casey
426	Dallas Camier
427	Tom Callaghy
428	Eamonn Turner
429	Valarie Seymour
430	Paddy Garrahe
431	Peter Connell
432	Brendan F. Duggan
433	Frankie Duggan
434	Marie McEvoy
435	Matthew McEvoy
436	Owen O'Connell
437	Anne McGee

438	Ciara Brophy
439	Niall O'Shea
440	Donal O'Shea
441	Caitriona Ni She
442	Patrick Roycroft
443	Margaret Byrne
444	Catherine Murphy
445	Gerry Reynolds
446	Kyra Grey
447	JL Dean
448	Michael Meade
449	Kevin Breen
450	Jean Marie Angibahd
451	Raymond Corrigan
452	Ray Mcconnell
453	Steven Walsh
454	Clodagh Moynan
455	Patrick Moynan
456	Monica Joy
457	Aaron Jackson Alan Whitehead Alex Warren Alison Reid Andrew Cunningham Angela Fitzpatrick Anne Mynes, Annik de Dios, Antoinette O'Connor
458	Stuart Doyle, James Choiseul

459	Eve Mullins, Sharon Fitzpatrick, Joan Elliott, Ruth Humphreys, G. Shanahan
460	Catherine Doyle
461	Stuart Doyle
462	G. Clarke
463	Elaine Breen & David Breen
464	Neill Fleming & Gillian Fleming
465	Suzanne Dowling
466	Ciara Conneely
467	Kate F
468	Ewen Mullins
469	Aidan Shanahan
470	Clive & Marieta Kelly
471	Colin Dowling
472	Cyril Dowling
473	Gerard Gallagher
474	Anne Choiseul
475	Gerard Humphries
476	James Choiseul, Sheila Choiseul
477	Mary Mc Cormack
478	Paul Choiseul
479	Daragh Cullen
480	Mia Friel
481	Orla Hyde Purcell

## SECTION 4 – SUMMARY OF ISSUES RAISED AND CHIEF EXECUTIVE RESPONSES AND RECOMMENDATIONS

### 4.1 Summary of Issues Raised

This section outlines a summary of issues raised in submissions and observations, the response of the Chief Executive to the issues raised and the recommendations of the Chief Executive in relation to the manner in which issues should be addressed in the development plan.

In accordance with Section 12 (4)(b) of the Planning and Development Act 2000 (as amended) the submissions received from the Minister for Housing, Planning & Local Government; the Eastern and Midland Regional Assembly; and the National Transport Authority are summarised and responded to separately in Section 3.1 of this report.

The discussion of the issues raised includes the Chief Executive's response and recommendations for changes to the Draft Plan. In the interests of clarity, the summary of issues raised is printed *in italics* and the Chief Executive's responses and recommendations are printed in normal font. Where changes to the Draft Plan are recommended text to be deleted is shown as ~~normal black font with strikethrough~~ and additional or modified text is shown as **red colour font**. Text shown in blue refers to proposed additions in submissions.

In the event of minor typographical errors or discrepancies and where section, objectives or policy numbers are out of sequence, these will be amended in the Draft Plan accordingly. Similarly, where draft plans or policy documents, prepared by other bodies, have been updated or approved during the Development Plan preparation process, the final Development Plan will be amended to reflect this.

A summary of the issues raised in the 481 submissions and observations that were received is set out by category in Table 4.1.

A total of 347 issues were identified in the submissions and observations received. Many of the issues are interrelated and have been summarised under 25 broad category headings for ease of reference. (Refer to Table 4.1 below)

Issues relating to Development Objectives and Zoning Objectives within settlements were raised most frequently (25%). Other issues that featured prominently include Architectural Heritage and Record of Protected Structures (14%), Core Strategy and Settlement Strategy (7%), Economic and Employment (6%) and Movement and Transport (6%).

**Table 4.1 Breakdown of Issues Raised**

	<b>Topic</b>	<b>No. of times issue raised</b>	<b>% of Total</b>
Vol. 1			
1	Introduction	11	3%
1 & 3	Core Strategy and Settlement Strategy	23	6.6%
4	Housing	12	3.5%
5	Economic Development, Enterprise and Tourism	14	4%
6	Movement and Transport	22	6%
7	Infrastructure	10	3%
8	Energy and Communications	14	4%
9	Retail	15	4.3%
10	Rural Development	8	2.3%
11	Social, Community and Cultural Development	12	3.5%
12	Architectural and Archaeological Heritage	16	4.5%
13	Natural Heritage and Green Infrastructure	14	4%
14	Landscape, Recreation and Amenity	20	5.7%
15	Urban Design Guidelines	3	0.8%
16	Rural Design Guidelines	2	0.6%
17	Development Management Standards	24	7%
	Record of Protected Structures	34	9.7%
Vol. 2	Environs Plans	11	3%
	Small Town Plans	12	3.4%
	Villages	40	12%
	Rural Settlements	15	4%
	Rural Nodes	1	0.2%
	Local Area Plans and Miscellaneous	9	2.5%
Vol. 3	Environmental Reports	5	1.5%
<b>Total</b>		<b>347</b>	<b>100%</b>

**Total Number of Submissions Received 481**

## **4.2 Submission - Department of Housing, Planning, Community & Local Government (Submission No. 1)**

### **Main Issues Raised**

*As a general comment, the Department considers that the Draft Kildare County Development Plan 2017-2023 provides a well-structured framework for the demographic, economic and social growth of the county in the context of national and regional policy objectives.*

#### Chapter 2 – Core Strategy

*The submission suggests that there is insufficient detail in relation to the estimate of the population for 2016 and how this might inform the population and housing targets to 2023 and requests that a rational estimate of population growth in County Kildare since 2011 using available national data sources (CSO) and preliminary 2016 census results should be prepared to underpin the robustness of the core strategy.*

#### Chapter 4 - Housing

*The submission suggests that the Housing Strategy be considered as interim in nature and that an appropriate specific objective be included requiring a review of the Housing Strategy be undertaken within two years as part of the mandatory 2 year progress report, following the adoption of the future RSES at a regional level.*

#### Chapter 5 – Economic Development , Enterprise & Tourism

*The submission refers to the Housing and Regeneration Act 2015 and Development Plan objectives concerning areas in need of regeneration and the provision within the Act for the Vacant Site Levy. The submission notes Objective EO19 in Section 5.7 which addresses issues of vacancy and underutilisation of lands. However, the Department has requested that additional policy and objectives related to regeneration be provided for within the Plan.*

*The submission states that the Plan suggests that there is a shortfall in lands zoned for employment in Maynooth, Celbridge and Leixlip (excluding Intel, Hewlett Packard and NUIM lands) and in Naas for FDI type projects and that same would be addressed through the LAPs for these settlements. The submission then states that the draft plan would benefit from a clear objective requiring that any future employment zoning proposals be subsequent to the completion of a strategic assessment of existing employment zoned lands and the extent to which they are currently developed/undeveloped. Such an objective would be a frame for broader economic and employment development across the growth centres of Maynooth, Celbridge, Leixlip and Naas. The submission states that the objective above could be combined with existing objectives relating to Strategic LUTS/employment study for the Metropolitan Area to ensure new employment zonings are firmly evidence based in evidential research.*

#### Chapter 9 - Retail

*The Department notes that Retail Strategy for the GDA 2008-2016 designates the Level 3 (Town and or District Centre and Sub County Town Centres) centres in County Kildare at Celbridge, Maynooth, Athy, Kildare, Kilcock, Clane, Kilcullen and Monasterevin. However, the Plan has also included Sallins as a Level 3 Retail Centre in Table 9.2. The submissions requests that the proposed designation of Sallins as Level 3 Retail Centre in the Retail Hierarchy (Table 9.2) is removed from the Draft Kildare County Development Plan as it is not consistent with the Retail Hierarchy (Table E1) of the Retail Strategy for the GDA 2008-2016*



### Chapter 17 – Development Management Standards

*The submission states that it is important that the specific nature of student accommodation is reflected in the Development Plan Policy and that the plan provides for short-term letting of the facilities during academic holiday periods and reduced car parking requirements, in order to maximise the viability of such projects. The DOEHLG advises that the restrictions being placed by planning authorities on such uses for student accommodation proposals, have the potential to adversely affect the viability of investment in student accommodation complexes which are required in significant numbers. The submission also suggests that the Council review sections 17.6 and section 17.7.6/Table 17.9 (Car parking Standards) to ensure flexibility in development standards for student housing so as to maximise the potential for new development in this housing segment.*

*The Department states that the minimum house sizes specified in the Table 17.4 of the Plan exceed the minimum standards detailed in guidance from the Department. The submission raises concerns that the setting of arbitrary minimum house sizes standards in this way, without firm research to support them, may undermine new project viability in Kildare. The submission requests, that the planning authority review the minimum houses in Table 17.4 of the Plan and amend the table as necessary to ensure compliance with the relevant national guidance.*

### CDP Volume 3 – Environmental Report: Strategic Flood Risk Assessment (SFRA)

*The Department considers that the SFRA provides an insufficient level of detail in relation to the potential flood risk of lands subject to land use zoning objectives. The Department considers that a Stage 2 Flood Risk Assessment is required. This analysis should include the provision of composite SFRA maps that clearly overlay proposed zoned lands with lands indicated as Flood Risk. The submission also advises the Council to review the SFRA and ensure that lands in Flood Zone A or B are not zoned for development in accordance with ‘The Planning System and Flood Risk Management Guidelines for Planning Authorities, 2009’.*

## **Chief Executive Response**

### Chapter 2 – Core Strategy

In light of the significant new information that has become available since the publication of the Draft Plan, it is proposed to amend the Core Strategy to incorporate Census 2016 Preliminary Results and population projections for 2023. Material Amendment 1 refers.

### Chapter 4 – Housing

The Chief Executive notes the recommendation of the Department on this issue. Under Section 95 (3) (a) of the Planning & Development Act 2000 (as amended) there is a provision whereby the 2 year progress report for the County Development Plan shall include a review of the progress achieved in implementing the housing strategy and, where the report indicates that new or revised housing needs have been identified, the Chief Executive may recommend that the housing strategy be adjusted and the development plan varied accordingly.

In this instance, and given the strong priority and emphasis the Government has set on addressing housing supply as a national issue further elaborated on in their recent publication ‘Rebuilding Ireland – Action Plan for Housing & Homelessness’ in July 2016, it is considered reasonable to amend Housing Policy HS1 to

articulate the intention to review the Housing Strategy and vary the strategy in the event that it is out of date by reference to updated policy and housing need in Kildare.

#### Chapter 5 – Economic Development, Enterprise & Tourism

In relation to the new legislation provisions for the vacant site levy, and as the submission acknowledges, there is a specific objective in the plan which relates to this;

*EO 19 'To use specific powers, such as the Vacant Sites register, as provided for under the Urban Regeneration & Housing Act 2015, to address issues of vacancy and under utilisation of lands in town and village centres in Kildare'.*

In taking the advice in the department's submission it is recommended that Section 5.7 of the draft plan in relation to 'Regeneration' be expanded upon with additional text in relation to the provisions of the Urban Regeneration and Housing Act 2015, the Vacant Site Levy and wider issues of urban renewal.

In relation to the Department's comment regarding the indication in the Draft Plan that a shortfall of lands are zoned for employment uses in Maynooth, Celbridge, Leixlip (excluding Intel, Hewlett Packard and NUIM lands) and in Naas for FDI type projects, and that the need for such new zonings be firmly based on evidence, research and strategic objectives, it is considered reasonable to include a new objective ED 16 that articulates an intention to carry out a strategic assessment of employment lands.

#### Chapter 9 – Retail

The Chief Executive notes the comment on Sallins listed as a Level 3 Retail Centre in Table 9.2 and the fact that the Level 3 designation was introduced by the 2011-2017 County Development Plan. Notwithstanding this, it is proposed to amend the status of Sallins to a Level 4 Retail Centre to accord with the Regional Retail Strategy.

#### Chapter 17 – Development Management Standards

The Chief Executive accepts the recommendation from the Department in relation to more flexible development management standards for student accommodation. It is proposed to introduce a new section in the chapter that specifically sets out the Councils Policy in relation to student accommodations.

In relation to Table 17.4 'Floor Area and Storage Requirements for Dwelling Houses', the Chief Executive accepts the recommendation from the Department and proposes to amend the standards in order to be consistent with Table 5.1 of 'Quality Housing for Sustainable Communities, Best Practice Guidelines ' issued by the DoEHLG in 2007.

#### Volume 3 – Environmental Reports: Strategic Flood Risk Assessment (SFRA)

In relation to the SFRA document, the Chief Executive has reviewed the SFRA and proposes to amend and update same so as to ensure compliance with the Planning System and Flood Risk Management Guidelines for Planning Authorities, 2009'. The updated SFRA will be circulated to members in September 2016. Based on preliminary outputs amended zonings are proposed in Prosperous, Caragh, Kildangan, Timolin, Staplestown, and Nurney to avoid sensitive development in areas with an identified flood risk, in compliance with the Flood Risk Management Guidelines, DECLG (2009). Full hydraulic modelling will be carried out in respect of these sties prior to consideration of the CE's Report and Draft Plan. Section on Volume 2 refers.

**Chief Executive Recommendation:**

**Proposed Alteration No. 1:**

To alter Chapter 2 and 3 to incorporate Census 2016 preliminary figures as follows:

**Section 2.2:** In accordance with the Planning and Development (Amendment) Act 2010, the first Core Strategy for Kildare was set out in the 2011-2017 County Development Plan. The Core Strategy in this Plan builds on the principles of the previous Strategy. Chapter 2 Core Strategy and Chapter 3 Settlement Strategy set out an overarching strategy for the development of the county to 2023 and beyond and translate the strategic planning framework of the NSS and RPGs to county level. The Core Strategy addresses the period from Census 2011 to 2023, ~~with growth targets adjusted to take account of development that has occurred in the county between Census 2011 and December 2015.~~ and incorporates preliminary population and household figures from Census 2016 (CSO July 2016).

**Table 2.1 add column to end:**

Population and Households – Co. Kildare 1991-2011						
	1991	1996	2002	2006	2011	2016 <sup>1</sup>
Population	122,656	134,881	163,944	186,335	210,312	222,130
Households	32,589	39,041	50,914	60,957	78,794	80,746
Household Size	3.76	3.46	3.22	3.07	2.67	2.75

**Section 2.8 Population and Housing Growth:**

The RPGs translate the national and regional population and housing targets set by the NSS to county level. The Core Strategy legislation requires the County Development Plan to be consistent with the population allocations and housing targets set out in the RPGs.

The current RPG targets date from 2009 and are based on demographic data derived from Census 2006. Updated population and housing targets are likely to be published in 2016/2017 as part of the preparation of the National Planning Framework (NPF) and Regional Spatial and Economic Strategies (RSES), the planned successors to the NSS and RPGs. The 2009 figures will continue to apply until such time as the updated figures are issued by the Department of the Environment, Community and Local Government.

The population target for the Greater Dublin Area is 1,955,800 persons by 2016 and 2,103,900 persons by 2022. Within the GDA, the population target for the Mid East Region is 594,600 persons by 2016 and 639,700

<sup>1</sup> Census 2016, Preliminary Results, CSO, July 2016

persons by 2022<sup>2</sup> (Refer to Table 2.3).

**Table 2.3: NSS/RPG Population Targets for Mid- East Region and GDA**

	Census 2011	Census 2016 <sup>3</sup>	Target 2016	Target 2022
Mid East	531,087	559,405	594,600	639,700
GDA	1,804,156	1,904,806	1,955,800	2,103,900

The RPGs population targets and housing allocations for County Kildare are set out in Table 2.4 with Census 2006, and Census 2011 and Census 2016 housing and population figures included to allow for comparison.

**Table 2.4: RPG Population and Housing Targets for County Kildare 2016 and 2022**

County Kildare	Census 2006	Census 2011	Census 2016*	Target 2016	Target 2022	Target end Q1 2023**
Pop	186,335	210,312	222,130	234,422	252,640	253,600
Housing	68,840	78,794	80,746	93,748	112,477	113,243

\*Adjusted to end Q1 2023 based on the quarterly average 2011-2022.

Census 2016<sup>4</sup> indicates that population growth in the GDA was slower than anticipated by the RPGs. The 2016 population of Kildare is 12,292 persons below the RPG 2016 allocation for the County, while the number of households is 13,002 units below the RPG 2016 target.

The RPG **population targets** for Kildare (Table 2.4 refer) represent an increase of ~~24,110~~ **30,510** persons on **census 2016 levels** by 2022. The RPG **housing allocations** for Kildare (Table 2.4 refers) represent an increase of ~~14,954~~ **31,731** housing units on census 2011~~6~~ levels ~~by 2016 and an increase of 33,683 units by 2022~~ **by 2022**.

~~DECLG Housing Completions data indicates that a total of 2,389 housing units were completed in Kildare between the period of Census 2011 and December 2015, giving an estimated housing stock of 81,183 dwellings in January 2016. This leaves a remaining allocation of 31,294~~ **31,731** units from January ~~April~~ 2016 to the end of 2022, which broadly aligns with the end date of this Plan. The RPG allocation adjusted to the end of the first quarter of 2023 (end of Plan period) results in a population ~~requirement~~ **allocation** of 253,600 persons and a housing ~~requirement~~ **target** of **113,243 units to the end of the plan period**. This equates to a

<sup>2</sup> Regional Planning Guidelines Review, Gateway and Hubs Population Targets, October 2009.

<sup>3</sup> Census 2016, Preliminary Results, CSO, July 2016

<sup>4</sup> Preliminary Census Figures, CSO, July 2016

housing allocation of 32,497 additional units in Kildare between April 2016 and April 2023.

### Section 2.9 Distribution of Growth and Housing Land Capacity:

Growth targets have been allocated to settlements based on the RPG targets and RPG policy requirements. It is a requirement of the RPGs that a minimum of 35% of overall growth is directed into the Metropolitan area (Maynooth, Celbridge, Leixlip and Kilcock) and the remaining 65% to the Hinterland area (Figure 2.4 refers). Of the proportion allocated to the Hinterland, in line with national and regional policy to direct growth into designated growth centres, a minimum of 60% of the allocation is directed to the main urban centres (Naas, Newbridge, Kildare, Monasterevin, Athy and Kilcullen) with the remaining 40% to small towns, villages and the rural countryside.

Chapter 3 sets out the allocation of housing in more detail. Section 3.5, Table 3.3 sets out growth targets for growth towns, small towns, villages, rural settlements, rural nodes and the open countryside during the Plan period, based on a requirement for 32,497 housing units.

Section 3.6, Table 3.4 sets out the capacity of identified housing lands to accommodate targeted RPG growth allocations during the Plan period. The capacity of zoned housing lands identified in Local Area Plans (LAPs), Environs Plans, Village Plans and Settlement Plans is set out in addition to the capacity assigned to rural areas. There is currently capacity to accommodate a total of 33,011 housing units in County Kildare. While sufficient land has been identified to cater for the housing demands of the county up to 2023 and beyond, the location of this zoned land does not accord with the growth targets set out in Table 3.5. Some Towns, Villages and Settlements have surplus capacity relative to the Core Strategy allocation and some have a shortfall. When this figure is adjusted to take account of the Core Strategy allocation for each Town, Village or Settlement there is provision to accommodate a total 32,544 units in Kildare during the Plan period. The zoning surpluses and shortfalls that are identified in Table 3.4 will be addressed through the relevant land use plans, as appropriate.

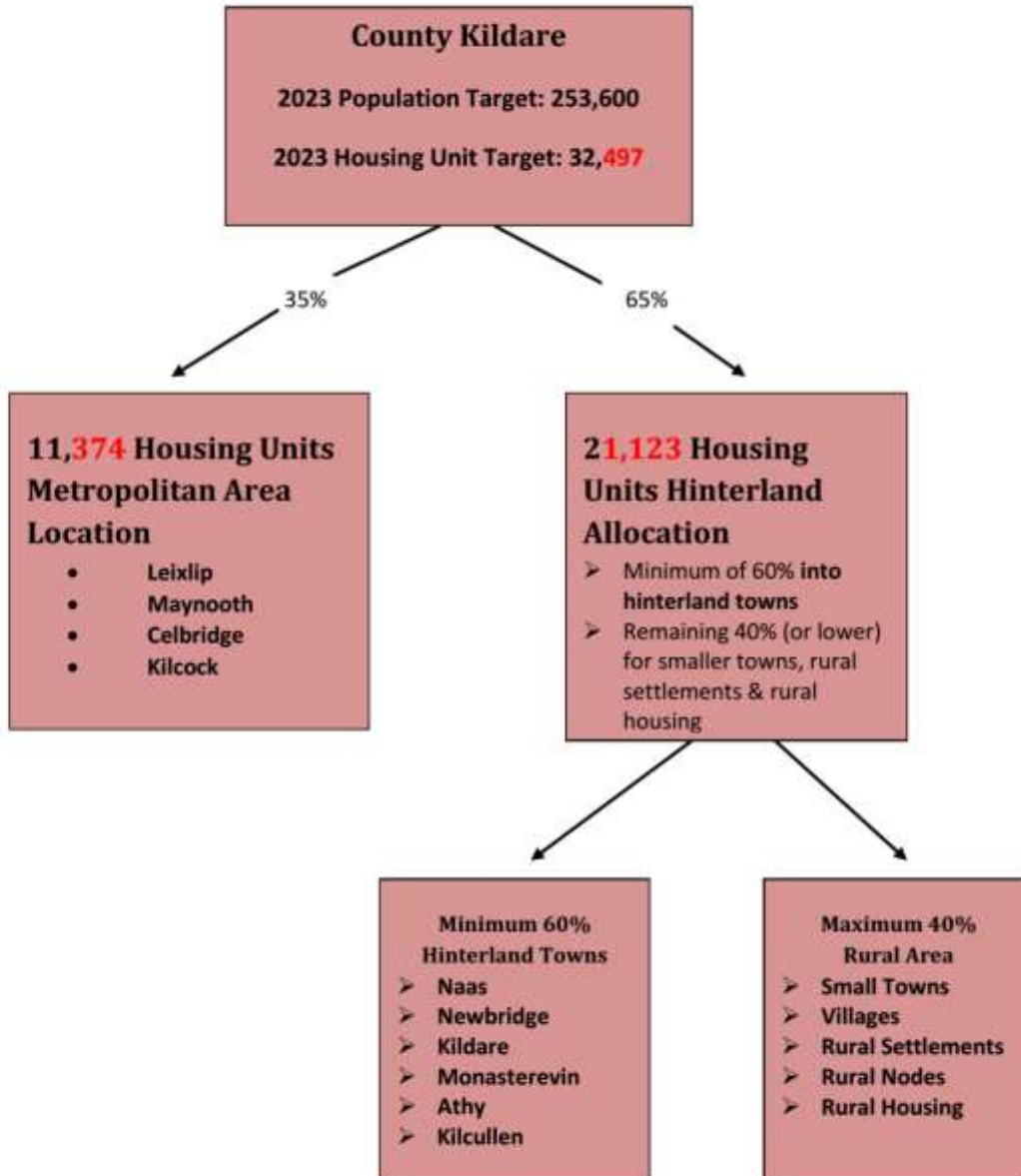
The capacity of housing lands is considered to be broadly in line with the RPG housing allocations. It is considered that the growth allocations for each Town, Village and Settlement, as set out in Table 3.3 will provide an adequate buffer to meet anticipated need and to ensure continuity of supply of zoned lands over the 9 year period from 2017 to 2026 and beyond, in accordance with the requirements of the Development Plan Guidelines, DECLG, 2007. This approach is supported by the population growth forecasts published by the CSO in 2013 and preliminary Census results published in July 2016.

While the Plan makes provision for housing output in line with RPG allocations. It is noteworthy that the RPG target of 32,000 497 completions to the end April 2023 necessitates an annual average output of c. 4,570 642 housing units over the seven year period from 2016-2023 and that this is very high when compared against historic completion rates in Kildare. (Fig. 2.3 refers) shows with annual completions of 2,869 units per annum over the 10 year period from 2000 to 2009. Over a nine year period from 2016-2026 an annual average output of c. 3,250 units would be required, which is considered achievable based on historic outputs.

The capacity of settlements in Kildare to accommodate the level of growth envisaged by the RPGs and to deliver sustainable communities that are well served by social and physical infrastructure will need to be carefully considered as part of the Local Area Plan process for the Growth Towns.

**Note:** Consequential changes arise in Chapter 3 and throughout Plan.

Figure 2.4: Population and Housing Unit Targets 2023



**Proposed Alteration No. 2:**

To alter Housing Policy HS1 as follows;

‘To implement the Housing Strategy 2017-2023 (and any superseding Housing Strategy agreed by the Council) and to carry out a review of the Housing Strategy as part of the mandatory two year progress report of the County Development Plan. **Where this review outlines that new or revised housing needs have been identified since the adoption of the County Development Plan, the Council will take appropriate steps to adjust the Housing Strategy.**’

**Proposed Alteration No. 3:**

Insert new paragraph in Section 5.7 as follows:

**The Urban Regeneration and Housing Act 2015 aims to incentivise urban regeneration and facilitate increased activity in the housing construction sector. Under the Urban Regeneration and Housing Act 2015, the Planning Authority is required to identify vacant sites that fall within the definition set by the Act, maintain a register of vacant sites and apply a levy in respect of such sites. The sustainable development of vacant sites in Kildare will be promoted through the targeted application of the Urban Regeneration and Housing Act, 2015 (Vacant Site Levy) in the growth towns of Naas, Maynooth, Leixlip, Newbridge and Celbridge. It is proposed to optimise the impact of this initiative, by adopting a focused approach in identified growth centres in Kildare.**

Omit Objective EO17 and insert new objective as follows:

~~EO 17: To use specific powers, such as the Vacant Sites register as provided for under the Urban Regeneration and Housing Act 2015, to address issues of vacancy and under utilisation of lands in town and village centres in Kildare.~~

**EO 17: To promote the sustainable development of vacant residential and regeneration sites in the urban centres of Naas, Maynooth, Leixlip, Newbridge and Celbridge through the application of the Urban Regeneration and Housing Act 2015, Vacant Site Levy, on lands zoned for Town Centre, Regeneration and Residential uses.**

**Proposed Alteration No. 4:**

A new economic development objective is recommended as follows;

**ED16: ‘To carry out a strategic assessment of employment lands in the County to inform the Regional Spatial and Economic Strategy, and in particular to assess the need for new employment sites in the economic growth centres of County Kildare.’**

**Proposed Alteration No. 5:**

Amend Table 9.2 County Retail Hierarchy – **relocate Sallins to Level 4, Tier 1, Small Town Centres, alongside Castledermot, Prosperous and Rathangan and amend Sections 9.4.7 and 9.4.9 accordingly.**

**Proposed Alteration No. 6:**

Insert new Section in Chapter 17 as follows:

### Section 17.4.13 Student Accommodation

Kildare County Council recognises the growing demand for student accommodation in the County and particularly in proximity to Maynooth University. Applications for purpose built student housing will require a statement that outlines the proposed terms of occupation (e.g. term-time for students and short let during academic holiday period), proposed management structure and the design rational (dwelling mix, open space provision, car parking provision, etc) demonstrating that the design is suitable to meet the accommodation needs of the intended occupants and would not impact on the amenities of the area. The Planning Authority will exercise flexibility with regard to the application of development plan standards where it is demonstrated that the proposal adequately addresses the needs of the intended future occupants.

Amend the car parking requirement for student accommodation in Table 17.9 so that it will be assessed on a case by case basis.

Residential	
Student	<p><del>1 per 5 bedspaces</del></p> <p>To be determined by the Planning Authority on a case by case basis</p>

#### Proposed Alteration No. 7:

To amend Table 17.4 'Floor Area and Storage Requirements for Dwelling Houses' as follows;

Unit Type (House)	Floor Area	Storage Area
One Bedroom	<del>55m<sup>2</sup></del> 44m <sup>2</sup>	<del>3m<sup>2</sup></del> 2m <sup>2</sup>
Two Bedroom	<del>85m<sup>2</sup></del> 70m <sup>2</sup>	<del>6m<sup>2</sup></del> 3m <sup>2</sup>
Three Bedroom	<del>100m<sup>2</sup></del> 83m <sup>2</sup>	<del>9m<sup>2</sup></del> 4m <sup>2</sup>
Four Bedroom	110m <sup>2</sup>	<del>10m<sup>2</sup></del> 6m <sup>2</sup>

#### Proposed Alteration No. 8:

An amended SFRA is recommended which will include a Stage 2 Assessment of Flood Risk in relevant urban centres in the county in accordance with the 'The Planning System and Flood Risk Management Guidelines, 2009'.



### **4.3 Submission by the Eastern & Midlands Regional Assembly (EMRA) (Submission No. 2)**

#### **Main Issues Raised**

*As a general comment the submission acknowledges the efforts of Kildare County Council to coordinate the policies & objectives of the Draft Kildare County Development Plan so that they are consistent with the Greater Dublin Area Regional Planning Guidelines (RPGs). The Assembly considers that the overall population and housing targets proposed in the core strategy and the policies and objectives contained in the Draft Plan are generally consistent with the RPGs.*

#### Chapter 1: Introduction

*The submission welcomes and is in agreement with the wording and context set out in the Draft Plan introduction.*

#### Chapters 2 & 3: Core Strategy & Settlement Strategy

- *EMRA welcomes the inclusion of 10 points of strategic focus as part of the Core Strategy.*
- *The Population Targets for the county are considered to be consistent with those set out in Table 5 of the RPGs.*
- *It is considered that the overall split of population as part of the Draft Plan (Metropolitan & Hinterland Areas) is generally consistent with the RPGs.*
- *The Housing Targets set out in Table 2.4 of the Draft CDP are considered to be consistent with Table 6 of the RPGs. In addition, the narrative surrounding the methodology employed to determine the remaining allocation of 32,000 housing units required between 2016 and 2023 is considered to be an acceptable approach and welcomed.*
- *The Draft Plan could benefit by providing clarity on the allocation of Housing Units throughout the county between the Metropolitan Area and the Hinterland, ensuring this is on pro rata basis and the housing target figure of 8718 persons to 2016 (Table 7 of RPGs) is factored, into the figures identified in Fig. 2.4 of the Draft Plan.*
- *Clarity is sought on Table 3.4 'Development Capacity in Kildare' that a core strategy allocation for Celbridge is greater than that of Maynooth, Leixlip and Newbridge.*
- *The settlement hierarchy in the Draft Plan (Table 2.2 and 3.1) is considered consistent with the settlement hierarchy in Table 8 of the RPGs. The role and function of each settlement category has been outlined and is considered will assist the preparation of future LAPs in the county.*
- *Welcomes the provisions of Section 3.8 (Settlement Strategy Policies) and Section 3.9 (Settlement Strategy Objectives). Particular mention is also raised on Objective SO11 which proposes to assess as part of the mid-term review of the plan, the implications of the forthcoming RSES and to consider, where appropriate, revisions to the settlement strategy on foot of the adoption of the RSES.*
- *It is recommended that further consideration is given to policies SS4 and SS5 in order to ensure consistency with the Core Strategy and RPGs. SS4 indicates that lands will be phased where over zoning has taken place, whereas SS5 indicates that where infrastructure deficits cannot be overcome, the growth anticipated for that area will be reallocated. It is*

*recommended that these policies are reconsidered to ensure alignment with the principles of sustainable growth strategy of the RPGs and Core Strategy.*

#### Chapter 4: Housing

*The RPGs support the key housing principles in Chapter 4. In relation to table 4.1 (locations appropriate for new residential development) which is based on text contained in the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, it is considered that this table be qualified by a statement outlining that not all the locations stated will be considered appropriate in every circumstance and in order to avoid 'leapfrogging' of development that new residential development will only be considered in some of these circumstances where it can be demonstrated that it is sequential in nature.*

#### Chapter 5 Economic Development, Enterprise and Tourism

- The submission welcomes the content of Chapter 5 with the economic development strategy being derived from the RPGs and Core Strategy. Reference to being complementary with the Kildare LECP is also a worthy addition.*
- The employment requirements presented in Table 5.1, which includes the use of jobs ratio as a measurement of economic development in the county is recognised. Consideration as to how this could be further enhanced in the future, to provide a spatial perspective by an analysis of the quantum of land zoned for enterprise and employment in the County, aligned with job location and density, which could assist in addressing the complex issue of lands to be identified for enterprise and employment. This would provide an evidence based approach to policy making for employment and enterprise zoned lands, similar to that of the Core Strategy.*
- The RPGs support the policies in relation to tourism.*

#### Chapters 6 & 7: Movement, Transport and Infrastructure

*Infrastructure: The RPGs promote regional sustainable growth and recognise that this growth can only be achieved through the provision of high quality infrastructure by the alignment of land use planning with transport planning, water services and waste management. In this regard the settlement strategy expressed as clear policies of the RPGs support the growth and consolidation of the settlement hierarchy & its existing settlements, and therefore requirement for additional infrastructure capacity to facilitate this growth is supported.*

*Movement and Transport: The overall sustainability principles in this chapter to change the mode share and promote the increased use of soft modes and public transport are reflected and supported by the policies of the RPGs. This is further reinforced in the Draft Plan by policies such as MT 6 that identifies the need to co-operate with and support regional agencies to facilitate planning, delivery and implementation of improvements to the transport network of the county and the Greater Dublin Area.*

#### Chapter 8: Energy & Communication

- Support expressed for Chapter 8, in particular the Councils policies in relation to renewable energy in the context of addressing climate change.*

- *The approach of integrating climate change considerations into policies & objectives of the Draft CDP in conjunction with the National Climate Change Strategy and Adaptation Framework is welcomed.*

#### Chapter 9: Retail

- *It is noted that both the Retail Hierarchy which forms part of the current CDP and indeed the Draft CDP differ to that present as part of the 'Retail Strategy for the Greater Dublin Area, 2008' in that Sallins has been re-categorised. Given that the retail hierarchy in the Plan should reflect that contained in the RPGs and RSGDA, clarity on this issue is requested.*
- *In light of Table 12, Regional Green Infrastructure Classifications and Actions, of the RPGs, which lists 'Castletown and attendant demesnes', consideration should be given to the removal of the reference to Donaghcumper Demesne at Section 9.4.4 of the Draft CDP (including any related policies and objectives) pending the preparation and completion of a holistic Local Area Plan for Celbridge.*

#### Chapter 10: Rural Development

*The RPGs welcome the content of Chapter 10 Rural Development, and in particular the inclusion of policies such as RE1 and RE4 which seek to promote and achieve balanced regional development of rural economies and communities in a sustainable manner in line with the RPGs.*

#### Chapter 11: Social, Community and Cultural Development

*The RPGs welcome the recognition of the Kildare LCDC and Kildare Local Economic & Community Plan 2016-2021 as part of Chapter 11, including Policy LE1 which seeks to deliver on the objectives and actions set out in the Kildare LECP.*

#### Chapter 12: Architectural & Archaeological Heritage

*The RPGs welcome the content of Chapter 12, and supports the policies included to protect and enhance architectural and archaeological environment. In particular the inclusion of objectives ACO2 and ACO 3 which identify the importance of the Royal Canal, Grand Canal, historic rail/road bridges and disused rail lines in Kildare is particularly relevant in a regional context.*

#### Chapter 13: Natural Heritage and Green Infrastructure

- *The RPGs notes the recognition of the green infrastructure network of natural resources and biodiversity in the county, and welcomes the future preparation of a County Green Infrastructure Strategy.*
- *The inclusion of objective NHO2 which references the County Biodiversity Plan is also a welcome addition.*

#### Chapter 14: Landscape, Recreation & Amenity

*The inclusion of Chapter 14 is welcome by EMRA and is broadly considered to be in keeping with Chapters 7 & 8 of the RPGs. The Assembly would like to note in particular the inclusion of policies that seek to advance recreation on a regional basis such as CR4, CR5, CR7, CR9 and RAO13 through*

*the development of long distance walking and cycling routes in tandem with adjoining local authorities and appropriate organisations.*

### Chapters 15 – 17 Design Guidelines and Development Management Standards

*The RPGs outline that this section of the Draft Plan is considered useful where policies and objectives and standards relating to the preparation and assessment of planning applications are listed.*

### Volume 3: Environmental Reports (SEA, AA, SFRA)

- *The SEA is considered comprehensive and incorporates the necessary environmental requirements.*
- *The inclusion of policies in Volume 1 of the CDP to support the findings of the SFRA is noted and in particular policy SW5, that requires the management of flood risk to be in accordance with the requirements of the Planning System and Flood Risk Management Guidelines for Planning Authorities.*
- *The Local Authority should ensure that lands identified as flood risk in the SFRA and any proposals to zone these lands should be appropriately considered in accordance with the Guidelines.*

### Other Comments

- *The submission recommends the consideration of 'Resilience' as another principle that could be considered in the Development Plan as a concept that be described as "The ability of a system, community or society exposed to hazards to resist, absorb, accommodate to and recover from the effects of a hazard in a timely and efficient manner, including through the preservation and restoration of its essential basic structures and functions" (UNISDR, 2009).*
- *This can be broken down and applied for critical infrastructures such as transport networks, utilities, public places and more recently IT and supply systems.*
- *EMRA is engaged in a Horizon 2020 funded, 3 year project to prepare a European Resilience Management Guideline to support the practical application of resilience.*

## **Chief Executive's Response**

### Chapter 1 – Introduction

Positive comments noted – no changes required

### Chapters 2 & 3 - Core Strategy & Settlement Strategy

The Chief Executive notes the positive comments in relation to compliance with the RPG numbers.

In relation to the core strategy allocations for Celbridge, a number of submissions queried the proportion of the County's housing growth allocated to Celbridge. This was prompted by constraints to the future growth of Leixlip. In light of submissions received and the designation of Leixlip as a Large Growth Town II, it is proposed to reallocate a proportion of the County's growth from Celbridge to Leixlip to better reflect the RPG designations. A material alteration that incorporates this proposed amendment is set out under Chapter 2.

The comments in relation to policies SS4 and SS5 are noted. It is proposed to amend policy SS4 and omit SS5 in light of the comments, to ensure that the approach to the zoning of land and its implementation is in accordance with the Planning and Development (Amendment) Act 2010 and the Core Strategy Guidance Note 2009.

#### Chapter 4 – Housing

The Chief Executive agrees with the advice given by EMRA in relation to a qualifying statement being necessary on Table 4.1 that not all the locations stated will be considered appropriate in every circumstance. The draft plan narrative after Table 4.1 is proposed to be updated accordingly.

#### Chapter 5 – Economic Development, Enterprise and Tourism

The comments raised by EMRA are noted. See proposed Material Alteration No. 4 above which seeks to insert a policy outlining an intention to carry out a strategy review of employment lands.

#### Chapters 6 & 7 - Movement, Transport and Infrastructure

Positive comments noted.

#### Chapter 8 – Energy & Communications

Positive comments noted

#### Chapter 9 – Retail

In relation to Sallins, see proposed Material Amendment No. 5 above.

The reference to Donaghcumper Demesne in Section 9.4.4 of the Draft Plan relates to the retail centres of Celbridge and Maynooth within the county retail hierarchy as Tier 1 Level 3 Town Centres and the retail expansion opportunities in Celbridge at the backlands to the east of the town centre that are in the Donaghcumper Demesne. There is no reference to Green Infrastructure. No amendment proposed.

Chapters 10 – 17: The RPG comments are largely supportive of the content within these chapters of the Draft Plan and do not recommend any changes to same. The Chief Executive notes the comments made.

#### Volume 3 - Environmental Reports (SEA, AA, SFRA):

The Chief Executive notes the comments expressed in relation to SEA, AA and SFRA. An amended SFRA is recommended which will include a Stage 2 Assessment of flood risk relevant urban centres in the county in accordance with the *'The Planning System and Flood Risk Management Guidelines 2009.'*

#### Other Comments

The Chief Executive notes the comments in relation to the consideration of 'Resilience' as another key principle that could be considered in the Development Plan. Whilst this topic is an admirable consideration in the absence of any current guidance document on the topic the Chief Executive does not recommend any amendments to the Draft Plan.

## Chief Executive's Recommendation

### Proposed Alteration No. 9:

Amend Section 3.6 Development Capacity as follows:

In order to implement the settlement strategy of this Plan, an understanding of the existing development capacity within each of the designated towns and villages is required. It should also be noted that the relevant requirements of the Habitats Directive and the River Basin Management Plans and Flood Risk Assessment may also impact on the development potential of particular areas.

Table 3.4 details the development capacity of ~~undeveloped zoned and un-zoned~~ **identified housing lands** in the county. ~~The number of housing units granted planning permission within the last five years and not built is also provided for each town and village. This information was sourced from a Housing Land Availability Study carried out for 2015, and updated where appropriate. The capacity of zoned identified housing lands in Local Area Plans (LAPs), Environs Plans, Village Plans and Settlement Plans is set out in addition to the capacity assigned to rural areas. While Table 3.4 illustrates that sufficient land is zoned to cater for the housing demands of the county up to 2023 and beyond, the location of zoned land does not fully accord with the housing allocations in the settlement strategy as outlined in Table 3.3. While sufficient land is zoned or identified to cater for the housing demands of the county up to 2023 and beyond some Towns, Villages and Settlements have surplus capacity relative to the Core Strategy allocation and some have a shortfall. The zoning surpluses and shortfalls that are identified in Table 3.4 will be reviewed through the relevant land use plans. In this regard, there shall be no presumption in law that any land zoned in a particular development plan (including a development plan that has been varied) shall remain so zoned in any subsequent development plan" (Section 10(8) of the Planning and Development Acts 2000-2015 refers). Alternative land use zonings will be considered in the first instance to address surplus zoning. In the event that surplus zonings are retained the development of lands will be subject to a sequential phasing approach, with phases extending outwards from the town or village core to more peripheral lands.~~

Amend SS4 and omit SS5 from Section 3.8 Settlement Strategy Policies, as follows:

~~SS 4: To review the zoning of lands phase lands for development where in instances where over zoning has occurred and to consider alternative land use zoning objectives to reduce the quantum of housing lands in the first instance. The phased development of housing lands will be considered as a secondary solution only. Phasing will be based on a clear sequential approach with the zoning extending outwards from the town/village core. A strong emphasis will also be placed on encouraging infill opportunities and better use of underutilised lands with options and opportunities for brownfield /regeneration prioritised.~~

~~SS 5: To provide that where infrastructural deficits within a particular growth area cannot be overcome within the period of this Plan, the growth anticipated for that development centre will be allocated to other serviced towns within that level or to serviced towns at a higher level of the Settlement Hierarchy.~~

**Proposed Alteration No. 10:**

Add footnote to Table 4.1 as follows;

Please note that not all locations for new residential development as listed in the table above will be considered appropriate in every circumstance and in order to avoid 'leapfrogging' of development that new residential development will only be considered in some of these circumstances where it can be demonstrated that it is sequential in nature.

## 4.4 Submission by the National Transport Authority (Submission No. 3)

### **Main Issues Raised**

*As a general comment, the NTA generally supports the policies and objectives set out in the Draft Plan which align with the principles of the Transport Strategy and will ensure that growth in Kildare is planned in an integrated and sustainable manner. The NTA welcomes the intention of the Draft Plan to focus on directing population growth to the main urban centres with maximum growth focused on the Metropolitan towns of Maynooth, Celbridge, Leixlip and Kilcock in accordance with the RPGs which also provides for the implementation of the DART Expansion Programme by 2035.*

*The NTA would however draw attention to the following issues which should be addressed to ensure consistency between the Draft Plan and the Transport Strategy.*

### General references to the National Transport Authority

*It is requested that any reference to the development of new, or modification to existing public transport infrastructure references the 'National Transport Authority' as the statutorily responsible body. It is recommended that this is applied in particular to the objectives set out in Chapter 6 of the plan, specifically MT 6, MT 9, PT 1, and PTO 6, all of which should reference the National Transport Authority.*

### Chapter 3 - Settlement Strategy Policies

*The Settlement Strategy for the county is consistent with the principles for land use and transport integration that are set out in the Transport Strategy. However it appears to the NTA that Policy SS 5 may facilitate a departure from the Settlement Strategy and an amended wording is suggested as follows (proposed new additional wording shown in blue font):*

*Policy SS5: 'To provide that where infrastructural deficits within a particular growth area cannot be overcome within the period of this Plan, the growth anticipated for that development centre will be allocated to other serviced towns within that level or to serviced towns at a higher level of that Settlement Hierarchy. **In consideration the re-allocation of the growth for that development centre, the town(s) to which the growth is planning to be re-allocated must themselves be capable of accommodating that additional growth, with reference to such considerations as the planning public transport service capacity for that town that is set out in the Transport Strategy and ensuring also the town would not, as a result, grow to a scale that would be inconsistent with its position on the County's Settlement Type hierarchy.'***

### Chapter 5: Economic Development Strategy

*The NTA notes that the Planning Authority intends to achieve a labour force to jobs ratio (located within Kildare) of 0.70. That would involve a significant increase in the number of jobs located within the county. The Draft Plan states that the quantum of lands zoned for employment uses also needs to increase in the area identified as Primary Economic Growth Towns, due to a stated shortfall in lands zoned for that type of use. Additional zoning will be addressed in the forthcoming LAPs for Maynooth, Celbridge, Leixlip and Naas. While the proposal to provide employment at this scale is not*



*inconsistent with the long term Transport Strategy, it should be delivered in accordance with the suggested revised wording of Policy ECD 3:*

*Policy ECD3: 'To ensure that sufficient and suitable land is zoned for economic activity through the development plan and Local Area Plans, in accordance with the RPGs economic strategy (or the forthcoming Regional Spatial and Economic Strategy). The sequence of zoning of employment land uses and the delivery of services to those zoned lands shall be carefully phased, to be consistent with the Transport Strategy for the Greater Dublin Area 2016-2035 and other Regional Plans. Such land will normally be protected from inappropriate development that would prejudice its long terms development for employment and economic activity.'*

#### *Economic Development proximate to the National Road Network*

- *All of the locations identified as Primary Economic Growth Towns are served by the National Road network. Therefore 'Chapter 5 Economic Development, Enterprise and Employment' should include additional policies that state the following:*
  - *That zoning for employment uses will be done in a manner which protects investment in the national road network, in accordance with Chapter 2 of the DECLG guidelines on 'Spatial Planning and National Roads' and seeks to prevent inappropriate levels of commuter traffic from using such routes in the county.*
  - *That permission for any significant future employment developments in the vicinity of the strategic road network will be dependent on the ability to provide an appropriate level of non car based transport options, utilising the strategic public transport network for the region that is outlined in the Transport Strategy for the GDA 2016-2035.*

#### *Collinstown, Leixlip*

*NTA acknowledges the intention of the Draft Plan to prepare an LAP for Collinstown. Given the potential quantum of zoned lands, it is recommended that additional text is included in Objective EO 4 stating that the phasing and delivery of employment land uses are carefully planned and linked to the delivery of enhanced public transport to this location which will be co-ordinated by the NTA.*

#### *Chapter 6: Movement and Transport*

- *NTA recommends that Objective PTO 4 is omitted as it references the Quality Bus Network Office which no longer exists.*
- *NTA recommends that Objective PTO 5 is omitted as the development of a public transport hub near Naas which would connect road, rail and bus transport is not an objective of the Transport Strategy.*
- *Omit objectives PTO 8 and PTO 9 and insert new objective as follows:*

*'To promote and support the upgrading of infrastructure, the Maynooth rail line and the Kildare rail line, in accordance with the Transport Strategy for the Greater Dublin Area 2016-2035 and in co-operation with the NTA'.*

- **Road Network**

*It is critical that the capacity and efficiency of the existing strategic road network including junctions is preserved in accordance with the DECLG 'Guidelines for Planning Authorities on Spatial Planning and National Roads'. It is recommended that an additional policy is included in Chapter 6 stating that the strategic transport function of national roads, including motorways, will be protected by the full implementation of these guidelines.*

- **Road Schemes**

*Proposals for road schemes need to adhere to the provisions of the Transport Strategy in terms of specific road projects that are to be progressed in the GDA. In order to ensure consistency with the Transport Strategy, it is recommended to amend Policy RS 6 as follows:*

*'To secure the implementation of major road projects as identified within the ~~relevant strategies and plans for the Greater Dublin Area~~ Transport Strategy for the Greater Dublin Area 2016-2035 with the identification of those road projects to be subject to assessment against the 'Principles of Road Development' criteria set out in Section 5.8.3 of the Transport Strategy for the Greater Dublin Area 2016-2035:*

*- That each proposed road scheme is consistent with the Transport Strategy for the Greater Dublin Area 2016-2035 and with Government policies related to transport;*

*- That the travel demand or the development needs giving rise to the road proposal are in accordance with regional and national policies related to land use and development planning'*

*- That the development of the road scheme does not diminish in any significant way the expected beneficial outcomes of the Transport Strategy for the Greater Dublin Area 2016-2035;*

*- That the road scheme, other than a motorway or an express road proposal, will be designed to provide safe and appropriate arrangements to facilitate walking, cycling and public transport provision; and*

*- That alternative solutions, such as public transport provision, traffic management or demand management measures, cannot effectively and satisfactorily address the particular circumstances promoting the road proposal or are not applicable or appropriate.*

- **Amend Policy RS 7 as follows:**

*'To secure the implementation of major road projects that are consistent with the 'Principles of Road Development' criteria set out in Section 5.8.3 of the Transport Strategy for the Greater Dublin Area 2016-2035, and are identified within this County Development Plan and Local Area Plans.'*

- **Amend Objective RSO 4 as follows:**

*'To identify long term road corridors suitable for the development of high capacity roads within the developable area of towns and villages, that are consistent with the 'Principles of Road Development' criteria set out in Section 5.8.3 of the Transport Strategy for the Greater Dublin Area 2016-2035*

within the county and implement the short to medium term road improvement programme over the life of the County Development Plan.'

- Amend Objective RSO 6 as follows:

*'To maintain corridors free from development to facilitate future roads and transport infrastructure improvement in order to facilitate the following road and bridge projects set out in Table 6.1, with the further progression of those roads projects subject to assessment against the 'Principles of Road Development' criteria set out in Section 5.3.3 of the Transport Strategy for the Greater Dublin Area 2016-2035. Where the roads project is an orbital road around a town centre, its development needs to be accompanied by and facilitate enhanced public transport, cycling and pedestrian facilities in the relevant centre, as required by Section 5.8.2 of the Transport Strategy for the Greater Dublin Area 2016-2035.'*

## Chief Executive's Response

### General references to the National Transport Authority

The Chief Executive agrees with this point. References to the NTA will be updated accordingly in Chapter 6 'Movement and Transport'. In addition, the NTA will be specifically mentioned as the statutory responsible body in objectives MT6, MT9, PT1 and PTO6 as requested.

### Chapter 3 - Settlement Strategy Policies

The Chief Executive notes the comments raised in relation to Policy SS5. Material amendment 9 above proposes to omit this policy.

### Chapter 5: Economic Development Strategy

The Chief Executive notes the comments in relation to the economic development strategy for the county. It is recommended to accept the additional wording suggested by the NTA for policy ECD3.

### Economic Development proximate to the National Road Network

The Chief Executive notes the comments in relation to the NTA recommendation for additional policies that relate to new employment zonings and compliance with the Spatial Planning & National Roads Guidelines. The Chief Executive recommends accepting these suggestions.

### Collinstown, Leixlip

The Chief Executive notes the recommendation to include additional text to Objective EO 4 stating that the phasing and delivery of employment land uses are carefully planned and linked to the delivery of enhanced public transport. The future role of Collinstown for employment or other uses will need to be explored as part of the preparation of the Regional Spatial and Economic Strategy and it is considered that the proposed wording is not appropriate until such time as there is greater clarity in relation to the future role of this area and the nature and scale of employment uses that may arise. The sentiment of what is outlined might be more appropriately addressed through the forthcoming Local Area Plan.

## Chapter 6: Movement and Transport

- The Chief Executive notes the NTA recommendation that Objective PTO4 be omitted as it references the Quality Bus Network Office which no longer exists. It is agreed to propose to omit this objective.
- The NTA also recommends the omission of Objective PTO5 as the development of a public transport hub near Naas which would connect road, rail and bus transport, as it is not an objective of the NTA Transport Strategy. Given the status of Naas as a Large Growth Town 1 and a possible enhanced role through the NPF and RSES, it is considered reasonable that the development of a public transport hub would be investigated and promoted at the local level. No change recommended.
- Notes the request for an additional policy in Chapter 6 stating that the strategic transport function of national roads, including motorways, will be protected by the full implementation of the DECLG 'Guidelines for Planning Authorities on Spatial Planning and National Roads'. The Chief Executive has no objection to the inclusion of an additional policy referencing these guidelines.
- The Chief Executive notes the amendment recommended for Policy RS6 (implementation of major road projects) to include significant references to NTA Transport Strategy. There is no objection to this revised wording suggested for Policy RS6.
- The Chief Executive notes the amendment recommended for Policy RS7 so that it is consistent with the criteria set out in Section 5.8.3 of the NTA Strategy. The Chief Executive has no objection to same.
- Similar to the above, the NTA recommend additional text to Policies RSO 4 and RSO 6 making reference to criteria in Section 5.8.3 of the NTA Strategy 'Principles of Road Development'. Again, the Chief Executive has no objection to the inclusion of same.

### **Chief Executive Recommendation**

#### **Proposed Alteration No. 11:**

MT6: To co-operate with and support **the National Transport Authority and relevant** regional agencies to facilitate the planning, delivery and implementation of improvements to the transport network of the county and the Greater Dublin Area

#### **Proposed Alteration No. 12:**

MT9: To preserve free from development, proposed public transport and road corridors where development would prejudice the implementation of projects identified by TII, **NTA**, DTTS and KCC.

#### **Proposed Alteration No. 13:**

PT1: To promote the sustainable development of the county by supporting and guiding national agencies **including the National Transport Authority** in delivering major improvements to the public

transport network and to encourage public transport providers to provide an attractive and convenient alternative to the car.

**Proposed Alteration No. 14:**

PTO6: To investigate, in co-operation with Irish Rail and the National Transport Authority, the provision of new railway stations in the county and the upgrading/relocation of existing stations, to rectify existing constraints in the network.

**Proposed Alteration No. 15:**

ECD 3 'To ensure that sufficient and suitable land is zoned for economic activity through the development plan and Local Area Plans, in accordance with the Regional Planning Guidelines and the Regional Spatial and Economic Strategy. Such land will normally be protected from inappropriate development that would prejudice its long terms development for employment and economic activity.

**Proposed Alteration No. 16:**

Insert new objective after ECD 3 as follows:

'The Council will seek, in so far as is possible, to locate people intensive employment development close to the strategic public transport network for the region that is outlined in the Transport Strategy for the Greater Dublin Area 2016-2035 and other Regional Plans.'

**Proposed Alteration No. 17:**

New Policies to be added to Section 5.3.3 'Land Use and Economic Development' (Chapter 5)

ECD 19: The Council will ensure that zoning for employment uses will be done in a manner which protects investment in the national road network, in accordance with Chapter 2 of the DECLG guidelines on 'Spatial Planning and National Roads'.

ECD20: To seek to ensure that any significant future employment developments in the vicinity of the strategic road network will be accompanied by a mobility management plan that seeks to provide for an appropriate level of non car based transport options, utilising the strategic public transport network.

**Proposed Alteration No. 18:**

To delete objective PTO4 in Chapter 6, Section 6.4 Transport

~~PTO4: To co-operate with the NTA, the Quality Bus Network Office and other appropriate transportation bodies in the implementation of Quality Bus Networks where a need is identified in the county.~~

**Proposed Alteration No. 19:**

To delete objectives PTO 8 and PTO 9

~~PTO 8: To promote and support the electrification and upgrading including twin tracking of the Maynooth rail line.~~

~~PTO 9: To promote and support the electrification and upgrading including four tracking of the Kildare rail line.~~

And replace same with a new Objective PTO 8

PTO 8: To promote and support the upgrading of infrastructure, the Maynooth rail line and the Kildare rail line, in accordance with the Transport Strategy for the Greater Dublin Area 2016-2035 and in co-operation with the NTA.

**Proposed Alteration No. 20:**

To provide an additional policy to Section 6.6 'Road and Street Network'

RS10: 'The Council will ensure that the strategic transport function of national roads, including motorways, will be protected in line with national policy as set out in the 'Spatial Planning & National Road Guidelines for Planning Authorities (2012)'

**Proposed Alteration No. 21:**

'To secure the implementation of major road projects as identified within the ~~relevant strategies and plans for the Greater Dublin Area.~~ Transport Strategy for the Greater Dublin Area 2016-2035 subject to the 'Principles of Road Development' criteria set out in Section 5.8.3 of the Transport Strategy for the Greater Dublin Area 2016-2035.

**Proposed Alteration No. 22:**

To amend Policy RS6 in Section 6.6 'Road and Street Network' of Chapter 6 as follows;

'To secure the implementation of major road projects that are consistent with the 'Principles of Road Development' criteria set out in Section 5.8.3 of the Transport Strategy for the Greater Dublin Area 2016-2035, and are identified within this County Development Plan and Local Area Plans.'

**Proposed Alteration No. 23:**

To amend Policy RSO4 in Section 6.6 'Road and Street Network' of Chapter 6 as follows;

'To identify long term road corridors suitable for the development of high capacity roads within the developable area of towns and villages, that are consistent with the 'Principles of Road Development' criteria set out in Section 5.8.3 of the Transport Strategy for the Greater Dublin Area 2016-2035 within the county and implement the short to medium term road improvement programme over the life of the County Development Plan.'

**Proposed Alteration No. 24:**

To amend Policy RSO6 in Section 6.6 'Road and Street Network' of Chapter 6 as follows;

'To maintain corridors free from development to facilitate future roads and transport infrastructure improvement in order to facilitate the following road and bridge projects set out in Table 6.1, with the further progression of those roads projects subject to assessment against the 'Principles of Road Development' criteria set out in Section 5.3.3 of the Transport Strategy for the Greater Dublin Area 2016-2035. Where the roads projects is an orbital road around a town centre, its development

needs to be accompanied by and facilitate enhanced public transport, cycling and pedestrian facilities in the relevant centre, as required by Section 5.8.2 of the Transport Strategy for the Greater Dublin Area 2016-2035.'

## 4.5 Summary of Issues Raised by Section

### Chapter 1 Introduction

Submissions received relevant to this section: 1, 50, 90, 99, 103, 131, 136, 155, 179.

#### Main Issues Raised

##### Strategic Framework & Reference Documents

- *That the Draft Plan introduction should include a specific Strategic Framework section that outlines the following:*
  - \* *The Planning and Development Act 2000(as amended) requires that a Development Plan shall, so far as is practicable, be consistent with National and Regional Plans, Policies and Strategies which relate to proper planning and development and is also required to have regard to Guidelines by the Minister for the Environment, Community and Local Government.*
  - \* *That Plan include list of mandatory development plan objectives as an appendix.*
  - \* *That the Plan include sections for each of the NSS, RPGs, DoECLG Guidelines, Adjoining Counties stating that the plan has been drawn up consistent with each strategy. Based on the Planning & Development (Amendment Act) 2010.*
  - \* *That the Two year Review required by Sec 15(2) of the 2000 Planning Act be mentioned*
  - \* *The plan should include a statement in accordance with Section 28 of the Planning and Development Act 2000 as to how the Plan has implemented or not implemented the policies and objectives of the Minister.*
  - \* *Include a separate statement which demonstrates that the development objectives in the Development Plan are consistent, as far practicable, with the protection and conservation of the environment in accordance with Sec 10(1D) of the Planning and Development Act 2000 (amended).*
- *The submission states that riders on policies and objectives should be removed as most policies and objectives have financial implications and it is invidious to single out particular ones.*
- *The Draft Plan should include reference to the new white paper 'Ireland's Transition to a Low Carbon Energy Future 2015-2030.*
- *The Draft Plan fails to recognise the publication of NTA Transport Strategy for the Greater Dublin Area 2016-2035 (only mentions the draft strategy) which is considered a fundamental oversight.*
- *The Draft Plan should include 'promote a healthy environment' as a strategic goal.*

##### Naas Town Development Plan

- *The submission also raises concerns that Naas will effectively be left without a plan and zonings until such time as the new Naas LAP is published and adopted and the submission requests that the current Naas Town Development Plan 2011-2017 be carried forward (as an interim measure) into the new Kildare County*



*Development Plan 2017-2023 to avoid a vacuum in planning policy in relation to the lands until such a time as the Naas LAP is adopted, which will avoid uncertainty on the part of the client and will also militate against uncertainty on the part of other potential employers that might seek to invest in the area and create employment. (155)*

Miscellaneous

- *The Plan should include a policy to prevent political collusion in Planning*
- *Did the officials of Kildare County Council receive any direction from senior politicians on behalf of Intel Ireland Ltd. to engage the IDA to confiscate the Reid farm at Blakestown?*
- *Planning Application 12/435 should be annulled.*

## Chief Executive Response

### Strategic Framework & Reference Document

The comments raised in relation for the need for Draft Plan introduction to include references to strategic framework documents are noted. It is considered that the majority of the documents raised are already covered in sufficient detail within Chapter 1 of the Draft Plan in order to set the overall context of the plan preparation and background requirements that the Development Plan must adhere to. A Section 28 Ministerial Statement has also already been included in Part V of Volume 1 (Written Statement) of the Draft Development Plan and statements of environmental compliance are included within the plan.

The Chief Executive does not agree with the suggestion that all riders on policies and objectives contained in the plan which have a financial implication be removed. It is considered important for reasons of transparency that the Draft Plan highlights areas where the achievement of any policy or objective may be subject to financial constraints which in some particular cases may be subject to outside funding requirements. It is recommended not to amend the plan on this issue.

It is considered appropriate to include reference to the White Paper '*Ireland's Transition to a Low Carbon Energy Future 2015-2030*'.

The Chief Executive agrees that the references to the NTA Transport Strategy needs to be updated in the plan to make reference that the NTA Transport Strategy for the Greater Dublin Area has been approved by the Minister for Transport, Tourism and Sport in April 2016 and is no longer a draft document.

The request for the 'promotion of a healthy environment' as a strategic goal of the development plan is noted, it is considered that the overall spirit of same has been incorporated as a key concept of the Draft Plan by the promotion of sustainable development measures throughout the plan.

In relation to Naas, the Chief Executive intends to publish a Draft Local Area Plan for Naas in 2017 in response to the context set by Section 11C of the Planning and Development Act. The Planning

Authority is satisfied that a strategic planning framework will remain in place for Naas to avoid any policy vacuum as suggested.

In relation to the miscellaneous points raised in the submission received, the Chief Executive can confirm that all statutory obligations have been followed in the preparation of the Draft County Development Plan 2017 -2023 in accordance with the requirements of the Planning & Development Act 2000 (as amended). It is not considered appropriate to comment on matters that arise outside the scope of the plan preparation process.

It is considered appropriate to reference the Kildare Age Friendly Strategy in Section 1.4.3 County Kildare Plans, Strategies to highlight the commitment of the Council to implementing the Age Friendly Strategy 2016 and its influence on policies and objectives contained in the Plan.

### Chief Executive Recommendation

#### CH1: Proposed Alteration No. 1:

In Section 1.4.1 National Policies and Strategies, to include a new sub section after the narrative on National Climate Change Adaptation Framework (Note: the subsequent sub sections will need to be renumbered accordingly).

*(vii) Government White Paper 'Ireland's Transition to a Low Carbon Energy Future 2015-2030; The White Paper 'Ireland's Transition to a Low Carbon Energy Future 2015-2030' is a complete energy policy update. The White Paper sets out a framework to guide policy and the actions that the Government intends to take in the energy sector from now up to 2030.*

*The paper takes into account European and International climate change objectives and agreements, as well as Irish social, economic and employment priorities. As Ireland progresses towards a low carbon energy system, this policy update will ensure secure supplies of competitive and affordable energy to our citizens and businesses.*

#### CH1: Proposed Alteration No. 2:

To amend Section 1.4.2 'Regional Policies and Strategies' in relation to subsection (iii) Transport Strategy for the Greater Dublin Area

~~In October 2015, the National Transport Authority published the Draft Transport Strategy for the Greater Dublin Area 2016-2035.~~ *The new NTA Transport Strategy for the Greater Dublin Area 2016-2035 was formally approved by the Minister for Transport, Tourism and Sport in April 2016.* This updates the Draft Transport Strategy for the GDA 2011-2030 and aims to contribute to the economic, social and cultural progress of the Greater Dublin Area by providing for the efficient, effective and sustainable movement of people and goods.

The strategy sets out a cohesive and integrated transport framework to support and sustain the region's development. Key priorities are:

- To address urban congestion;
- To protect the capacity of the strategic road network;

- To reduce the share of trips undertaken by car and increase walking, cycling and public transport;
- To provide a safe cycling network;
- To enhance the pedestrian environment , in particular overcome severance and increase in permeability; and
- To consider all-day travel demand from all societal groups.

**CH1: Proposed Alteration No. 2:**

Insert new paragraph under Section 1.4.3 County Kildare Plans, Strategies and Studies

New Section 1.4.3 (iv) (c)

(c) The overall aim of the Kildare Age Friendly Strategy 2016-2018 is to make Kildare a great place to grow old. The strategy highlights that this can only be achieved through maximum collaboration, cohesion and cooperation across groups and agencies. Age friendly indicators developed by The World Health Organisation relate to the health, care, transport, housing, labour, social protection, information and communication sectors. The policies and objectives of this plan promote an age friendly County that enables people of all ages to actively participate.

## Chapter 2 Core Strategy and Chapter 3 Settlement Strategy

The Core Strategy and Settlement Strategy Chapters (2 & 3) are addressed jointly in this report as the issues raised are interlinked. Submissions 17, 21, 30, 47, 95, 123, 133, 134, 146, 147, 150, 151, 157, 159, 161, 171, 176, 177, 226 relate to Chapters 2 and 3.

### Demographic Information

*Submissions highlight that the RPGs and the Draft CDP are based on out of date Census data. A number of submissions suggest that 2016 Census figures should form the basis for the Core Strategy and housing allocations.*

*Submission 161 queries the reference to concentrations of over 3,000 persons per square kilometre in major urban centres set out in Section 2.3, stating that this section implies that such densities are commonplace. Celbridge is downplayed in terms of size and density given use of MD figures and the population change figures for Celbridge-Leixlip MD are incorrect.*

### Settlement Strategy

*Submission 47 states that the Settlement Strategy must be responsive to issues such as sustainable development, efficient transport, labour force and employment projections, population projections and balanced regional development.*

### Housing Targets

*A number of submissions state that the Core Strategy housing allocations do not include adequate headroom to accommodate growth over the CDP lifetime and for the preceding 3 year period (to 2026), as is advised by the Development Plan Guidelines, DECLG (2007). Two submissions reference the approach of the Meath County Development Plan and the inclusion of housing allocations for the plan period and an additional 3 years.*

*A number of submissions state that the capacity of undeveloped zoned lands, set out in Table 3.4, is overstated and that high densities would be required to deliver the outputs identified by the Draft CDP.*

### Allocation of Growth

*The distribution of growth under the Core Strategy was raised in a number of submissions.*

*One submission states that the County Development Plan should provide a framework to facilitate urban consolidation and population expansion of the Metropolitan Area. This submission seeks to focus 20% of planned growth into one town, so that it can have the critical mass to support the County's population and that growth is more manageable. The allocation of 30% of growth to Tier 2 towns will put significant pressure on the Local Authority to oversee their sustainable development. It may be more appropriate to focus 20% of the growth into one key Town and distribute the remainder proportionally between all towns identified in Tier 2 & Tier 3. This will result in a more balanced and manageable growth across County.*

*One submission states that all necessary steps should be taken to ensure that the population targets of settlements are respected and that they are not consistently extended when they exceed RPG figures.*

### Metropolitan Area

*The submission from Meath County Council states that the metropolitan areas of Kildare & Meath and the adjoining environs of north County Dublin have the potential to accommodate substantial economic, residential and community development and suggest a joint strategic approach. The submission notes and welcomes the proposal for "a strategic land use and transportation study of north east Kildare including the metropolitan area towns of Leixlip, Maynooth, Celbridge and Kilcock involving all strategic stakeholders (including Meath, Fingal and South Dublin County Councils)..." and welcomes the references in Table 3.3 to the household allocations in the Meath CDP for Kilcock & Maynooth Environs.*

*A number of submissions highlight the RPGs requirement to accommodate a "minimum" of 35% of the County's growth allocation in the Metropolitan area and suggest that the 35% allocation is too low and does not appropriately address the strategic importance of settlements in the Metropolitan Area. It is contended that the proportion of growth allocated to these settlements should be higher.*

*One submission states that north Kildare can play an integral role in the overall county-wide response to the housing crisis and that north Kildare, particularly Maynooth and Celbridge, merit a larger share of the unit growth allocation due to housing demand outside the M50 arising out of affordability issues, existing and future public transport plans and water services capacity relative to other settlements.*

*A number of submissions question the allocation of growth within the Metropolitan area stating that it does not reflect the RPGs Settlement Hierarchy. Leixlip and Maynooth, Large Growth Towns (Tier 2) are allocated 10.9% and 7% of the housing allocation respectively. Celbridge, a Moderate Sustainable Growth Town (Tier 3) is allocated 13.2% of the County's growth, which is in excess of any of the Tier 2 towns and almost double that of Leixlip (13.2% v 7%). It is noted that the 2011-2017 CDP allocates 10.9% of the County's growth to Leixlip, while the Draft Plan reduces this to 7%. One submission states that in light of the significant growth that has taken place in Celbridge during the previous CDP periods, it is questionable if the pace of growth is socially sustainable. Submission 161 states that Celbridge will not be able to absorb the proposed allocation due to insufficient public transport routes, high car dependency and deficits in physical and social infrastructure. One submission seeks 25% of the 35% of growth to be directed to Maynooth and Leixlip / Collinstown (Large Growth Towns) at 12.5% each. One submission seeks a minimum allocation of 10.9% to Leixlip. Submissions also state that there is no explanation for the allocations.*

*One submission requests that the Development Plan be amended to give Leixlip a growth of up to 5,000 additional units to accommodate 10,000 people to reflect the hierarchy established by the RPGs. Alternatively the Planning Authority might consider not establishing specific targets for each of the Metropolitan towns and give only an overall target for the Metropolitan region of 'over 11,200 units' with specific detail left to LAP's. The submission also refers to a discrepancy between Housing Land Availability data for 2014 relative to that included within the Draft Plan.*

*A number of submissions highlight the designation of Leixlip as a Large Growth Town 1 and a strategic growth centre for inward investment and employment, indicating that it is critical that the Settlement Strategy creates the conditions for the continued development and growth of Leixlip. Submissions refer to land that is available for residential development at Convey within 1km of Convey Rail Station - north of the Royal Canal and Dublin-Sligo rail corridor. A case is made to allow for the development of these lands as part of a mixed use residential community, taking advantage of its location close to a rail station and connectivity into established areas of Leixlip. One submission requests that an objective be included in the Plan: To commission a study of the lands north of the Royal Canal at Convey to ascertain the capacity of these lands to accommodate development, and identify deficits in the infrastructure that need to be addressed before these lands can be developed'. This study should be completed before the review of the Leixlip LAP is commenced.*

*Submission 147 seeks a target of 4,360 units for Maynooth over the plan period and for an additional 873 units to 2026. It is stated that this would equate to a requirement for an additional 66 ha of residential land zoning. The submission makes reference to lands zoned for agriculture at present that are considered to be sequentially & strategically located inside the development boundary of the Maynooth LAP.*

#### Naas and Sallins

*One submission states that Naas has not achieved its housing targets under the Naas Town Plan 2011-2017 and same was acknowledged in the 2 year progress report for that plan and further delays can be expected until the necessary infrastructure has been put in place over the coming years. The submission considers that targeted growth of 14.9% is ambitious and details a desire to build residential units in Sallins, which would assist in meeting the County housing unit targets whilst servicing the needs of the Naas catchment. The submission states that a reallocation of growth targets to reflect a 13.9% target for Naas and 2.9% for Sallins (as opposed to 14.9% and 1.9% respectively in the Draft Plan).*

*A number of submissions commented on the role of Naas (21, 134, 226). Submissions support the role of Naas as a Large Growth town and primary economic growth town. One submission states that Naas is not apportioned sufficient growth to drive a centre of excellence. The position of Naas as the Primary Tier town is questioned given its lack of rail based public transport (whilst towns at the next tier are rail based) and it is queried whether Naas and Sallins should be treated as a conurbation.*

*A number of submissions comment on the role of Sallins and make a case for designation as a hinterland Town / Moderate Sustainable Growth Town as opposed to Small Town. One submission seeks a review of the Sallins LAP within two years of the adoption of the CDP and that the CDP is reviewed within two years of its adoption to ensure consistency with updated national and regional policy.*

*Submissions state that the population of Sallins was 5287 in 2011 and is likely to be 6000+ in the 2016 census which is above the 1,500 – 5000 population for Small Town designations. The submission highlights the role of Sallins as a commuter location, synergies to Naas, and proximity to employment locations such as Millennium Park, Intel, HP and the business parks at City West and Park West. One submission states that the population projection for Sallins for the draft plan is the*

same as that for the current plan and no details regarding the calculations for same have been provided.

This submission requests the designation of Sallins as a 'Hinterland Town' acknowledging its role as a commuter location with high quality public transport connections and synergy with the adjacent town of Naas.

#### Newbridge

One submission relates to the Quantum of Zoned Lands in Newbridge and notes that there is a recognised deficit in zoned lands in Newbridge in order to meet proposed population and unit targets as set out in Table 3.4 of the CDP and proposes the zoning of additional lands at Morrinstownbiller, Newbridge.

#### Kildare Town

One submission requests increased housing unit targets for Kildare Town to provide for a significantly greater allocation towards the re-development of Magee Barracks. An additional allocation of c. 265 no. to Magee Barracks is requested, in addition to the 161 in the current LAP. A draft masterplan supporting this accompanies the submission. It is requested to amend table 3.4 as follows in this regard.

#### Town Village Expansion, Sequential Development, Brownfield Sites and Greenbelts

A number of submissions raise issues in relation to new zoning in proximity to towns and villages. The submissions advocate a need for sequential zoning; that new development is adjacent to the town or village centre; that development is connected to footpaths / walkways / services; that infill / brownfield development is promoted; and that new zoning is restricted to a percentage of current population / housing. One submission recommends against large scale residential zoning that concentrate increased population to areas outside the original town / village. One submission requests that the plan clarifies whether de-zoning of excess zoned lands has been considered in the plan, in particular in areas at risk of significant flooding and areas more removed from settlement core areas and associated services/support infrastructure.

One submission states that greenbelts should be created and protected around all towns. There should also be green belt corridors between all areas to maintain the country feeling of the county.

#### Housing in Rural Areas

One submission highlights the issue of rural population decline for the viability of sporting clubs, teams, services and facilities and the need to take account of this when projected populations are being allocated through the CDP Core Strategy to rural areas and rural settlement clusters and villages.

One submission expresses concern in relation to the allocation of 8,320 units across 64 rural areas representing 26% of the overall household allocation for Kildare. A further 2,560 units, representing 8% of the housing allocation) is allocated for rural dwellers. The submission states that such growth

*would be better accommodated in the small towns and villages with existing facilities and services in order to consolidate development in rural areas and deliver sustainable development.*

## Chief Executive's Response

### Demographic Information

It is proposed to update the Core Strategy to incorporate Census 2016 data. See response to submission of the Department of Housing, Planning, and Community and Local Government and proposed Material Amendment No. 1.

The population density data in Section 2.3 is based on analysis of Census 2011 data by the All Ireland Research Observatory (AIRO). Information is provided at Town and MD level to outline the baseline situation within the County at time of preparation of the Draft County Development Plan.

### Settlement Strategy

The Draft County Development Plan sets out a comprehensive framework for the development of the County, taking account of national and regional policy and guidance in relation to sustainable development, land use and transportation, economic development and balanced development.

The Planning and Development (Amendment) Act 2010 places an obligation on the planning authority to prepare a Core Strategy (inc. Settlement Strategy) that is consistent, as far as practicable, with the national and regional development objectives of the National Spatial Strategy and Regional Planning Guidelines. Growth Towns and Moderate Sustainable are designated at a Regional level and small towns and villages defined at a county level through the Development Plan based on the descriptions set out in the RPGs.

The Settlement Strategy in the Draft Plan is derived from and consistent with the Settlement Strategy set out in the Regional Planning Guidelines for the Greater Dublin Area (2010). Sallins is not identified as a Moderate Sustainable Growth Town in the RPGs and as such, cannot be identified as such in the County Development Plan.

### Housing Requirements and Capacity of Zoned Lands

The Section 4.14 of the Development Plan Guidelines, 2007 state that "Planning authorities should take all reasonable steps to ensure that sufficient zoned residential land is available throughout the lifetime of the development plan and beyond to meet anticipated needs and allow for an element of choice. In particular, to ensure continuity of supply of zoned residential land, planning authorities should ensure that at the time they make a development plan, enough land will be available to meet residential needs for the next nine years. In this way, development plans will provide for sufficient zoned land to meet not just the expected demand arising within the development plan period of six years, but will also provide for the equivalent of 3 years demand beyond the date on which the current plan ceases to have effect".

The overall growth target for Kildare is consistent with the RPGs and this is confirmed by statutory submissions from the Department of Housing, Planning, Community & Local Government and the Eastern and Midlands Regional Assembly. The DECLG submission suggests that figures are updated



to incorporate Census 2016 data published in July 2016. As detailed above, it is proposed to amend the Draft Plan to incorporate the Census data.

While the Draft Development Plan is consistent with RPG growth targets, the RPG population and housing forecasts were published in 2009 and are considered to be out of date and high when compared against more recent CSO Regional Population Forecasts published in 2013 and the preliminary Census 2016 results.

It is the view of Kildare County Council that the RPG figures incorporate inbuilt headroom to meet anticipated need and to ensure continuity of supply of zoned lands in County Kildare over the 9 year period from 2017 to 2026 and beyond, in accordance with the Development Plan Guidelines, DECLG, 2007.

Census 2016 Preliminary Results, July 2016, confirm that population growth in the GDA and in County Kildare was below the RPGs forecast for the period 2010-2016. Population in Kildare falls 12,292 persons below the RPG allocation for 2016 and housing numbers fall 13,002 units below the RPG target. It is likely that some of the 2010-2016 RPG housing allocations will defer to the 2016-2022 period, given the current housing shortage and government initiatives to bring forward supply. Notwithstanding this, the CSO Regional Population Forecasts, December 2013 project a lower level of growth than envisaged by the RPGs. An extrapolation of the CSO Population Forecasts (2013) to County level based on the assumption that Kildare would continue to hold a 40% share of the Region's population suggests that the RPG 2022 population allocation of 252,640 persons will not be achieved until 2026.

In addition to the above, the RPG derived target of 32,497 completions to the end April 2023 (updated for Census 2016) necessitates an annual average output of c. 4,642 housing units over the seven year period from 2016-2023. This is very high when compared against historic completion rates in Kildare, with annual completions of 2,869 units per annum over the 10 year period from 2000 to 2009, peaking at 3,746 units per annum for the four year period from 2004-2007. Over a nine year period from 2016-2026 an annual average output of c. 3,250 units is required to achieve the growth target, which appears more achievable in the context of historic completions rates.

The publication of the National Planning Framework and Regional Spatial and Economic Strategies will provide an updated policy framework during the plan period. The Plan will be assessed upon publication of the NPF and RSES and can be varied if necessary to take account of the more up to date policy framework and growth allocations that emerge.

#### Allocation of Growth

Kildare's growth allocation to 2023 is distributed in the Core Strategy based on the designation of settlements within the RPGs with Growth Towns accommodating over 76% of the County's growth target during the Plan period.

#### Metropolitan Area

The RPGs for the Greater Dublin Area 2010-2022 (Section 4.3, Table 7) require that a minimum of 35% of the total housing allocation for Kildare be accommodated in the Metropolitan Area. The Metropolitan towns have grown significantly over the last 2-3 decades and significant deficits have

emerged in respect of physical and social infrastructure. Based on the capacity of the Metropolitan towns in Kildare to accommodate the level of growth envisaged by the RPGs and to deliver sustainable communities that are well served by social and physical infrastructure, it is considered appropriate to allocate 35% of total growth to the Metropolitan area and to distribute the remaining 65% to the hinterland areas. This will ensure the continued growth of towns in the hinterland area and maximise the value of established infrastructure and facilities outside of the Metropolitan area.

A number of submissions queried the proportion of the County's housing growth allocated to Celbridge (13.2%) designated as a Tier 3 Moderate Sustainable Growth Town relative to Maynooth (1010.9%) and Leixlip (7%) designated as a Tier 2 Large Growth Towns. This was prompted by constraints to the future growth of Leixlip to the east, west and south. In light of submissions received and the designation of Leixlip as a Large Growth Town II, it is proposed to reallocate a proportion of the County's growth from Celbridge to Leixlip to better reflect the RPG designations. See Material Amendment below.

It is noteworthy that the NPF and RSEs will provide a new policy framework to guide the future growth and development of the Dublin area and may identify sites that are considered to be strategic in regional terms for housing provision. It would appear that lands to the north of the rail corridor at Confey, Leixlip may offer an opportunity to accommodate regional population growth in the medium to longer term. The scale of lands available along a rail corridor, together with the proximity to the established Growth Town of Leixlip, and proximity to Dublin (17 km's) and the built up areas of Fingal and South Dublin may provide a strong basis for the phased development of a planned new district that is integrated with and part of the established Growth Town. Notwithstanding this, there are significant access and servicing constraints that need to be explored as an initial step.

It is proposed to investigate the feasibility of urban expansion to the north of Leixlip in consultation with key stakeholders that includes Government Departments and Agencies (Department of Housing and Planning, EMRA, NTA, TII, adjoining local authorities) and to establish whether this represents the efficient use of public investment in infrastructure and facilities (transport, water, waste water and roads). See Material Amendment No. 26 below which proposes to include an objective to this effect.

### Naas / Sallins

Naas is designated as Large Growth Town 1 and is the most significant urban centre in Kildare with an RPG population of up to 50,000 persons. It is ideally placed to enhance and complement the role of Dublin as an international city region. Its connectivity to Dublin along a multi-modal transportation corridor coupled with the capacity to accommodate significant economic and population growth presents a significant opportunity for Naas and for the region.

Following the implementation of the Local Government Reform Act 2014, the County Development Plan incorporates the administrative area of Naas Town Council for the first time and will replace the Naas Town Plan. It is timely therefore to initiate a "visioning" process for Naas looking at a 20 year horizon to inform the forthcoming Naas Local Area Plan 2017-2024. Prioritising Naas as a significant

population and employment centre and exploring the established synergies and relationships with other towns and settlements, including Sallins, will be a key part of this process. In particular, the future role and function of key districts within and adjoining Naas, such as Naas Town Centre, Devoy Quarter, Millennium Park, Maudlins, Sallins, Johnstown, Two Mile House and Killashee and their capacity for growth over a 20 year horizon will need to be carefully explored in consultation with key stakeholders and the public and planned for. It is proposed to explore through the LAP process what constitutes Naas (e.g. are the surrounding districts part of the Large Growth Town) and how do we best plan for the future growth of Naas (one detailed LAP encompassing all districts or an overarching strategic plan with a number of LAP's). The strategic vision will inform the review of the RPGs and preparation of the Regional Spatial and Economic Strategy for the Eastern and Midlands Regional Assembly area.

Pending the development of a strategic vision for Naas it is proposed to retain the growth targets in the Draft Plan.

#### Newbridge & Kildare Town

Capacity deficits / surpluses identified in Table 3.4 will be addressed through a review of the relevant Local Area Plans. In this regard it is noteworthy that Kildare Town has a significant capacity surplus and detailed matters in relation to the allocation of growth within Kildare will be more appropriately addressed through the LAP.

#### Town Village Expansion, Sequential Development, Brownfield Sites and Greenbelts

It is an objective of the Draft Plan that development is in compliance with the Sustainable Residential in Urban Areas Guidelines, DECLG (2009) and the Design Manual for Urban Roads and Streets, DECLG and DTTS (2013) which sets out comprehensive guidance in relation to the siting and design of new development.

#### Development in Rural Areas

This Plan recognises the need to protect and support lower order rural settlements and the countryside by recognising the need to accommodate limited growth in accordance with requirements for local housing demands and the needs of genuine rural dwellers while providing careful management of physical and environmental resources.

### **Chief Executive's Recommendations**

#### **Ch 2/3: Proposed Alteration No. 1:**

Amend Table 3.3 and 3.4 to incorporate Census 2016 data, population forecast for 2023 and to amend growth allocations in Metropolitan area to reflect RPGs as follows:

**Table 3.3 Settlement Hierarchy – Population and Housing Unit Allocation 2016-2023**

Towns / Villages	2016 Pop Est. (+5.6%)	2011 Dwellings	2016 Dwellings Est. (+2.5%)	Allocated Growth (%) 2016-2023	New Dwellings Target 2016-2023	2023 Dwellings Forecast	2023 Pop Forecast
Naas*	21872.928	7685	7877.125	14.90%	4,842	12,719	28,111
Maynooth**	13210.56	4923	5046.075	10.90%	3,542	8,588	18,996
Leixlip	16317.312	5506	5643.65	10.20%	3,315	8,958	19,794
Newbridge	22768.416	8216	8421.4	11.60%	3,770	12,191	26,896
Celbridge	20631.072	6911	7083.775	10.00%	3,250	10,333	22,801
Kilcock**	5842.848	2160	2214	4.00%	1,300	3,514	7,764
Kildare	8597.952	3263	3344.575	4.70%	1,527	4,872	10,750
Monasterevin	3917.76	1617	1657.425	2.60%	844.922	2,502	5,525
Kilcullen	3629.472	1383	1417.575	2.50%	812.425	2,230	4,927
Athy*	10481.856	4301	4408.525	4.80%	1,560	5,968	13,152
Clane	7077.312	2637	2702.925	2.40%	779.928	3,483	7,668
Prosperous	2373.888	759	777.975	1.00%	324.97	1,103	2,432
Rathangan	2506.944	928	951.2	0.90%	292.473	1,244	2,739
Sallins	5578.848	1978	2027.45	1.90%	617.443	2,645	5,824
Athgarvan	1072.896	337	345.425	0.70%	227.479	573	1,267
Castledermot	1476.288	636	651.9	0.50%	162.485	814	1,792
Derrinturn	1627.296	427	437.675	0.60%	194.982	633	1,396
Kill	3268.32	1200	1230	1.30%	422.461	1,652	3,641
Johnstown (1,004) , Straffan (635), Ballymore-Eustace (872), Allenwood (845), Johnstownbridge (650), Coill Dubh (687)/Coolearagh (384), Kilmeague (997), Caragh (882), Kildangan (470), Suncroft (735), Robertstown (669) & Ballitore (556) /Crookstown (129) /Moone (144) /Timolin (96)	10326.624	3029	3104.725	3.70%	1,202	4,307	9,495
Broadford (45), Milltown (177), Kilteel (163), Staplestown (98), Ardclough (153), Allen (62), Brannockstown (186), Twomilehouse (263), Brownstown (456), Cutbush (246), Maddenstown (141), Nurney (342), Calverstown (459), Rathcoffey (170), Narraghmore (229), Maganey/Levitstown (69), Kilmead (258) & Kilberry (163)	3125.76	1950	1998.75	1.30%	422.461	2,421	5,324
Clogherinka, Cadamstown, Kilshanchoe, Newtown, Tirmoghan, Carbury, Timahoe, Lackagh/Mountrice, Ballyshannon, Ballyroe, Kilkea, Ellistown, Newtownmoneenluggagh, Kildoon, Booleigh, Castlemitchell, Williamstown, Clongorey/Blacktrench, Ballyteague, Lullymore, Ticknevin, Tipperkevin & Killina, Moyvalley, Rathmore/Eadestown	56385.12	18717	19184.925	0.50%	155	19,340	52197.849
	0		0	8.00%	2,600	2,600	
	453.024	160	164	1.00%	324.97	489	1064
	0		0			0	
	0		0			0	
	<b>222,130</b>	<b>78,794</b>	<b>80,746</b>	<b>100%</b>	<b>32,497</b>	<b>113,181</b>	<b>253,552</b>

Table 3.4

Housing Capacity	Year of Plan	Quantum of Undeveloped Zoned Land 2015 (Ha)	Core Strategy Allocation 2016-2023	Potential Units Deliverable 2015**	2016-2023 Capacity Deficit (units)***	2016-2023 Capacity Surplus (units)***	Units Granted / Not Built
Naas & Environs	TP 2011	165.78	4,842	4,626	216		1,072
Maynooth****	LAP 2013	70	3,542	2,385	1,157		862
Leixlip	LAP 2010	63	3,315	2,209	1,106		68
Newbridge	LAP 2013	108	3,770	3,133	637		739
Celbridge	LAP 2010	83	3,250	2,681	569		145
Kilcock**	LAP 2015	57	1,300	1,577		277	651
Kildare	LAP 2012	134	1,527	3,554		2,027	1,013
Monasterevin	LAP 2016	26	845	576	269		207
Kilcullen	LAP 2014	36	812	798	14		151
Athy	TP 2012	105	1,560	1,896		336	678
Clane	LAP 2009	45	780	823		43	331
Prosperous	CDP	24	325	467		142	27
Rathangan	CDP	24.2	292	486		194	140
Sallins	2016 LAP	33.5	617	1,123		506	153
Athgarvan	CDP	15	228	301		73	39
Castledermot	CDP	14.5	162	274		112	135
Derrinturn	CDP	17.4	195	301		106	148
Kill	CDP	28	423	603		180	355
Johnstown, Straffan, Ballymore-Eustace, Allenwood, Johnstownbridge, Coill Dubh /Coolearagh, Kilmeague, Caragh, Kildangan, Suncroft, Robertstown & Ballitore /Crookstown /Moone /Timolin (See Table 2.3 (Vol. 2 Section 2) for zoning)	CDP	See Village Plans	1,202	1184	-	-	611
Blessington Environs	CDP	26.2	325	309			-
Rural Settlements	CDP	-	423	402			-
Rural Nodes	CDP	-	155	155			-
Rural Dwellers	CDP	-	2,600	2,474			-
<b>Total</b>		-	<b>32,497</b>	<b>33,011</b>	<b>3968</b>	<b>3996</b>	<b>7,525</b>
<b>Net Capacity 2016-2013</b>				<b>32,558</b>			

\*The capacity of undeveloped zoned land in the county was calculated as part of the Housing Land Availability Survey 2015. This survey determined the capacity of all undeveloped zoned land in the county based on the density standards set out in each Development Plan or Local Area Plan.

\*\*The net capacity figure is the sum of all lands currently zoned, adjusted to exclude surplus zonings (capacity beyond the plan period) and include deficits that will be addressed through Local Area Plans.

\*\*\*The Core Strategy figures do not include Meath County Council's allocation for housing in the environs of Maynooth and Kilcock (refer to Table 3.3 for details).

### **Ch 2/3: Proposed Alteration No. 2:**

Insert an objective into Section 3.9 as follows:

SO 3: To investigate, in consultation with government departments, statutory agencies and stakeholders, options for the future growth of Leixlip, including the feasibility of developing a new residential district to the north of the Dublin – Sligo rail corridor. The Regional Planning Guidelines designate Leixlip as a Large Growth Town II within the metropolitan area of Dublin. The future growth strategy for Leixlip should be consistent with emerging regional and national spatial planning policy, represent efficient use of public investment in infrastructure and facilities (transport, water, waste water and roads) and seek to minimise impacts on the environment.

## Chapter 4 Housing

Submissions received relevant to this section: 21, 30, 90, 96, 157, 161, 176, 219, 226 and 228.

### Supportive Comments

*Support expressed for the policies and objectives for housing in this chapter and in particular the intention to give effect to the Planning Guidelines on Sustainable Residential Development in Urban Area.*

### Housing & Transport Services

*No housing should be given permission without increased commitment from Dublin Bus or Irish Rail to increase services to the area.*

### Housing Affordability

*No new expensive housing of over €500,000 to be allowed to be developed in the county. The towns and hinterland should build a mix of priced houses that are in line with affordability.*

*Adequate housing is required to attract a workforce to work and live in the county. The Plan must ensure a diverse range of housing types, based on housing needs linked to economic and community development of the county.*

### Rural Housing

*Farming families should be treated equally regardless of location within the county. The division of the county into two zones for the purposes of rural housing should be removed and farming families should be fully facilitated in the rural housing planning process. This will help secure a viable and economically sustainable agricultural industry and ensure targets held within the Food Wise 2025 report are reached.*

### Energy Efficiency

*The chamber recommends specifying the requirements that would maximise the BER ratings for new houses for the next wave of building stock at a cost effective level.*

### Housing Supply

*An adequate supply of residentially zoned lands is required in Naas where a number of construction companies can competitively compete. This will reinvigorate Naas town centre and create a sustainable housing market where supply matches demand to ensure competitive and affordable prices.*

*In relation to Table 4.1, the highest density is not suitable for Celbridge. The new CDP should be clearer on pre-conditions for higher densities which should require a transport service being in place and long term maintenance of a service.*

*It is submitted that strong policies are included in the Plan prohibiting housing developments of over 100 units.*

### Housing for Persons with Disabilities

*In line with policies HSO5, SN1, and SNO9, it is requested that the Council state in the interests of clarity that the Plan promotes the delivery of housing for people with disabilities in appropriately designed accommodation within mainstream residential developments.*

### Housing Mix

*In relation to Section 4.6 the housing mix for Celbridge will continue to need primarily 3-4 bedroom family homes. Clarity is needed on objective MDO2 and MDO3 in terms of how housing mix will be determined in tandem with clarifying table 17.3. A Statement of Housing Mix should be required for developments with 30 or more units proposed per hectare in Large and Moderate Sustainable Growth towns.*

### Landscaping

*All new KCC property and county buildings should incorporate swift blocks/boxes. All new housing estates should have native trees planted on site.*

### Housing in Town Centres

*Town centres need to promote living accommodation for a more diverse demographic and encourage the re-use of retail space for residential use.*

*In order to monitor the success of making our town centres as attractive residential environments, it might be worthwhile considering setting targets that would see a % of town population being accommodated in core town centres.*

*Consideration should be given to providing for the development of units that can accommodate multi generations on site, perhaps with annexed independent living accommodation being encouraged in design of a certain proportion of units.*

*Review of current apartment stock in town centres should also be encouraged through policies that would facilitate the amalgamating of apartments into workable living space for larger family units. Include an objective to examine mechanisms for more consumer friendly and less costly management of apartment developments.*

### Collinstown

*The importance of lands at Collinstown for the delivery of residential development as part of a wider District Centre is highlighted. The Collinstown LAP 2010 made provision for apartments as well as family housing. Concerns are expressed about the deliverability of high density development at this location in the short to medium term and seeks a net density of 25-30 units / ha.*



## Chief Executive Response

### Supportive Comments

Positive comments noted, no changes required.

### Housing & Transport Services

Whilst Kildare County Council is not a responsible body in charge of public transport provision, the Council do engage on a regular basis with such transport service providers along with the National Transport Authority (NTA) in relation to improving public transport provision throughout the county. Any areas where new residential housing is proposed to be zoned will have proximity to public transport services as a fundamental consideration in the sequential planning of towns/villages in the county.

### Housing Affordability

Kildare County Council is responsible for the implementation of the Housing Strategy contained in the Draft Plan. This includes for the satisfactory provision of both public and private housing into the overall housing market to meet the housing needs of Kildare's growing population. It should be noted that the Council has no role in the market value of private housing supply, but does have a role in social housing provision for those on the local authority housing list. The Core Strategy of this Draft Plan includes housing allocation numbers for each urban centre in the county so that the provision of new housing is consistent with the current Regional Planning Guidelines for the Greater Dublin Area 2010-2022, is plan led and that each urban centre has an appropriate allocation which is reflective of its position in county's settlement hierarchy. The Chief Executive is satisfied that an appropriate allocation of housing units has been identified for each centre, and that the overall housing mix should be consistent with the Development Management standards set out in Chapter 17 for new residential schemes. No change to the draft plan on this issue is recommended.

### Energy Efficiency

The implementation of the Building Energy Rating (BER) system which came into effect in Ireland since 2007 does not form part of current planning legislation. Enforcement or compliance with BER obligations is a matter for the Building Control Authority. Whilst energy efficiency measures for new developments are promoted in the Draft Plan, the Plan has no statutory power to require specific BER ratings for new developments. Such requirements form part of the Building Regulations which is separate legislation to planning. No change is recommended.

### Housing Supply

In relation to Naas, the land use zoning objectives which apply to same, including for new residential development, are currently set out in the Naas Town Development Plan 2011-2017. With the abolition of Naas Town Council in June 2014 as part of the wider reorganisation of local government, the current Naas Town Development Plan now forms part of the current County Development Plan. The Planning Authority intends to prepare a new Local Area Plan for Naas during 2017 to replace the Town Development Plan which will review the overall quantity of residential zoned lands available in the town. The LAP will effectively implement the Core Strategy housing allocation for Naas which is

recognised as the main urban centre in the county being a 'Large Growth Town 1'. No change is recommended.

In relation to Table 4.1 and housing densities, some concerns are raised in relation to appropriate context for the application of higher densities, with Celbridge highlighted. Whilst no particular centre is mentioned in Table 4.1, it does provide guidance on where higher densities may be appropriate close to public transport nodes. The Draft Plan does state that higher densities will be considered on a site by site basis within walking distance to public transport options. This is considered an appropriate balance to achieving sustainable development and is compliant with the principles for new residential development as set out in the Planning Guidelines 'Sustainable Residential Development in Urban Area (2009)'. No change is recommended.

The Chief Executive does not agree that there should be a limit prohibiting housing developments over 100 units. There is no legislative footing for such a limit to be indicated in the Development Plan. It is considered that the Core Strategy of the Draft Plan provides a satisfactory allocation of housing for each centre in the county respective of its position in the overall settlement hierarchy. Accordingly, the quantity of land zoned for new residential development corresponds with the housing allocation for any particular town/village. It will be during the formal planning application process where site specific points of any new housing scheme/proposal will be assessed with housing density being one of the key aspects of the application assessment. The Planning Authority will also be mindful of the national guidance on application of higher densities as set out in the Planning Guidelines 'Sustainable Residential Development in Urban Area (2009)'. No change is recommended.

#### Housing for Persons with Disabilities

A submission request seeks clarity in the Draft Plan so that it promotes the delivery of housing for people with disabilities in appropriately designed accommodation within mainstream residential developments. Whilst the Chief Executive is mindful of the intentions of this submission, it is considered that Objective SNO1 provides sufficient flexibility for the Planning Authority to consider such special needs;

SNO 1: To support;

- (a) The provision of housing for groups with specific housing needs, including the elderly, people with disabilities, the homeless, those in need of emergency accommodation and Travellers, at appropriate locations and in accordance with the policies and objectives of this Plan.

Geographical balance in the provision of housing for groups with specific housing needs. No Change is recommended.

#### Housing Mix

The Chief Executive notes the comments raised in relation to Section 4.6 'Mix of Dwelling Types' and how clarity is needed on objective MDO2 and MDO3 in terms of how housing mix will be determined in tandem with clarifying Table 17.3. Under Table 17.3 there are thresholds listed for the 4 different

settlement types (1. LAP target specification, 2. Large Growth Town/Moderate Sustainable Growth Town, 3. Small Town, and within a 4. Village/Rural Settlement/Rural Node).

The Draft Plan has been prepared to be cognisant of the need to have appropriate housing mix within residential developments in order to provide for the variety of house choice needs for the local population. The various thresholds listed in Table 17.3 provide guidance for assessment of housing mix in development proposals in the county. Under policy MDO2 individual Local Area Plans have the capacity to specify a particular housing mix threshold at a local level where more information may be available on the particular housing requirements and characteristics of that town/urban centre. The Council is mindful of the guidance contained in the Planning Guidelines 'Sustainable Residential Development in Urban Area (2009) whereby a mix of housing tenures is encouraged. It is considered that the Draft Plan has provided a suitable balance on the requirements for same. No Change is Recommended.

#### Landscaping

The requirements to provide appropriate landscaping measures in different development proposals are set out in Chapter 17 Section 17.2.6 (Soft Landscaping) and Section 17.2.7 (Hard Landscaping). Table 17.2 in Chapter 17 also provides specific guidance on Native Trees and Shrubs, including species suitable for public open spaces.

#### Housing in Town Centres

The Chief Executive notes the comments in relation to the role of town centres in accommodating housing supply linked with the regeneration of such areas. Particular reference is made on the possibility of reusing retail space for residential use and the possibility of a percentage of the town population being accommodated in core town centre sites.

The Chief Executive is supportive of the constructive comments expressed on how best to accommodate multiple uses within our town centres, including the provision of residential development, particularly on upper floors. This is reflected in the explanatory note for the land use zoning objective for Town Centre zonings in Section 1.8 of Volume 2. The Chief Executive does consider there being merit in highlighting further the positive position the Council takes on providing a supportive policy for accommodating housing proposals, particularly on underutilised sites, within town centres which do not materially impact on other functions of the town centre, particularly its retail function. A healthy town centre will accommodate a variety of uses between daytime and evening hours, which assist in improving the overall vitality and vibrancy of such locations. This can be inserted into Section 4.11 of Chapter 4 '*Residential Development in established Urban Areas – Infill, Backland, Subdivision of Sites and Corner Sites*'

#### Collinstown

The Chief Executive recognises the significant importance of Collinstown for the future expansion of Leixlip. The future role of this Major Town Centre is discussed in more detail under Chapter 9 Retail. Issues such as density of housing for a specific site are more appropriately addressed through a Local Area Plan.

## Chief Executive Recommendation

### **Ch 4: Proposed Alteration 1:**

To insert the following additional text under Section 4.11

#### Housing in Town Centres

The Council will generally take a supportive approach to accommodating the provision of new or refurbished housing development in town centre locations where such proposals positively contribute to the overall vitality and vibrancy of the town/village. The onus will be on the developer to demonstrate that any such proposal is complementary to the overall function of the town centre and does not detract from the main commercial offering. The Council will be particularly supportive of proposals which aim to bring back into use underutilised upper floor areas in town centres for residential use subject to meeting satisfactory design & accommodation standards for such development.

### **Ch 4: Proposed Alteration 2:**

To insert a new objective as follows;

SRO 6: To support and facilitate the provision of new or refurbished residential development in town centres, particularly at upper floor locations, where such proposals positively contribute to the overall vitality and vibrancy of the particular town/village, and to operate flexibility in relation to the open space and car parking standards set out in Chapter 17 of this Plan where it can be demonstrated that the amenities of future occupants and the surrounding area will not be compromised and subject to compliance with specific policy objectives and / or standards contained in Guidelines issued under Section 28 of the Planning and Development Act 2000 (as amended).

**Rural Housing Policy - Section 4.12.7 of Chapter 4**

The submission received from the Fine Gael Group (Submission No. 228) has requested a number of amendments to the rural housing policy contained in the Draft Plan as follows (Note: Blue highlight on new additional text suggested and a green highlight with strikethrough on suggested deletions)

That the Schedule of Local Need read as follows.

(A) Meet one of the following category of applicant;

- 1. A member of a farming family *who is actively engaged in farming the family landholding*
  - OR
  - 2. A member of the rural community.
- AND

(B) Meet one of the local need criteria (i)-(iv) set out in Table 4.

**Applicant Category 1: A member of a farming family actively engaged in farming the family landholding.**

The applicant must demonstrate a genuine local need to reside in the area through active and direct involvement in the running of the family farm. The farm must be in the ownership of the applicant's immediate family for a minimum of seven years preceding the date of the application for planning permission.

**Rural Housing Policy Zone 1**

(i) Persons engaged full time in agriculture (including commercial bloodstock/horticulture), wishing to build their home in the rural area on the family landholding and who can demonstrate that they have been engaged in farming at that location for a continuous period of over 7 years, prior to making the application.

**Rural Housing Policy Zone 2**

(i) Persons engaged full time in agriculture (including commercial bloodstock/horticulture), wishing to build their home in the rural area on the family landholding and who can demonstrate that they have been engaged in farming at that location for a continuous period of over 5 years, prior to making the application.

**Applicant Category 2: A member of the rural community.**

The applicant must demonstrate a genuine local need to reside close to their family home by reason of immediate family ties of their active and direct involvement in a rural based enterprise.

**Rural Housing Policy Zone 1**

(ii). Persons who have grown up and spent substantial periods of their lives (12 years) living in the rural area of Kildare, as members of the rural community who have left the area but now wish to return to reside near to, or to care for, immediate family members, seeking to build their home in the rural area on the family landholding or on a site within ~~2km~~ **8km** of the original family home. *Immediate family members are defined as*

**Rural Housing Policy Zone 2**

(ii) Persons who have grown up and who have spent substantial periods of their lives (12years) living in the rural area of Kildare as members of the rural community who have left the area but now wish to return to reside near to, or to car for immediate family members seeking to build their home in the rural area on the family landholding or on a site within ~~5km~~ **8 km** of the original family home. *Immediate family members are defined as*

<i>mother, father, son, daughter, brother, sister or guardian.</i>	<i>mother, father, son, daughter, brother, sister or guardian.</i>
<i>(iii) Persons who have grown up and spent substantial periods of their lives (12) years living in the rural area of Kildare, as members of the rural community and who seek to build their home in the rural area who currently live in the area. Where no land is available in the family ownership, a site within <del>2km</del> 8km the original family home may be considered.</i>	<i>(iii). Persons who have grown up and who have spent substantial periods of their lives (12 years) living in rural area of Kildare as members of the rural community and who seek to build their home in the rural area and who currently live in the area. Where no land is available in family ownership, a site within <del>5km</del> 8km of the original family home may be considered.</i>
<i>(iv). Persons who can satisfy the Planning Authority of their commitment to operate a <b>small scale</b>, full time business from their proposed home in the rural <del>where they have existing links to that rural area</del> and that the business will contribute to and enhance the rural community and that the nature of such enterprise is location dependent and intrinsically linked to a rural location.</i>	<i>(iv). Persons who can satisfy the Planning Authority of their commitment to operate a <b>small scale</b>, full time business from their proposed home in the rural area <del>where they have existing links to that rural area</del> and the business will contribute to and enhance the rural community and that the nature of such enterprise is location dependent and intrinsically linked to a rural location.</i>

#### Suggested Rural Housing Policy Amendments

- That RH2 read as follows  
*To ensure that a grant of planning permission for a rural one-off dwelling to a farming family member in the rural area on the basis of their being actively engaged in the running of the family farm (Applicant Category 1) will not preclude any other member of the family from applying for planning permission on the basis of any other of the reasons for which a person may be eligible for a dwelling in the rural area.*
- That RH3 be deleted from the development plan.
- That RH6 be deleted from the development plan.
- That RS9 read as follows;  
*To recognise and promote the agricultural and landscape value of the rural area.*
- That RS10 read as follows;  
*To encourage the appropriate re-use and adaptation of the existing rural residential building stock in preference to new build where financial viable.*
- That RH11 read as follows;  
*To recognise that exceptional health circumstances, supported by relevant documentation from a registered medical practitioner, may require a person to live in a particular environment. Housing in such circumstances will generally be encouraged in areas close to existing services and*

*facilities and in Rural Settlements. All planning permissions for such housing granted in rural areas shall be subject to a 7 year occupancy condition.*

- *That RH12 read as follows;*

*To ensure that, applicants comply with all local siting and design considerations, applicants will be required, where a design issue is raised to supply a photo montage of houses in the vicinity of their site as a design rationale and appropriate landscaping of proposed developments using predominantly native species as per Table 19.5 of this plan.*

- *That RH13 be deleted from the development plan.*

- *That RH14 read as follows;*

*To preserve and protect the open character of transitional lands outside of settlements in order to prevent linear sprawl near towns, villages and settlements and to maintain a clear demarcation and distinction between urban areas and the countryside. This policy will not affect applicants who comply with the schedule of local need.*

- *That RH15 read as follows;*

*To discourage ribbon development (defined as five or more houses alongside 250 metres of road frontage). The Council will assess whether a given proposal will exacerbate such ribbon development, having regard to the following:*

*(i) The circumstances of the applicant, if no other site is available the application will be considered in a positive manor.*

*(ii)The degree to which the proposal might be considered infill development;*

*(iii)The degree to which existing ribbon development would coalesce as a result of the proposed development; Notwithstanding the above, special regard will be given to the circumstances of immediate family members of a landowner on infill sites in a line of existing dwellings with 5 or more houses alongside 250 metres of road frontage.*

- *RH16 read as follows;*

*To consider applications for the provision of a recessed cluster form of development. The cluster shall be designed in such a way that is appropriate to the rural context and shall be set back into the landscape from the public road. Clusters shall not exceed five houses and will be subject to normal, planning, siting, design and local need considerations. Where there is a likelihood of more than one applicant seeking planning permission over a period of time, the Council will engage with the landowner to provide for an appropriate site layout capable of accommodating a recessed cluster development. Notwithstanding the above the Council understands that this policy would not be suitable in respect of an application made on the basis of full / part time employment in agriculture (including commercial bloodstock/horticulture).*

- *RH17 read as follows;*

*To only consider family members for backland development. The proposed development shall have no negative impact on third parties / neighbouring property owners and viable sites with*

*sufficient independent percolation areas will be required in order to meet technical guidelines. Sufficient screening will be required to screen the house from adjacent homes and this has to be in place prior to occupation of the house. Single storey bungalow and dormer type houses will be allowed in such backland locations in close proximity to other dwellings two storey type dwellings will only be considered where a 50 meter separation distance is achievable.*

- *That RH18 read as follows;*

*To restrict new accesses for one-off dwellings onto regional roads, where the 80km/hr speed limit applies in order to avoid the premature obsolescence of regional roads, (see Chapter 6), through the creation of excessive levels of individual entrances and to secure investment in non-national roads. Where applicants comply with Policy RH 4 and cannot provide access onto a nearby county road and therefore need to access a Regional Road, permission will only be granted to maximise the potential of an existing entrance.*

- *That RH20 read as follows;*

*Given the rise in rural crime the following is acceptable as entrance treatments in a rural area. All applications for a dwelling in a rural area should include detailed drawings and specifications for entrance treatments. The roadside boundary should ideally consist of a sod/earth mound/fencing planted with a double row of native hedgerow species e.g. Hawthorn, field maple, holly, blackthorn, hazel etc. Block walls and gates with a maximum height of two meters are permitted.*

- *That RH21 read as follows;*

*To ensure that planning applications for a rural dwelling on the basis of the establishment of a fulltime / part time equine or other rural enterprise on site will generally be favourably considered, having regard to the following criteria:*

*(i) The landholding shall comprise a minimum of 5 ha.*

*(ii) All other siting and design considerations will be taken into account in assessing the application.*

*(iii) It must be demonstrated that the nature of the enterprise is location dependent.*

*(iv) The minimum requirement of 5 ha will not apply to an applicant who holds a professional horse training licence.*

- *That RH25 read as follows*

*To accept the replacement of a dwelling other than a vernacular dwelling in circumstances where such a dwelling house is habitable, subject to the following:*

*(i) The structure must last have been used as a dwelling and the internal and external walls and roof must be intact.*

*(ii) A report from a suitably qualified competent person shall be submitted to verify that the dwelling is habitable but that replacement of the dwelling is the most sustainable option.*



*(iii) The design of the proposed replacement house shall be of a high standard and its scale and character appropriate to the site and to existing development in the vicinity and to the rural area.*

*(iv) Normally a condition to demolish the existing dwelling will be included in any grant of permission.*

- *That RH26 read as follows;*

*To facilitate the sensitive replacement of a structurally unsound derelict dwelling as an alternative to the construction of a one-off dwelling elsewhere in the countryside. Documentary evidence in the form of a structural survey and photographs shall be submitted to accompany the application. The proposed applicant shall comply with local need criteria identified in the Plan and shall be subject to an occupancy condition.*

- *That RH27 read as follows;*

*To assess applications for one-off housing, in areas bordering neighbouring counties, where the proposed site is located on family land within County Kildare, at a distance of up to 4km located in Zone 1 and up to 6km located in Zone 2, from the county boundary. Applicants will be required to demonstrate, to the satisfaction of the planning authority, that no suitable family owned site is available in the adjoining county and that all other aspects of rural housing policy including local need<sup>4</sup>, siting and design are complied with. The applicant shall also fully demonstrate that they are building their first rural dwelling and that it will be for their permanent place of residence.*

- *That this Council adopt a rural housing policy as follows;*

*In the case of an application for a one off rural dwelling, this Council will give the applicant the full benefit of the planning process through the use of further information and clarification of further information to reduce the financial burden on applicants at planning stage.*

- *That this Council adopt a rural housing policy as follows;*

*That the Council recognises the role of part time farmers in County Kildare and their requirement to live within the vicinity of their farming enterprise. Mandatory information to be supplied with an application for a one off rural house is as follow.*

*(i) Herd number from the Dept. of Agriculture in the applicant's family name.*

*(ii) Field identifier codes (plot numbers) from the Dept. of Agriculture in the applicant's family name.*

- *That this Council adopt a rural housing policy as follows;*

*That the Council accepts the site selection of an applicant for a one off rural dwelling who is a member of a farming family on the basis that an alternative site in the ownership of an immediate family member would be damaging to the farming enterprise by virtue of its location or that a site be strategically located on the family home place or on an out farm in the ownership of the applicants family to improve the security of the farming enterprise given the rise in rural crime.*

- That the Council adopt a rural housing policy to support young farmers who have no site available to them on the original family land holding and are not in a position to purchase a site within 5 kms of the family home but provided assistance to a relative on a land holding outside the applicants area of local need (5 Kms) and within 12 Kms of the original family land holding.

### Chief Executive Response

#### Rural Housing Policy - Section 4.12.7 of Chapter 4

Submission from Fine Gael Group (Submission No.228)

The submission from the Fine Gael group has outlined a number of requested changes to the Rural Housing Section of Chapter 4. For ease of reference, the Table below gives a shorter summary of the requested amendments and the Chief Executive response. [Please see the submission summaries above for the main changes put forward in each policy suggestion.]

Submission Request	Chief Executive Response
<p><u>Section 4.12.7</u></p> <p>The proposed removal of the following</p> <p>In order for an applicant to be considered for a one-off dwelling in the rural area of Kildare, an applicant must: (A) Meet one of the following category of applicant.</p> <ol style="list-style-type: none"> <li>1. A member of a farming family <del>who is actively engaged in farming the family landholding.</del></li> <li>2. A member of the rural community</li> </ol> <p>And (B) meet one of the local need criteria (i) – (iv) set out in Table 4.3 Schedule of Need</p>	<p>No change is recommended. It is important in this specific category that rural housing applicants can demonstrate that they are actively engaged in the family farming practice to be considered for a local housing need.</p>
<p><u>Table 4.3 (A) and (B) Schedule for Local Need Category of Applicant 1 and Applicant 2</u></p> <p>Submission suggests a number of changes to the required local need distance criteria and narrative amendments including a definition of immediate family members.</p>	<p>The Chief Executive considers that the Draft Plan strikes an appropriate balance on the need to accommodate rural housing requests for those that demonstrate a genuine local need in conjunction with the definition of the local area in distance.</p> <p>Increasing the distance from the family home up to 8km in both Zone 1 and Zone 2 as requested, would be contrary to the aim of the rural housing policy to facilitate people who have grown up and spent substantial periods of their lives in a particular rural area in Kildare and who wish to reside <u>close to</u> their immediate family. The distances in the Draft Plan offer significant flexibility to those who do not have</p>

	<p>land available but who are making a case based on a need to reside close to their family home by reason of immediate family ties or direct involvement in a rural enterprise. Distances outside of this, would result in applicants passing nodes, settlements, villages and towns to build a rural dwelling and would be contrary to the settlement strategy for the County, which is to focus development into designated settlements. It is therefore not considered appropriate to revise the distance as requested.</p> <p>Immediate family members are already defined in Table 4.3 as a footnote, the same as that requested in the submission.</p> <p>No change is recommended.</p>
Amend Policy RH2	<p>The Chief Executive does not concur with this suggestion. Policy RH2 is important in implementing the rural housing policy &amp; local need criteria as set out in Table 4.3.</p> <p>No change is recommended.</p>
Delete Policy RH3	<p>The Chief Executive does not concur with this proposed deletion as it is considered an important element of the rural housing policy. No change is recommended.</p>
Delete Policy RH 6	<p>The Chief Executive does not concur with this proposed deletion as it is considered an important element of the rural housing policy. No change is recommended.</p>
Amend Policy RH9	<p>This suggested policy amendment appears to be mislabelled and means to refer to Policy RS6.</p> <p>The Chief Executive does not agree with the proposed deletion of <i>'and prohibit the development of urban generated housing in the rural area'</i> as this would counteract the requirement to accommodate applicant's who satisfy genuine local housing criteria.</p>
Amend Policy RH10	<p>This suggested policy amendment appears to be mislabelled and means to refer to Policy RS7.</p>

	<p>The Chief Executive does not agree with the proposed addition of '<i>where financially viable</i>' as this first principle for refurbishment of existing rural residential building stock should be retention and repair, unless the applicant can suitably demonstrate why this cannot be achieved. Through the Development Management process each building will be assessed on its own merits and sensitive replacement will be considered where the applicant can demonstrate that a dwelling is beyond repair or that the cost of re-use is prohibitive.</p> <p>No change is recommended.</p>
<p>Amend Policy RH11</p>	<p>This suggested policy amendment appears to be mislabelled and means to refer to Policy RH8.</p> <p>The Chief Executive does not agree with the proposed deletion of '<i>as opposed to the rural countryside</i>' as the first principle should be to encourage such applicants to located in serviced rural settlements. However it is accepted that the merits of each case will be assessed individually given the variety of medical health circumstance that may arise. The inclusion of an occupancy condition is also considered a requirement, the number of years for which this apply will be considered at the development management stage.</p> <p>No change is recommended.</p>
<p>Amend Policy RH12</p>	<p>This suggested policy amendment appears to be mislabelled and means to refer to Policy RH9.</p> <p>The Chief Executive does not agree with the proposed rewording of this policy. The current wording in the draft plan gives detailed guidance on the principles the Planning Authority will use in the assessment of rural dwellings in terms of siting and design.</p> <p>No change is recommended.</p>
<p>Delete Policy RH13</p>	<p>The Chief Executive does not concur with this proposed deletion as it is considered an important element of the rural housing policy in providing for cluster form of development. No change is</p>

	recommended.
<p>Amend Policy RH14</p> <p>To preserve and protect the open character of transitional lands outside of settlements in order to prevent linear sprawl near towns, villages and settlements and to maintain a clear demarcation and distinction between urban areas and the countryside. <a href="#">This policy will not affect applicants who comply with the schedule of local need.</a></p>	<p>This suggested policy amendment appears to be mislabelled and means to refer to Policy RH11.</p> <p>The Chief Executive does not agree with the proposed addition of <i>'This policy will not affect applicants who comply with the schedule of local need'</i>.</p> <p>The aim of this policy is to prevent urban sprawl outwards from urban towns, villages and settlements and maintenance of distinction in character between the urban and rural areas by the prevention of unrestricted sprawl of development on the edge of designated settlements. It is considered that the proposed amendment would undermine this policy.</p> <p>No change is recommended.</p>
<p>Amend Policy RH15</p> <p>To discourage ribbon development (defined as five or more houses alongside 250 metres of road frontage). The Council will assess whether a given proposal will exacerbate such ribbon development, having regard to the following:</p> <p>(i) <del>The type of rural area and circumstances of the applicant;</del> The circumstances of the applicant, if no other site is available the application will be considered in a positive manner.</p> <p>(ii) The degree to which the proposal might be considered infill development;</p> <p>(iii) The degree to which existing ribbon development would coalesce as a result of the proposed development;</p> <p><del>(iv) Local circumstances, including the planning history of the area and development pressures.</del></p> <p>Notwithstanding the above, special regard will be given to the circumstances of immediate family members of a landowner on infill sites in a line of existing dwellings with 5</p>	<p>This suggested policy amendment appears to be mislabelled and means to refer to Policy RH12.</p> <p>The proposed amendments relate to relaxation of Ribbon Development policy from that set out in the Draft Plan.</p> <p>The Policy as set out in the Draft Plan is compliant with the Sustainable Rural Housing Guidelines for Planning Authority (2005). These guidelines recommend against the creation of ribbon development for a variety of reasons relating to road safety, future demands for the provision of public infrastructure as well as visual impacts. The guidelines also state that planning authorities will need to arrive at a balanced and reasonable view in the interpretation of ribbon development criteria taking account of local circumstances, including the planning history of the area and development pressures. It is therefore considered appropriate to retain this Draft Plan policy which is reflective of the current ribbon development policy in the 2011-2017 CDP.</p> <p>No change is recommended.</p>

<p>or more houses alongside 250 metres of road frontage.</p>	
<p><b>Amend Policy RH16</b></p> <p><i>To consider applications for the provision of a recessed cluster form of development. The cluster shall be designed in such a way that is appropriate to the rural context and shall be set back into the landscape from the public road. Clusters shall not exceed five houses and will be subject to normal, planning, siting, design and local need considerations. Where there is a likelihood of more than one applicant seeking planning permission over a period of time, the Council will engage with the landowner to provide for an appropriate site layout capable of accommodating a recessed cluster development.</i></p> <p><i>Notwithstanding the above the Council understands that this policy would not be suitable in respect of an application made on the basis of full / part time employment in agriculture (including commercial bloodstock/horticulture).</i></p>	<p>This suggested policy amendment appears to be mislabelled and means to refer to Policy RH13.</p> <p>The Chief Executive does not agree with the proposed addition of 'Notwithstanding the above, the Council understands that this policy would not be suitable in respect of an application made on the basis of full/part time employment in agriculture (including commercial bloodstock/horticulture)'.</p> <p>As recommended in the Sustainable Rural Housing Guidelines for Planning Authorities (2005), this policy refers to a situation where more than one family member or applicants that comply with the rural housing policy wish to build in the rural area. In this instance, the Council would encourage an appropriate cluster approach rather than the development of an extensive area of ribbon development. It would not be considered appropriate or necessary to include the proposed wording as each application is assessed on a case by case basis.</p> <p>No change is recommended.</p>
<p><b>Amend Policy RH17</b></p> <p><i>To only consider family members for backland development. The proposed development shall have no negative impact on third parties / neighbouring property owners and viable sites with sufficient independent percolation areas will be required in order to meet technical guidelines. Sufficient screening will be required to screen the house from adjacent homes and this has to be in place prior to occupation of the house. Single storey bungalow <del>(including attic accommodation)</del> <i>only</i> and dormer type houses will be allowed in such backland locations <del>to limit visual impact and overlooking in close proximity to other dwellings</del> <i>two storey type dwellings will only be considered where a 50 metre separation distance is achievable.</i></i></p>	<p>This suggested policy amendment appears to be mislabelled and means to refer to Policy RH14.</p> <p>This policy remains unchanged from the current CDP 2011-2017 (RH14). Given that road frontage has been taken up with housing development there is a need to keep backland development unobtrusive and to minimise its impact on the local area and in particular adjoining nearby residential properties. Given the sensitive and challenging nature of this type of development, it is considered appropriate to continue to retain the requirement that such development is single storey.</p> <p>No change is recommended.</p>

<p>Amend Policy RH18</p> <p><i>To restrict new accesses for one-off dwellings onto regional roads, where the 80km/hr speed limit applies in order to avoid the premature obsolescence of regional roads, (see Chapter 6), through the creation of excessive levels of individual entrances and to secure investment in non-national roads. Where applicants comply with Policy RH 4 and cannot provide access onto a nearby county road and therefore need to access a Regional Road, permission will only be granted to maximise the potential of an existing entrance <del>and the onus will be on applicants to demonstrate that there are no other accesses or suitable sites within the landowner's holding.</del></i></p>	<p>This suggested policy amendment appears to be mislabelled and means to refer to Policy RH15.</p> <p>The Chief Executive does not agree with the proposed deletion of 'and the onus will be on applicants to demonstrate that there are no other accesses or suitable sites within the landowner's holding'</p> <p>Regional roads perform a key role in the local and regional transport system, linking the principle towns of the region, carrying significant traffic volumes and supporting economic, social and community development. The safe and efficient operation of the Regional Road network is important for the ongoing sustainable development of the County and must be protected.</p> <p>The appropriate design solution for developments that access the regional road network is determined through the development management process.</p> <p>No change is recommended.</p>
<p>Amend Policy RH 20</p> <p><i><del>The design of entrance gateways should be in keeping with the rural setting. Given the rise in rural crime the following is acceptable as entrance treatments in a rural area. All applications for a dwelling in a rural area should include detailed drawings and specifications for entrance treatments. The roadside boundary should ideally consist of a sod/earth mound/fencing planted with a double row of native hedgerow species e.g. Hawthorn, field maple, holly, blackthorn, hazel etc. High Block walls and gates and ornamental features will not be permitted with a maximum height of two meters are permitted.</del></i></p>	<p>This suggested policy amendment appears to be mislabelled and means to refer to Policy RH17.</p> <p>The issue of rural crime is not a matter for the CDP.</p> <p>In the interest of rural amenity and protecting the rural character of the open countryside, it is considered necessary to prevent the development of excessively scaled entrances that have a suburban appearance and to retain and augment existing hedge planting.</p> <p>No change is recommended.</p>
<p>Amend Policy RH21</p> <p><i>To ensure that planning applications for a</i></p>	<p>This suggested policy amendment appears to be mislabelled and means to refer to Policy RH18.</p>

<p>rural dwelling on the basis of the establishment of a <del>viable-commercial</del> fulltime / part time equine or other rural enterprise on site will generally be favourably considered, having regard to the following criteria:</p> <p>(i) The landholding shall comprise a minimum of 5 ha.</p> <p>(ii) All other siting and design considerations will be taken into account in assessing the application.</p> <p>(iii) It must be demonstrated that the nature of the enterprise is location dependent <del>and intrinsically linked to a rural location.</del></p> <p>(iv) The minimum requirement of 5 ha will not apply to an applicant who holds a professional horse training licence.</p>	<p>The Chief Executive does not agree with the proposed amendments to Policy RH18.</p> <p>The aim of the policy is to accommodate those wishing to operate full time viable rural enterprise that is intrinsically linked to a rural location. This is consistent with the rural housing policy of the current CDP.</p> <p>It is important to maintain a minimum landholding size to ensure that applicants applying under this section of the rural housing policy are involved in a viable and full time operation that is their primary source of income.</p> <p>No change is recommended.</p>
<p>Amend Policy RH25</p> <p>To accept the replacement of a dwelling other than a vernacular dwelling in circumstances where such a dwelling house is habitable, subject to the following:</p> <p>(i) The structure must last have been used as a dwelling and the internal and external walls and roof must be intact.</p> <p>(ii) A report from a suitably qualified competent person shall be submitted to verify that the dwelling is habitable but that replacement of the dwelling is the most sustainable option.</p> <p><del>(iii) Documentary evidence of the most recent date of occupation should be submitted with the application.</del></p> <p>(iii) The design of the proposed replacement house shall be of a high standard and its scale and character appropriate to the site and to existing development in the vicinity and to the rural area.</p> <p>(iv) Normally a condition to demolish the existing dwelling will be included in any grant of permission.</p> <p><del>(vi) To require applicants to comply with local need criteria identified in Table 4.3 of the Plan. Normal planning considerations will be taken into account in the assessment of</del></p>	<p>This suggested policy amendment appears to be mislabelled and means to refer to Policy RH22.</p> <p>The Chief Executive does not agree with the proposed deletions to Policy RH18.</p> <p>The policy is included to allow for the reuse of existing residential properties where the existing dwelling is unsuitable for reuse, subject to a range of safeguards including the confirmation that the property has been in residential use in the recent past, the applicants comply with the local need criteria of the plan and to ensure that smaller scale traditional dwellings are not replaced with large and incongruous development.</p> <p>The policy seeks to ensure that local rural people acquire lands and redevelop houses and sites as appropriate. If, as proposed, the limitations in the policy are removed it is envisaged that much of this housing will be acquired by urban dwellers unrelated to the rural area</p> <p>No change is recommended.</p>



<p><i>planning applications for replacement dwellings.</i></p> <p><i>(vii) In cases where an applicant/occupant wishes to replace an existing habitable dwelling on the same footprint and of the same or similar floor area there will be no requirement to comply with local need criteria identified in this Plan.</i></p>	
<p><b>Amend Policy RH26</b></p> <p><i>To facilitate the sensitive replacement of a structurally unsound derelict dwelling as an alternative to the construction of a one off dwelling elsewhere in the countryside. <del>The scale of the replacement dwelling shall have regard to the site size.</del></i></p> <p><i>Documentary evidence in the form of a structural survey and photographs shall be submitted to accompany the application. The proposed applicant shall comply with local need criteria identified in the Plan and shall be subject to an occupancy condition.</i></p>	<p>This suggested policy amendment appears to be mislabelled and means to refer to Policy RH23.</p> <p>The Chief Executive does not agree with the proposed deletion. It is considered that this policy adequately facilitates replacement dwellings in the rural area while catering for those with a genuine rural generated need.</p> <p>It is important that the scale of the replacement house respects the overall context of the site.</p> <p>No change is recommended.</p>
<p><b>Amend Policy RH27</b></p> <p><i>To assess applications for one-off housing, in areas bordering neighbouring counties, where the proposed site is located on family land within County Kildare, at a distance of up to <del>2km</del> 4km located in Zone 1 and up to <del>5km</del> 6km located in Zone 2, from the county boundary. Applicants will be required to demonstrate, to the satisfaction of the planning authority, that no suitable family owned site is available in the adjoining county and that all other aspects of rural housing policy including local need, siting and design are complied with. The applicant shall also fully demonstrate that they are building their first rural dwelling and that it will be for their permanent place of residence.</i></p>	<p>This suggested policy amendment appears to be mislabelled and means to refer to Policy RH24.</p> <p>This policy is unchanged from the current CDP 2011-2017. The principle of the Rural Housing Policy is to cater for rural generated housing need for people who have grown up and spent substantial period of their lives living in a particular area of rural Kildare. Where they have grown up and spent substantial periods of their lives in an adjoining County it is considered appropriate that the housing need would be met in that County in the first instance.</p> <p>This policy should remain in the plan in order to ensure the needs of Kildare rural dwellers are catered for.</p> <p>No change is recommended.</p>

<p><b>Suggested New Policy</b></p> <p><i>In the case of an application for a one off rural dwelling, this Council will give the applicant the full benefit of the planning process through the use of further information and clarification of further information to reduce the financial burden on applicants at planning stage.</i></p>	<p>Section 34 of the Planning &amp; Development Act 2000 (as amended) prescribes the requirements for the assessment of planning applications. This includes a requirement to facilitate pre planning meetings and to seek further information or clarification in appropriate circumstances, based on the specifics of the application. This is not a matter that should be addressed through the CDP.</p> <p>No change is recommended</p>
<p><b>Suggested New Policy</b></p> <p><i>That the Council recognises the role of part time farmers in County Kildare and their requirement to live within the vicinity of their farming enterprise. Mandatory information to be supplied with an application for a one off rural house is as follow.</i></p> <ol style="list-style-type: none"> <li><i>I. Herd number from the Dept. of Agriculture in the applicant's family name.</i></li> <li><i>II. Field identifier codes (plot numbers) from the Dept. of Agriculture in the applicant's family name.</i></li> </ol>	<p>Section 34 of the Planning &amp; Development Act 2000 (as amended) prescribes the requirements for the assessment of planning applications. The Planning Authority in considering an application can seek information that is deemed necessary to allow for the full consideration of the application. This is not, therefore a matter that should be addressed through the CDP.</p> <p>No change is recommended.</p>
<p><b>Suggested New Policy</b></p> <p><i>That the Council accepts the site selection of an applicant for a one off rural dwelling who is a member of a farming family on the basis that an alternative site in the ownership of an immediate family member would be damaging to the farming enterprise by virtue of its location or that a site be strategically located on the family home place or on an out farm in the ownership of the applicants family to improve the security of the farming enterprise given the rise in rural crime.</i></p>	<p>This is not a matter for the Development Plan. Each application is assessed on a case by case basis having regard to the supporting information submitted with the application.</p> <p>No change is recommended.</p>
<p><b>Suggested New Policy</b></p> <p><i>That the Council adopt a rural housing policy to support young farmers who have no site</i></p>	<p>The Chief Executive does not agree with this suggested new policy. Applicants wishing to build a</p>

<i>available to them on the original family land holding and are not in a position to purchase a site within 5 kms of the family home but provided assistance to a relative on a land holding outside the applicants area of local need (5 Kms) and within 12 Kms of the original family land holding.</i>	<p>new rural dwelling on a local housing need based on their involvement in agriculture must comply with the criteria set out in Table 4.3 (a) or (b) in Chapter 4.</p> <p>No change is recommended.</p>
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**Chief Executive Recommendation:**

No change is recommended to the rural housing policy (Section 4.12.7) as set out in the Draft Plan.

## Chapter 5 Economic Development, Enterprise and Tourism

Submissions received relevant to this section: 1, 21, 48, 60, 90, 99, 161, 165, 173 and 210.

### Main Issues Raised

#### Section 5.1 Introduction

North Kildare Chamber's vision for Kildare is to make Kildare the location of choice for existing and potential business enterprises – "Excellent County to work, to live, to learn, to visit and to do business in".

#### Section 5.3.2 Economic Development Strategy

- Support expressed for the role of Naas along with Maynooth & Leixlip as Primary Economic Growth Towns.
- This section notes an existing shortfall of employment land in Naas to cater for FDI & Smaller Scale enterprise. The draft plan states that the new LAP for Naas will address this planning constraint. Support expressed for this.
- On foot of the new Regional Spatial & Economic Strategies being introduced in 2016, the Council should emphasize a population growth strategy based on the main urban centres in the county with the important role for Naas particularly highlighted for both population and economic growth potential.
- The submission from Fáilte Ireland notes that the County has a strong network of towns, villages and settlements that provide a diverse range of services including civic uses, retailing, professional services and hospitality and tourism related services. The Economic Development Strategy in section 5.3.2 recognises the role of rural settlements and rural nodes in 'providing opportunities for employment generating uses including green energy projects, resource recovery, food production, forestry and agri-business, bloodstock, horticulture, **rural based tourism** and resource based enterprises'. The submission states that there is also scope to further diversify the sports related horse industry which, given the proximity to Dublin, could be integrated with show jumping, eventing and general equine related leisure activities.
- The CDP should be more explicit in Section 5.3.2 in relation to differences between the role of Primary Economic Growth Towns and the role of towns within the supporting cluster, with particular reference to Celbridge.

#### Section 5.3.3 Land-Use & Economic Development

- Land Use Zoning policies should ensure that lands zoned for general employment should be reserved for projects that will generate local jobs, support Irish producers and suppliers, provide a route to market for small local producers and farmers and create opportunities for reinvestment in the local community. Specific reference is also made to Policy ECD 3 in the Draft Plan "To ensure that sufficient land is zoned for economic activity through the development plan and local area plans. Such land will normally be protected from

*inappropriate development that would prejudice its long term development for employment and economic activity”.*

- *An audit should be carried out of business/enterprise/industrial parks in Kildare to identify existing range of facilities, as well as infrastructural and service defecits. This should be done annually.*
- *Policy objectives in relation to Intel and Hewlett Packard should be omitted. Intel has control over land outside of their Seveso establishment.*
- *Given the important role of the ‘Kildare Tourist Outlet Village’ (KTOV) in, and its contribution to, the retail, tourism and economic development sectors within County Kildare, the Draft CDP should provide specific policy support for the KTOV, its enhancement and expansion. There is no recognition of the KTOV as an important, and unique, part of the economic profile of Kildare Town or as a major employer for the area. But there are policies/objectives that support the growth and development of unique and bespoke industries e.g. the microbrewery therefore Kildare Village should have policy support. It is requested to insert a new policy: *“To encourage and facilitate the Kildare Tourist Outlet Village as a major employer and attractor of tourist expenditure within the County.”**

#### Weston Airport

- *Maximising the value of existing infrastructure at Weston Airport should form a key element of the economic strategy for the county in the forthcoming plan. As the only executive airport in County Kildare, Weston Airport is a major infrastructural and business asset, with an intrinsic capacity to support and increase the competitive advantage of unique sectors of the County's economy, such as the equine industry.*
- *By improving international accessibility to the region, the County's ability to secure FDI and thereby deliver new high quality employment opportunities, will be greatly enhanced. Weston Airport can play a key role in this regard.*
- *There are major benefits Weston Airport can bring for tourism with executive travel as well as an important leisure destination popular with aviation enthusiasts throughout Ireland.*

#### Section 5.7 Regeneration

- *Support for objective EO 17 which relates to flagship projects in each MD for urban renewal in the centres of towns and villages.*
- *RGDATA urges that vacant sites in towns and villages are fully investigated for reuse and that developers with new retail proposals are directed to design their proposed plans to fit in to existing retail zones, town centres and villages in a manner which enhances same and do not create a counter attraction depleting existing centres and creating a net loss of jobs in the area.*

#### Section 5.13 Tourism

- *Broad support given to the various tourism policies and objectives outlined in the Draft Plan which recognise the positive part tourism plays in supporting the local economy.*
- *Particular support expressed for policies ECD 23, 24, 26, 28, 29 and objective EO 42 which should be retained in the final adopted plan.*

- A joined up approach to tourism and hospitality in the County is required with all key stakeholders coming together.
- Fáilte Ireland welcome the inclusion of tourism and visitors as part of the main strategic goals for the county.

#### Section 5.15 Tourist Attractions in Kildare

Specific policy support is requested in the Draft CDP in relation to 'Kildare Tourist Outlet Village' (KTOV) as follows; *"To support and facilitate the continued enhancement and expansion of the Kildare Tourist Outlet Village as an important tourist asset for, and contributor to job creation in the County"*

It is also requested that specific reference is made to KTOV in Objective EO37 of this Section as follows;

*"To support the expansion and development of tourism in Kildare, investigating the feasibility of key opportunities such as those centred on the racing industry, retail, golf and eco-tourism to include: Arthur's Way, the Dublin – Galway Greenway, the Barrow Blueway, the Shackleton Trail, the Gordon Bennett Route and other opportunities and support the expansion and enhancement of existing facilities such as the Kildare Tourist Outlet Village"*

#### Section 5.16 Tourism & Kildare's Economy

- An objective for the Grand Canal Greenway should be explicitly mentioned in Section 5.16 to heighten awareness of the value to be gained from filling the gap between the Inchicore-Lucan Greenway and the new Greenway from Hazelhatch to Ardclough that forms part of Arthur's Way. Benefits extend beyond tourism.
- The submission outlines that visitor numbers and expenditure in the mid-east region in 2014 reveal that of the 781,000 overseas tourists which visited the region, 183,000 (c.23%) visited Kildare. Overseas visitor revenue from tourism generated €291m in the mid-east region in 2014, with Kildare accounting for €70 million (c.24%) of this figure. (NOTE: these figures from Fáilte Ireland provide an update to the figures in section 5.16 of the Draft Plan which should be amended).

The following amendments to the policies and objectives of Section 5.15 are suggested

**ECD 24:** *"To direct tourism based development where appropriate, into existing settlements where there is adequate infrastructure to service activity and where it can contribute to the maintenance of essential services. In all cases, the applicant must submit a robust assessment setting out the sustainability of any proposal with respect to economic, environmental and social sustainability, as defined herein."*

**ECD 27:** *"To support the development of new tourist ~~tourism~~ facilities or upgrading/ extension of existing tourist facilities at tourist sites in accordance with proper planning and sustainable development principles. These facilities should avail of shared infrastructure and services where possible."*

**ECD 32:** *"To identify strategic sites capable of accommodating new tourism ventures while also ensuring the preservation of the natural landscape of the area. In all cases, the applicant must submit a robust assessment setting out the sustainability of any proposal with respect to economic, environmental and social sustainability, as defined herein."*

**EO 36:** *"To encourage clustering of tourism products and services within identified hubs and nodes and to avail of shared infrastructure and services where possible, to increase linkages within and reduce leakage from the local economy."*

#### Section 5.17 Fáilte Ireland Strategies

This Section includes text on Ireland's Ancient East. The 'four pillars' referred to in the description of the brand are no longer being used in the branding strategy and it is requested that this information is removed from the paragraph under Section 5.17. The brand is now focusing on signature stories.

In addition, the visitor and revenue growth figures identified in Section 5.17 require updating and should read as follows:

*"Ireland's Ancient East, which is to be rolled out in 2016 has a target growth in visitor numbers of 600,000 (21%) to the region and an additional visitor revenue of €204 million (28%)".*

The submission sets out detailed text in relation to the new umbrella destination brand Ireland's Ancient East and requests that it be included in Section 5.17.

The submission from Fáilte Ireland states that Fáilte Ireland promotes the incorporation of the principles of sustainability in the tourism policy section of the County Development Plan. The submission sets out Fáilte Ireland's five principles that have been prepared to encapsulate the need to achieve a balance between appropriate tourism development and economic, environmental and social sustainability and proposes that they be included in the CDP.

#### Kildare-Wicklow Destination Grand Tour

The text in relation to Kildare-Wicklow Grand Tour is out of date and should be omitted. The initiative is addressed in the sentence proposed as follows:

*Kildare County Council and Fáilte Ireland will also liaise on other Kildare-Wicklow experiences that are fit for purpose and deliver on the Ireland's Ancient East brand promise.*

It is suggested that the Objective EO41 be replaced by the following amended text;

~~*EO41: To support and facilitate the implementation within Kildare of the Irelands Ancient East proposition launched by Failte Ireland in 2015, to work with key stakeholders and agencies with the aim of increasing overseas and domestic visitors interested in experiencing Kildare's cultural/heritage tourism offering.*~~

**EO 41:** *"To work with Fáilte Ireland on the development of Ireland's Ancient East, as well as any smaller scale plans or programmes that are prepared to give effect to the strategy. Kildare County Council will consult with the Authority as required, on the assessment of any such plans, programmes or policies to ensure that they are adequately screened or assessed in full compliance with Directives including the SEA Directive and the Habitats Directive."*

#### Section 5.19 Greenways – Walking/Cycling

It is suggested that Objective EO45 be amended as follows;

**EO 45:** “To work with the National Transport Authority (in conjunction with relevant objectives in Chapter 6), Kildare Fáilte, Fáilte Ireland, Waterways Ireland and all stakeholders to develop a co-ordinated approach to the selection ~~of, and~~ delivery ~~of and~~ servicing of future greenways, blueways, trails and routes throughout the county.”

#### Section 5.20 Heritage Tourism

Fáilte Ireland recognises the increasingly important role that heritage and cultural tourism is playing in attracting visitors to the Country. It is recommended that additional text and policy is included in this section of the Plan as follows:

*Tourism based on the heritage assets of a destination can provide an additional opportunity to increase the length of time visitors stay in the county, as well as reinforcing cultural identity by creating revenue to conserve built heritage and support cultural heritage. County Kildare has a rich and varied culture and heritage which forms the basis of much of the county's tourism industry.*

The following new policies are suggested in this Section:

- ‘To work with stakeholders including the OPW, the Heritage Council, the Arts Council, local communities and businesses to support the development of heritage and cultural tourism in County Kildare.’
- ‘Encourage and support the provision of foreign language interpretation tools in order to ensure the appropriate interpretation and appreciation of the county's heritage asset.’

In addition, it is suggested that the following policies/objectives in this Section be amended as follows;

**ECD 33:** “To *support and promote existing* festivals and sporting events to increase the cultural, heritage and lifestyle profile of the county, and where appropriate to promote *and facilitate* the development of new *events and* venues to host these events. *To support community groups and festival committees in identifying and accessing new sources of funding for festivals and events in the County.*”

#### Section 5.21 Events and Festivals Tourism Policy

- Fáilte Ireland considers that this section would benefit from some additional explanatory text prior to outlining the policy of the Council. It is recommended that additional text and policy is included in this section of the Plan as follows:



*Festivals can be a key driver of local economies and a means of revitalising and maintaining local culture. Festivals are particularly important in terms of attracting visitors to the county during the off-peak season and encouraging dwell time County Kildare hosts a wide range of festivals and annual events including the internationally renowned Punchestown and Curragh racing festivals which provide a significant boost to the County's tourism industry.*

#### Section 5.22 Agricultural Based Tourism Policy

*Fáilte Ireland suggests that the following policies be amended as follows;*

*ECD 34: "To support agri-tourism initiatives including – but not limited to visitor accommodation and upplementary activities such as ....."*

*ECD 35: "To facilitate and encourage the re-use of redundant farm buildings of vernacular importance for appropriate owner-run agri-tourism enterprises subject to the proper planning and sustainable development of the area. To adopt a positive interpretation to plan policies to facilitate and encourage such developments."*

#### Section 5.24 Inland Waterways

*The submission from Fáilte Ireland states that additional explanatory text under 'Inland Waterways' would also provide context for the identified policies. The submission recommends that following text:*

*The waterways of County Kildare include the River Liffey, the Barrow River System, the Grand Canal and the Royal Canal and are a rich natural resource that attract many visitors to the County each year. In addition to their scenic beauty they offer opportunities for a wide range of activities such as angling, boating, bird-watching canoeing, and other water based interests.*

#### Section 5.23 Sport and Recreation

*The following new policy is suggested before policy ECD38*

*'To support the development of tourism activities on and adjacent to waterways, subject to normal planning and environmental criteria. All proposed developments shall be in accordance with the Birds and Habitats Directive, Water Framework Directive and all other relevant European Directives.'*

### **Chief Executive Response**

#### Section 5.1 Introduction

The Chief Executive notes the North Kildare Chambers vision for the county in terms of making Kildare the location of choice for existing and potential business enterprises. It is considered that that the Chapter 'Aim' satisfactorily encompasses the intents of the above vision. No change is recommended.

#### Section 5.3.2 Economic Development Strategy

Supportive comments noted for the role of Naas along with Maynooth and Leixlip as Primary Economic Growth Towns in the Hierarchy of Economic Centres in Kildare.

In compliance with its status in the Regional Planning Guidelines for the Greater Dublin Area 2010 – 2022, Naas has been afforded the most significant settlement status in Kildare being the only Large Growth Town 1 in the county, and also being a Primary Economic Growth Town linked with Newbridge and supported by Kilcullen in the Hinterland area. The Draft Plan has allocated significant growth for Naas both in terms of population growth/new housing allocation and expanding its economic profile.

In relation to the scope to diversify the sports related horse industry, it is considered that Section 5.23 (Sports & Recreation) section of this chapter satisfactorily covers this item.

In relating to the role of towns with a support role as part of Primary Economic Growth Towns (with particular reference to Celbridge) the draft plan takes its guidance on the economic role of such towns from the RPGs which identify Maynooth and Leixlip as the Primary Economic Growth Towns to be supported by Celbridge and Kilcock. The RPGs state such Primary Economic Growth towns are to be promoted as anchors for regional enterprise with the sectoral strength of same (primarily life sciences & ICT Services) being identified in Table 5.2 of the Draft Plan. Both Celbridge and Kilcock will assist in the development of this economic cluster in a supporting role having similar locational advantages to avail of the sectoral strengths. The narrative of Section 5.3.2 refers to this; *'Clusters are to be developed in a mutually dependent way, so that the amenities and economies of the whole cluster are greater than the sum of the individual parts'*.

#### Section 5.3.3 Land-Use and Economic Development

The supportive statement in relation to policy ECD3 which seeks to protect employment lands from inappropriate development is noted.

The annual audit of business/enterprise/industrial parks in Kildare is an operational matter that forms part of the local authority's economic development role.

Whilst there are references to Intel and Hewlett Packard in the narrative of Chapter 5, there are no specific references to same in any policy or objectives.

The successful growth of Kildare Tourist Outlet Village (KTOV) over the past decade and its contribution to the County's economy is noted. Given its primary retail function, it is considered more appropriate to incorporate policy in relation to KTOV in Chapter 9 Retail.

#### Weston Airport

The potential for executive travel at Weston Airport is noted. Notwithstanding this, it is considered that the policies and objectives covering Weston Airport in Section 6.11 of Chapter 6 (Movement and Transportation) provide an appropriate policy context to guide its future development. It is not recommended that additional policies be inserted in Chapter 5.

#### Section 5.7 Regeneration

The comments of RGDATA in relation no regeneration are noted and it is proposed to add policy in relation to the implementation of the Vacant Site Levy to promote regeneration and housing delivery.

Objective EO17 provides an appropriate policy context for urban renewal in the centre of towns and villages in each MD.

Retail policy in the Draft Plan will seek to establish a sequential model for new retail development, with underutilised town/village centre sites being preferable to greenfield out of centre sites. Whilst the Development Management process will assess any such planning proposals on a case by case basis, there is strong retail guidance provided on this issue in Chapter 9 Retail.

### Tourism

Positive comments on this section are noted and welcomed.

It is agreed that policy support for the extension of the Grand Canal Greenway should be included in the Plan. Policy EO37 can be amended to reference this greenway.

The updates from Fáilte Ireland in relation to the branding strategy for Irelands Ancient East and suggested new text are welcomed. It is proposed to incorporate suggested text changes that strengthen the spatial planning policies and objectives of this section. The other information provided that is not spatial in nature will provide an important information resource for the preparation of the Kildare Tourism Strategy.

## Chief Executive Recommendation

### **Ch 5: Proposed Alteration No. 1:**

To amend Objective EO37 as follows:

To support the expansion and development of tourism in Kildare, investigating the feasibility of key opportunities such as those centred on the racing industry, retail, golf and eco-tourism to include: Arthur's Way, the Dublin – Galway Greenway, the Barrow Blueway, the Shackleton Trail, the Gordon Bennett Route, **the Grand Canal Greenway** and other opportunities.

### **Ch 5: Proposed Alteration No. 2:**

To amend the opening paragraph of Section 5.16 as follows;

Kildare is a major visitor destination within the eastern region. Visitors numbers and expenditure in the Mid East Region in ~~2013~~ **2014** reveal that of the ~~772,000~~ **781,000** overseas visitors which visited the region, ~~168,000 (c.21%)~~ **183,000 (c.23%)** visited Kildare. Overseas visitor revenue from tourism generated ~~€287m~~ **€291m** in the Mid East region in ~~2013~~ **2014**, with Kildare accounting for ~~€52million~~ **€70million (c.24%)** of this figure. Notwithstanding the decline in tourism revenue in the

region in recent years, numbers are recovering and Kildare holds a strong position from which to further develop, promote and expand the tourism industry within the county.

#### **Ch 5: Proposed Alteration No.3:**

“To support the development of new tourist ~~tourism~~ facilities or upgrading/ extension of existing tourist facilities at tourist sites in accordance with proper planning and sustainable development principles. **These facilities should avail of shared infrastructure and services where possible.**”

**ECD 32:** “To identify strategic sites capable of accommodating new tourism ventures while also ensuring the preservation of the natural landscape of the area **having regard to economic, environmental and social sustainability considerations.**”

**EO 36:** “To encourage clustering of tourism products and services within identified hubs and nodes **and to avail of shared infrastructure and services where possible,** to increase linkages within and reduce leakage from the local economy.

#### **Ch 5: Proposed Alteration No.4**

To delete the paragraph on Irelands Ancient East under Section 5.17

~~This strategy is an initiative along the lines of the ‘Wild Atlantic Way’ in the west of Ireland, which focuses on the history and heritage of the eastern region. The strategy is themed along four pillars – ancient Ireland, early Christian Ireland, Medieval Ireland and Anglo Ireland. The scheme which is to be rolled out in 2016 has the potential to deliver an extra 600,000 overseas visitors (growth of more than 20%) to the region and increase visitor revenue by almost 25% to €950m in total by 2020.~~

And to replace same with the following new text

**To offer visitors a compelling motivation to visit the east of Ireland, Fáilte Ireland has developed a new umbrella destination brand called Ireland’s Ancient East. The brand is rooted in the rich history and diverse range of cultural heritage experiences that are particularly prevalent in the East and South regions of Ireland.**

**During the life-time of this Plan there will be a phased roll-out of the branding strategy, with investment in orientation signage and the enhancement of the visitor experience across the programme area.**

~~EO41: To support and facilitate the implementation within Kildare of the Irelands Ancient East proposition launched by Failte Ireland in 2015, to work with key stakeholders and agencies with the aim of increasing overseas and domestic visitors interested in experiencing Kildare’s cultural/heritage tourism offering.~~

**EO 41:** “To work with Fáilte Ireland on the development of Ireland’s Ancient East, as well as any smaller scale plans or programmes that are prepared to give effect to the strategy. Kildare County Council will consult with Fáilte Ireland as required, on the assessment of any such plans, programmes or policies to ensure that they are adequately screened or assessed in full compliance with Directives including the SEA Directive and the Habitats Directive.”

#### **Ch 5: Proposed Alteration No.5:**

Objective EO45 to be amended as follows;

**EO 45:** "To work with the National Transport Authority (in conjunction with relevant objectives in Chapter 6), Kildare Fáilte, Fáilte Ireland, Waterways Ireland and all stakeholders to develop a co-ordinated approach to the selection of, and delivery of **and servicing** of future greenways, blueways, trails and routes throughout the county."

#### **Ch 5: Proposed Alteration No.6:**

To include the following additional text within Section 5.20 'Heritage Tourism'.

Tourism based on the heritage assets of a destination can provide an additional opportunity to increase the length of time visitors stay in the county, as well as reinforcing cultural identity by creating revenue to conserve built heritage and support cultural heritage. County Kildare has a rich and varied culture and heritage which forms the basis of much of the county's tourism industry.

#### **Ch 5: Proposed Alteration No.7:**

To include the following text at the start of Section 5.21 'Events and Festivals Tourism Policy'

Festivals can be a key driver of local economies and a means of revitalising and maintaining local culture. Festivals are important in terms of attracting visitors to the county during the off-peak season and encouraging dwell time. County Kildare hosts a wide range of festivals and annual events including the internationally renowned Punchestown and Curragh racing festivals which provide a significant boost to the County's tourism industry.

#### **Ch 5: Proposed Alteration No.8:**

To include the following text at the start of Section 5.24 'Inland Waterways'

The waterways of County Kildare include the River Liffey, the Barrow River System, the Grand Canal and the Royal Canal and are rich natural resources that attract many visitors to the County each year. In addition to their scenic beauty they offer opportunities for a wide range of activities such as angling, boating, bird-watching canoeing, and other water based interests.

#### **Ch 5: Proposed Alteration No.9:**

To include the following as new policies under Section 5.20 Heritage Tourism

'To work with stakeholders including the OPW, the Heritage Council, the Arts Council, local communities and businesses to support the development of heritage and cultural tourism in County Kildare.'

In addition, it is suggested that the following policies/objectives in this Section be amended as follows;

**Ch 5: Proposed Alteration No.10:**

To amend policy ECD 33 as follows;

ECD 33: "To **support and** promote **existing** festivals and sporting events to increase the cultural, heritage and lifestyle profile of the county, and where appropriate to promote **and facilitate** the development of new **events and** venues to host these events.

**Ch 5: Proposed Alteration No.11:**

To amend policies ECD 34 and ECD 35 as follows;

ECD 34: "To support agri-tourism initiatives including – **but not limited to** visitor accommodation and supplementary activities such as ....."

ECD 35: To facilitate and encourage the re-use of redundant farm buildings of vernacular importance for appropriate owner-run agri-tourism enterprises subject to the proper planning and sustainable development of the area.

**Ch 5: Proposed Alteration No.12:**

To insert the following text as a new policy to be placed before Policy ECD 38 of Section 5.23 'Sport and Recreation'.

**'To support the development of tourism activities on and adjacent to waterways, subject to normal planning and environmental criteria and in accordance with the requirements of the Birds and Habitats Directive, Water Framework Directive and all other relevant European Directives.'**

## Chapter 6 Movement & Transport

Submissions received relevant to this section: 6, 17, 30, 57, 90, 93, 104, 116, 117, 124, 132, 144, 161, 164, 165, 167, 168, 171 and 227.

### Main Issues Raised

#### Section 6.1 - Introduction

- Suggestion that additional wording be provided that strengthens the Council's ambition that significant change is achievable in the short term in improving walking, cycling and public transport.
- Suggested amendments to the introduction paragraphs which seek to emphasise the important role the planning process has in implementing sustainable travel patterns.

#### Section 6.3 – Movement & Transport

- Suggested amendment on the role the Planning Authority plays in promoting sustainable travel.
- That efficient use of existing road space will be considered before new road infrastructure.
- Amendments are suggested to policies MT4 (sustainable transport solutions around towns), MT5 (access to new communities and employment areas), MT6 (support agencies in delivering network improvements), MT9 (preserve transport corridors) and MT11 (better use of existing road space).
- Suggested to delete policy MT8 (address congestion) & MT13 (balance needs of road users).
- A new additional policy to be added 'To report annually on change in modes of transport'.
- In relation to objective MTO 3 to review & implement a number of Integrated Transport Studies for number of settlements including Maynooth, Meath County Council considers it important that any such study would take into account the proposals for development in the Maynooth Environs area of County Meath.
- Ensure historical centres remain attractive places for pedestrians by completing bypass and ring road plans as a matter of urgency, taking large trucks especially out of town and village centres, and by facilitating safe pedestrian access from all parts of our communities into the centres.
- HGV tonnage limit: There should be a 3 tonne commercial vehicle limit on all non-national routes in the County.
- The Transport Infrastructure Ireland (TII) submission recommends the inclusion of a new Objective in the Draft Plan for the inclusion of the N7 Newlands Cross to Naas (TEN-T) Study and the N4 Junction 1 (M50) to N4 Junction 1 (Leixlip) (TEN-T) and would welcome support in the Draft Plan for any improvements/measures that may arise as a result of the studies.

#### Section 6.4 – Public Transport

- Suggested amendments to policies PT7 (access to public transport as part of road improvements), along with the combining of policies PTO8 and PTO9 (upgrade of rail lines).
- Suggested that policies PT8 (permeability improvements), PT11 (access for people with disabilities) and PTO1 (supporting delivery of major public transport improvements) be deleted.

- *There should be continued investment in transport to ensure an efficient economy and continued social development and to promote sustainable transport modes such as walking, cycling and public transport (including canal cycle and walkways).*

#### Bus Services

- *One of the greatest challenges is the bypassing of towns and villages by public and private bus operators leaving much reduced transport services to Naas and Dublin.*
- *The Draft CDP should have an objective to develop a combination of express and stopping services in conjunction with the NTA and relevant agencies. The draft plan should also seek to extend bus and cycle paths out of towns and villages towards intersections where intercity buses operate.*
- *There should be an objective to provide improved waiting facilities and transport information along bus routes where bus stops and timetables are absent in many locations.*
- *A designated transport corridor linking Sallins/Naas Rail Station through Millenium Park to Naas Town centre is extremely important.*
- *Increasing the connectivity of transport hubs within towns such as Naas, Athy, Celbridge and Leixlip can be of immense economic benefit.*
- *Bus stops with timetable information should be installed along the feeder bus route between Celbridge and Hazelhatch.*
- *The CDP links Celbridge and Leixlip yet there is no direct public transport link between the two towns. Additional public transport policies should be included to support local bus routes within the North East Kildare metropolitan area.*
- *To support orbital bus routes between North East Kildare and areas of West Dublin*

#### Section 6.5 - Walking & Cycling

- *New wording suggested at the start of this section recognising that the needs of pedestrians and cyclists are fundamentally different and that separate facilities are generally required in the interests of sustainability and safety.*
- *Suggested amendments to the narrative in the 1<sup>st</sup> and 3<sup>rd</sup> paragraphs in this section.*
- *Amendments are suggested to policies WC1 (rebalance movement priorities), WC4 (design in accordance with National Cycle Manual), WCO5 (prioritise movement of pedestrians and cyclists), WCO8 (provision of secure cycle facilities).*
- *A new additional policy to be added 'To provide shared use paths between cycling and walking only in areas of low pedestrian use'.*
- *Request that Section 6.5 Policy WCO 3 is revised as follows:  
'To carry out local traffic management improvements to provide safer routes to schools in order to encourage students where possible to walk and cycle as a sustainable alternative to the car. These improvements may be carried out in conjunction with the NTA, through the Sustainable Transport Grants Scheme.'*



### Section 6.6 - Road & Street Network

- Amendments suggested to the wording of the narrative and bullet points of this section which highlight the Council's commitment to prioritising sustainable modes of transport.
- Amendments are suggested to policies RS2 (improve safety and manage congestion), RSO6 (secure major road projects), RR3 (strategic road network).
- Suggested to delete policy RR5 (preserve transport routes) due to duplication.
- A new objective RSO7 is suggested; 'It is an objective of the Council to facilitate and provide for the design and delivery of the South Green Roads Development (Part VIII) having regard to the Design Manual for Urban Roads and Streets (DMURS).'

#### Section 6.6.1 - Motorways

- The TII submission welcomes the inclusion of Objective MO1 (third lane along the M7) and Objective MO3 (upgrade to the Newhall Junction)

The TII has also made comments in relation to the following objectives;

- MO4 – Clarification is required on this objective. Any increase in connectivity between the local and national road network should be accompanied by an appropriate evidence base in accordance with the Spatial Planning & National Road Guidelines.
- MO6 – Any future improved connection to the M4 at Maynooth should be predicated on the closure of the existing junction.
- MO7 – TII request consultation on the development of any M7 overpass at Cherry Avenue.

The TII submission also refers to Policy M5 (Motorway Service Stations) where support is expressed for the provision of same as identified in the NRA Motorway Service Area Policy guidance document (2014). The TII request this be included as an objective also for clarity purposes.

#### National & Regional Roads

- Policies NR2 and RR2 restrict access to national and regional roads having regard to speed limits. However, as the designation and/or expansion of speed limits is outside the remit of the Development Plan process a degree of flexibility is required in the Draft Plan to ensure that the development potential of zoned land is not inhibited due to a change in a speed limit during the plan period.
- The TII recommend that a policy similar to Policy M2 (Motorways) is included in Section 6.6.2 (National Roads).
- The TII has requested clarification on the intention of Policy NR5 (connectivity between local road network and national / regional road network) and recommend that any enhanced linkage to the national road network to facilitate local development should be evidence based in accordance with the Spatial Planning & National Road Guidelines.
- The TII supports policy NR2 (access to national roads) in the Draft Plan and request consideration that this be cross-referenced with Section 4.13 (Rural Housing), Section Agricultural Based Tourism Policy and Section 10.7 Sand & Gravel Extraction.

- In relation to Policy RR2, reference is made to 'Exceptional Circumstances' where a less restrictive approach to access may apply. The TII has not been consulted on this and such circumstances are not defined.

Suggested new objectives for Regional Roads;

- Objective RRO 2: To ensure the detailed design and construction of the regional roads through South Green, Kildare Town (the South Green Roads Development Part VIII) in line with the Design Manual for Roads and Bridges (DMURS)
- Objective RRO 3: It is an objective of the Council to undertake the road improvements as set out in Table 6.2, subject to funding.
- Section 6.6.3: It is submitted that existing policies RR 6 and RR 7 be modified to allow for the preservation of enough space for appropriate redevelopment around all regional road bridges that were not built to modern design standards (such as Alexandra Bridge in Clane) to increase the safety of all road users. Such redevelopment might include construction of a dedicated pedestrian/cycle bridge parallel to and within walking distance of existing bridges.

Support expressed for Objective RS9 "To co-operate with adjoining authorities & other public authorities to secure new and/or improved road infrastructure at towns bordering the county boundary including Blessington, Kilcock, Maynooth and Leixlip".

Support expressed for Objective RSO 6 which recognises the Section 85 agreement between both Councils for the delivery of a road link between Moyglare Road and Dunboyne Road as part of the Maynooth Outer Relief Road.

**Table 6.1 – Priority Road & Bridge Projects**

The following additions are requested to this table;

Maynooth

- Between the Straffan Road (A) & Celbridge Road (B) as per Maynooth LAP objective TRO 2 (A)
- Between the Celbridge Road (B) & Leixlip Road (E) as per the Maynooth LAP objective TRO 2 (C)
- The Maynooth Outer Orbital Route should be completed immediately.

Leixlip

- A specific objective to upgrade Cope Bridge, Confey, Leixlip.

Celbridge

- Extensive residential development should be completed only after the new Liffey bridge. The Donaghcumper location for the new bridge is unsuitable and further consideration should be given to other sites.

Kildare Town

The delivery of the road improvements called the South Green Road Developments (Part VIII) should be included as objectives of the County Development Plan. The development is clearly strategic in nature. The following amendments are suggested:

Amend Table 6.1 as follows:

- Name: Green Road – Route: The Southgreen Roads Development (Part VIII)
- Name: Hill Road – Route: The Southgreen Roads Development (Part VIII)
- Name: Old Road – Route: The Southgreen Roads Development (Part VIII)

It appears there is an error in the table: approval of “fun” should presumably be approval of “funds”.

#### Table 6.2 Regional Roads Identified for Improvement

Amend Table 6.2 as follows;

Road No.R401- Location: The Southgreen Roads Development (Part VIII)

#### Section 6.7 Parking

In relation to Objective PKO1 (which refers to preparation of parking strategies), the TII submission recommends that the identification of park and ride sites should be framed within an overall co-ordinated strategy relating to park and ride sites and that sites should not be identified individually or on a piecemeal basis. TII request that this be reflected in the Draft CDP and would welcome consultation on any future P&R strategies being prepared by the Council.

#### Section 6.8 - Road and Street Design

- Amendments suggested to policies RS1 (movement of people and goods) and RS3 (noise protection along motorway routes).

#### Section 6.9 – Traffic & Transportation Management

- New additional policy suggested *‘To upgrade existing traffic signals so that they adapt for bicycle traffic in addition to motorised traffic.’*
- The TII request that the requirement for a Road Safety Audit be included as part of Policy TM6.
- The TII request that reference be made to Road Safety Impact Assessment in the Draft Plan

#### Road Safety

Road safety has been raised as a concern in Kildare Town including;

- Traffic lights on the hump-back bridge outside the Train Station have light sequencing issues.
- The crossroads at White Abbey considered dangerous as traffic with stop signs cannot see what’s coming from one direction.
- The left hand lane driving down new road from Meletta Road to the new school is too narrow, with cars turning too close to cars in right hand lane.
- The Fairgreen Road needs a footpath and as it will become one-way, this will be provided. Traffic will increase towards the Train Station from Kildare Town, so a left hand lane is needed leading in towards the Train Station and Fairgreen Road.

#### Kildangan

The Kildangan Bridge is a proven hazard for the pedestrians who use it and same divides the village in two so crossing it by foot is unavoidable for a large number of residents. The Council should give consideration to a new route for HGVs and machinery as the Village is used as an access route from

the M7 from Vicarstown, Kilberry etc. The wording in the Draft Plan to 'investigate the possibility' of safety/upgrade works is not a firm enough commitment, compared to the 'intention' in the Caragh Village Plan.

#### Ballymore Eustace

There is an urgent need for a pedestrian bridge in Ballymore Eustace. For the past 20 years the traffic has been increasing constantly in terms of volume and size. The 'footpath' over Liffey Bridge is not fit for purpose, in poor repair and very narrow

#### Leixlip

Riverforest Bridges at the Train Station (Leixlip) should be expanded to make it a two way system.

#### Section 6.11 Aviation

A submission received from Weston Airport highlights the significant economic benefit the facility has to County Kildare supporting over 80 jobs and worth over €4m annually to the local economy. The owners wish to enhance the service offering at the facility while remaining compliant with planning and aviation specific regulations.

Support for policies and objectives of the Draft CDP relating to Weston Airport, particularly Section 6.11 and core objectives WAO1, WAO2, WAO3 & WA4.

It is critical that these objectives are retained to ensure that the expansion of settlements in the vicinity of the airport is carefully planned and controlled to ensure the Airport's safe operation.

It is important that the Irish Aviation Authority (IAA) is identified as the competent authority for non-planning related matters.

There are a number of suggested amendments to Chapter 6 including;

- Section 6.3 of the Draft CDP should contain specific policy which promotes the sustainable development of aviation travel within the county. The potential wording for the aviation related policy stems from the strategic aim of the draft CDP and is worded as follows "To support the sustainable development of aviation travel within the county in a manner which is consistent with the proper planning and sustainable development of the county".
- Section 6.11: This section of the draft CDP should promote the role of the aviation sector as a strategic element of the county's infrastructure.
- Section 6.11.2: Specific reference should be made to the EASA regulations, particularly Commission Regulation (EU) No. 139/2014 which ensures continuity with international safety standards set by the ICAO.
- The definition of a runway as defined by the ICAO should be included in the plan. A runway is "defined rectangular area of a land aerodrome prepared for the landing and takeoff of aircraft. Runways may be a man-made surface (often asphalt, concrete, or a mixture of both) or a natural surface (grass, dirt, gravel, ice or salt)".
- An alternative wording to policy GA6 is suggested "To have regard to the International

*Standards and Recommended Practices as contained in Annex 14 to the Convention on International Civil Aviation published by the International Civil Aviation Organisation and Commission Regulation (EU) No 139/2014 which lays down the requirements and administrative procedures related to aerodromes published by the European Aviation Safety Agency"*

- *It considers that the policy on Weston Aerodrome needs to be amended to conform with the policies of Casement & Kilrush Aerodrome; "To safeguard the operational, safety and technical requirements of Weston Aerodrome and facilitate its ongoing development for executive and business aviation uses, within a sustainable development framework".*

*Section 6.11.5 should be clarified in order to clearly identify the areas where development may be monitored, i.e. development above 236.6m within the Outer Horizontal Surface of Casement, or all development in the county above 236.6m.*

#### Drehid Landfill Site

*Issues and concerns raised in relation to the specific application for Drehid Landfill, including environmental impacts, road conditions, safety of road users, safety of the railway bridge, capacity and design of junctions.*

*It is requested that the Draft Plan specifies that the Road L2030 cannot be used for Drehid boundary HGV's now or any time in the future and that any further breach of the original planning permission will not be permitted and will result in severe penalties. This road is a rural side road that is not fit for purpose.*

#### Miscellaneous

*The TII submission states that whilst there is a commitment to undertake Local Area Plans for the former Naas and Athy Town Council areas and other settlements (section 5.3.2), it appears that no specific policy or objective is included in the Draft Plan in this regard, nor in relation to other proposed Local Area Plans. The TII would welcome consultation on LAP's prepared by the Council where there may be implications for the national road network.*

*The TII also raise concerns that Volume 2 Section 1.9 of the draft Plan does not incorporate the current Naas Environs, therefore these designations will expire on the adoption of the new CDP until such time as they may or may not be introduced at LAP stage. This process results in significant uncertainty for Naas with implications for the M7 and associated junctions.*

*The TII recommend that a Strategic Transport Assessment is required for the lands in North East Naas in the general Maudlins area.*

## **Chief Executive's Response**

### Section 6.1 Introduction

The submission comments in relation to this section have been considered. An amended wording will be proposed in the opening paragraphs of this section which demonstrates the Council's determination and ambition to facilitate modal change to more sustainable means of travel.

### Section 6.3 Movement & Transport

The submission comments in relation to this section have been considered. The Chief Executive is satisfied that the narrative under this section sets an appropriate balance for the Council's aim to support sustainable forms of transport whilst also providing for the wider transport infrastructure improvements needed in the county.

In relation to suggested policy changes,

MT4 – No change recommended

MT5 – Agreed, deletion of last sentence in the policy recommended.

MT6 – No change recommended

MT8 – No change recommended.

MT9 – Agreed, amended wording recommended.

MT11 – No change recommended

MT13 – Agreed – Delete policy (duplication)

No change is recommended in relation to the suggestion to report annually on change in modes of transport as this is considered to be an operational as opposed to a policy matter.

It is proposed to add a new Objective to the Plan to support the N7 Newlands Cross to Naas (TEN-T) Study and the N4 Junction 1 (M50) to N4 Junction 1 (Leixlip) (TEN-T).

Tonnage limited on public roadways are not a matter for the County Development Plan.

### Section 6.4 Public Transport

In terms of the introduction to this section, it is agreed that additional wording should be provided which outlines the Council's commitment to improving measures of public transport.

In relation to suggested policy changes;

PT7 – No change recommended

PT8 – No change recommended

PT 11 – No change recommended

PTO1 – No change recommended

Combine PTO8 & PTO9: Relate to separate rail projects. Agreed.

### Bus Services

Kildare County Council does not have a statutory function in the provision of bus services. The Council will continue to liaise with the National Transport Authority (NTA) and public transport providers (such as Irish Rail & Bus Éireann) in relation to public transport provision & services across the county. The Council is committed to seeking improved public transport provision across County Kildare. No change is recommended.

### Section 6.5 Walking & Cycling

The Chief Executive accepts that some minor amendments should be made to the introduction paragraphs which highlight the importance of walking and cycling to sustainable travel modes.

In relation to suggested policy changes;

WC1– Agreed. Minor changes to the wording.

WC4 – Agreed. Minor changes to the wording.

WCO3 – Agreed. Minor changes to the wording.

WCO4 – No change recommended.

WCO5 – No change recommended.

WCO8 – No change recommended.

Suggested New Additional policy '[To provide shared use paths between cycling and walking only in areas of low pedestrian use](#)'. No change recommended. The Council will be guided by the advice contained in DMURS and National Cycle Manual in relation to such issues on a case by case basis.

WCO3 – Agreed to amend this policy with minor revision in wording.

#### Section 6.6 Road & Street Network

The Chief Executive agrees with the minor amendment suggestions to the opening paragraph.

In relation to suggested policy changes;

RS2 – Agreed. Minor amendments proposed.

RSO5 – Proposed to relocate this policy to Section 6.6.1 (Motorways) and re-label accordingly

RSO6 – Agreed. Minor amendments proposed.

RS7 - Agreed. Minor amendments proposed.

RR3 – No change recommended

RR5 – No change recommended

RS1 – No change recommended

RS3 – No change recommended.

RR5 – No change recommended

Suggested new objective RSO 7: (South Green Part VIII Road) – No change recommended. The provision of this road scheme is part of the wider development of lands to the northwest of Kildare town. This is an issue to be addressed through the Kildare Town Local Area Plan.

#### Section 6.6.1 Motorways

The Chief Executive notes the supportive comments from the TII in relation to Objectives MO1 and MO3.

Objective MO4: The purpose of the objective is to examine the feasibility of a connection between the M7 and the east side of Newbridge. It is the intention of the Council that any feasibility study would be carried out in consultation with the TII and have regard to the Spatial Planning and National Road Guidelines. This can be clarified as an amendment to this objective.

Objective MO6 – It is considered that the wording of this objective offers flexibility in considering all options for a future improved connection between Maynooth and the M4. No change is recommended.

Objective MO7 – The Chief Executive concurs with the submission and that the wording of this objective be amended to include that the TII will be consulted on the development of any such proposal.

The Chief Executive does not agree with the TII request for an additional objective in relation to Motorway Service Areas. It is considered that that Policy M5 in Section 6.6.1 adequately outlines the Council's support for such service areas in accordance with the NRA Motorway Service Area Policy guidance document (2014).

#### National & Regional Roads

The Chief Executive does not agree that an amended wording is required for policies NR2 and RR2 which restrict access to national and regional roads having regard to speed limits. The policy provision in the draft plan is compliant with the 'Spatial Planning & National Roads – Guidelines for Planning Authorities, DoECLG 2012'.

It is proposed to include a policy similar to Policy M2 (Motorways) into Section 6.6.2 (National Roads) as recommended by the TII.

The comments made by the TII in relation to Policy NR5 are noted. The intention of this policy is to facilitate improved connectivity and road safety between local roads and the wider national and regional road network. The Council is aware of its obligations under the Spatial Planning & National Road Guidelines to ensure that the inter-urban and inter-regional function of the national road network is safeguarded. This can be reflected in this policy as an amendment.

The TII comments in relation to support for Policy NR2 are noted. It is not considered necessary to cross reference this policy with other Sections in the Draft Plan. Any application for a proposed new access (regardless of being for rural housing or any other type of development) onto a National Road is required to comply with policy NR2. No change is recommended.

The TII comments in relation to regional road policy RR2 are noted. This policy relates solely to regional road access and the exceptional circumstances that the council will consider allowing accesses onto same. The Spatial Planning & National Road Guidelines (2012) refer to 'Exceptional Circumstances' to be agreed with the TII in relation to National Roads. As the draft Policy RR2 relates to regional roads within the County, the Council considers the wording in the plan to be broadly acceptable, with such proposals to be determined at a local/regional level. An amendment is proposed to clarify that exceptions relate to persons seeking permission to build a dwelling on a family landholding only.

Suggestions for new regional road objectives



RRO2 (South Green Roads Development Part VIII) – This is a matter for the Kildare Local Area Plan. No change recommended

RRO3 – Agreed subject to minor revision in wording.

#### Table 6.1 Priority Road & Bridge Projects

Suggested additions to the above table

Maynooth: This specific road improvement works form part of the current Maynooth LAP and do not form part of the CDP. No change is recommended.

Leixlip: This specific road objective can be considered during the review of the current Leixlip Local Area Plan.

Kildare Town: This Part VIII scheme is considered of local importance for the opening up of lands to the northwest of Kildare Town. Its progression is likely to be developer driven. No change is recommended.

Celbridge: (New Liffey Bridge): This specific road objective can be considered during the current review of the Celbridge Local Area Plan.

#### Table 6.2 Regional Roads Identified for Improvement

Proposed addition of the South Green Road (Part VIII) to this table: No change is recommended (see CE response in Table 6.1 as same issue applies).

#### Section 6.8 Road & Street Design

Proposed additions to policies RS1 and RS3: Not agreed, no change is recommended to these policies.

#### Section 6.7 Parking

The Chief Executive notes the comments made by the TII in relation to Objective PKO1 and the need for parking strategies (including park and ride sites) to be framed in a co-ordinated manner with consultation with the TII. This recommended is accepted, with minor amendments recommended to Objective PKO1 to reflect same.

#### Section 6.9 Traffic & Transportation Management

Suggested new policy TMO3 – No change is recommended. This is considered already covered under Policy TM1.

There is no objection to the inclusion for the requirement of a Road Safety Audit as part of policy TM6. Likewise there is no objection to the inclusion of a new policy in this section to include reference to Road Safety Impact Assessments (RSIA).

#### Road Safety Issues

Kildare Town: The matters raised are not issues which can be dealt with through the CDP. They are matters which may be addressed through the Transportation Section's low cost safety improvement programme and at Municipal District level.

Kildangan: (Bridge): No change is recommended. The wording of Objective T6 in the Draft Plan is considered the most appropriate, as the Council shall seek to investigate the possibility of re-aligning the road. This is an issue to be addressed at Municipal District level.

Ballymore Eustace: (Bridge): No change recommended. This is an issue to be addressed at Municipal District level.

Leixlip: This matter can be considered further in the review of the Leixlip Local Area Plan.

### Section 6.11 Aviation

The Chief Executive welcomes the submission from Weston Airport and notes the comments recognising its economic importance to the local economy. The support for Section 6.11 in the Draft CDP and core objectives WAO1, WAO2, WAO3 and WA4 is further noted.

In relation to suggested amendments, the Chief Executive comments as follows;

- It is agreed that a new policy be inserted into Section 6.3 (Movement & Transport) which supports the sustainable development of aviation travel within the county.
- Not agreed to add reference to the EASA regulations. These do not form part of planning legislation. Council will be guided by the advice of the Irish Aviation Authority on such matters.
- It is agreed to insert the definition of a runway.
- It is considered that the general aviation policies adequately support Weston and it is considered premature to include additional policy pending a determination by An Bord Pleanála in relation to existing developments at Weston.
- It can be clarified that the 236.6m elevation refers to Casement Aerodrome.

### Drehid Landfill Site

While the issues and concerns in relation to traffic and environmental impacts associated with the Drehid Landfill site are noted, the specific requirements for same are governed by existing planning permissions in place for this facility and associated planning conditions.

### Miscellaneous

The comments made in relation to the preparation of Local Area Plans are noted.

In relation to the current Naas Environs Plan, a new draft Naas LAP is expected to be in place prior to the adoption of the new CDP 2017-2023.

The issue raised in relation for the need for a Strategic Transport Assessment for the development of lands in north east Naas in the general Maudlin's area is not a matter for the CDP.

## **Chief Executive Recommendation**

### **Ch 6: Proposed Alteration 1:**

To Amend Section 6.1 as follows;

(1<sup>st</sup> paragraph) The transportation system caters for the movement of communities and businesses. National and Regional transport policy recognises the current transport trends in Ireland and the

GDA, in particular levels of car use, are unsustainable and that a transition towards more sustainable modes of transport, such as walking, cycling and public transport is required. **Kildare County Council recognises its important role as a Local Authority in increasing accessibility, promoting active travel modes and seeking to reduce car use by a variety of means and to better integrate land use and transportation planning at a county level. The Council will proactively engage with the National Transport Authority and other relevant transport agencies in seeking to achieve the above sustainable transport aim.** ~~transition will take a number of years to achieve and is likely to extend beyond the period of this County Development Plan.~~

(7<sup>th</sup> paragraph) A major challenge facing Kildare during the lifetime of this Plan and beyond is the need to promote and provide for sustainable transportation options whilst also providing for increased vehicular trips in the county through road improvement and management of demand where possible. **The Council will be guided by the sustainable transport principles set out in the NTA Transport Strategy for the Greater Dublin Area 2016-2035.**

(8<sup>th</sup> paragraph) The Council is committed to focussing on the need to underpin the planning process with an integrated approach to sustainable transport. The Council will endeavour to ensure that the accessibility of all areas will improve and will co-operate with agencies and organisations, **such as the NTA**, in the achievement of national and regional policy.

**Ch 6: Proposed Alteration 2:**

MT5: To amend Policy MT5 as follows;

~~'To prioritise the development of new urban distributor/link/arterial roads to provide access to new communities and employment development to support the economic development of the county. These will facilitate public bus transport by reducing transit times and increase reliability'.~~

**Ch 6: Proposed Alteration 3:**

MT9: To amend Policy MT9 as follows;

~~'To preserve free from development, proposed public transport and road corridors (including cycle corridors) where development would prejudice the implementation of projects identified by the TII, NTA, DTTS and KCC.'~~

**Ch 6: Proposed Alteration 4:**

MT13: To delete Policy MT13 as follows;

~~'To balance the needs of road users and the local community with the need to support the development of a sustainable transportation network'.~~

**Ch 6: Proposed Alteration 5:**

New Policy MT14 to be added as follows;

**To support the N7 Newlands Cross to Naas (TEN-T) Study and the N4 Junction 1 (M50) to N4 Junction 1 (Leixlip) (TEN-T) and to facilitate, where appropriate, any improvements/measures that may arise as a result of the studies.**

**Ch 6: Proposed Alteration 6:**

MO4: To amend Objective MO4 as follows;

'To examine the feasibility of the provision of a connection between the M7 and the east side of Newbridge in consultation with the TII and having regard to the requirements of the Spatial Planning and National Road Guidelines (DoECLG 2012)

**Ch 6: Proposed Alteration 7:**

MO7: To amend Objective M07 as follows;

To examine the feasibility of delivering an overpass of the M7 from the Cherry Avenue site in Kildare Town to the Irish National Stud in consultation with TII.

Insert new objective - MO8:

To examine the feasibility of delivering an overpass of the M4 to link the Wonderful Barn at Leixlip to Castletown Demesne in Celbridge in consultation with TII.

**Ch 6: Proposed Alteration 8:**

To amend Section 6.5 as follows;

(1<sup>st</sup> paragraph) The Council recognises the importance of both walking and cycling to the overall well being and quality of life of residents. Walking and cycling trends vary across the county. This highlights the difference in the convenience of walking or cycling as an option, due to the level of connectivity, road safety and quality of facilities provided. Levels of walking and cycling are higher in residential areas that are close to employment centres and education facilities.

**Ch 6: Proposed Alteration 9:**

WC1 – To amend policy WC1 as follows;

~~'To prioritise sustainable modes of travel by the development of high quality re-balance movement priorities towards more sustainable modes of transportation by improving the development of walking and cycling facilities within a safe street environment.'~~

**Ch 6: Proposed Alteration 10:**

WC4: - To amend policy WC4 as follows;

'To ensure that all new roads and cycle routes implement the National Cycle Manual, with a focus on a high level of service for cyclists and encouraging a modal shift from car to cycling'

**Ch 6: Proposed Alteration 11:**

WCO3: To amend policy WCO3 as follows;

To carry out local traffic management improvements to provide safer routes to schools in order to encourage students where possible to walk and cycle as a sustainable alternative to the car. These improvements may be carried out in conjunction with the NTA, through the Sustainable Transport Grants Scheme.

**Ch 6: Proposed Alteration 12:**

To amend Section 6.6 as follows;

(1<sup>st</sup> Paragraph) Continued investment in the county's road **and street** network is necessary to ensure **in a sustainable manner** the efficient movement of people and goods within the county, to provide access to developing areas and to support economic activity. As part of the overall National Roads Development Programme, it is an objective to carry out a number of specific projects during the lifetime of the plan as funding becomes available.

2<sup>nd</sup> Bullet Point

- **Balance** **Prioritise sustainable modes of transport so as to reduce** traffic congestion on the existing road network;

**Ch 6: Proposed Alteration 13:**

RS2: To amend Policy RS2 as follows;

'To improve safety on the road **and street** network and manage congestion'

**Ch 6: Proposed Alteration 14:**

RS7: To amend Policy RS7 as follows;

To secure the implementation of major road projects as identified within this County Development Plan (**Table 6.1 and Table 6.2**) and Local Area Plans.

**Ch 6: Proposed Alteration 15:**

RSO5: To relocate objective RSO 5 to Section 6.6.1 (Motorways) and to re-label as objective MTO 8.

'To provide for "all vehicle movements" at the M7 (Junction 11) / M9 (Junction 1) Interchange'.

**Ch 6: Proposed Alteration 16:**

RSO6: To amend Policy RSO6 as follows;

'To maintain corridors free from development to facilitate future roads, **cycle facilities** and **other** transport infrastructure improvement in order to facilitate the following road and bridge projects set out in Table 6.1'

**Ch 6: Proposed Alteration 17:**

RRO3: New objective added to Section 6.6.3

**RRO3: To seek to progress the Regional Roads identified for improvement as set out in Table 6.2 subject to funding.**

**Ch 6: Proposed Alteration 18:**

To amend policy NR5 as follows;

NR5: To improve connectivity between the local road network and the national/regional road network. **The Council will ensure that any future development in this regard complies with the guidance to safeguard the overall operational function of the national road network as set out in the Spatial Planning and National Roads Guidelines (DoECLG, 2012).**

**Ch 6: Proposed Alteration 19:**

To include the following new policy in Section 6.6.2 National Roads;

**NR7: To protect the capacity, efficiency and safety of the national road network.**

**Ch 6: Proposed Alteration 20:**

To include a new policy in Section 6.9 as follows;

To require the inclusion of a Road Safety Impact Assessment as part of any proposed development/project of a significant scale which may have potential implications on major transport infrastructure. Such assessments shall be in accordance with the TII publication 'NRA HD 18 Road Safety Impact Assessment'.

**Ch 6: Proposed Alteration 21:**

To amend Objective PKO1 as follows:

To prepare parking strategies and investigate the appropriate locations for vehicular, bicycle and park and ride facilities within the county. The council will seek to provide these facilities either on its own or in co-operation with others. The locations of such facilities can be identified where appropriate through the Local Area Plan process or any planning processes/mechanisms. In relation to proposed new park and ride sites, the Council will ensure such facilities are plan led in a co-ordinated strategy for such sites in consultation with the NTA and TII where appropriate.

**Ch 6: Proposed Alteration 22:**

To Amend Section 6.3 with additional policy MT14:

MT14: 'To support the sustainable development of aviation travel in a manner that is consistent with the proper planning and sustainable development of the county.'

**Ch 6: Proposed Alteration 23:**

To amend GA 1 as follows: provide a new policy under Section 6.11.4 (Weston Aerodrome)

WA2: 'To safeguard the operational, safety and technical requirements of established aerodromes in and adjoining the county'.

**Ch 6: Proposed Alteration 24:**

To amend GA 2 as follows: provide a new policy under Section 6.11.4 (Weston Aerodrome)

WA2: 'To restrict the development of new aerodromes or the intensification of established aerodromes where the operational, safety and technical requirements associated with the proposed development conflict with the achievement of the Core Strategy or the proper planning and sustainable development of the county.'

**Ch 6: Proposed Alteration 25:**

To insert the following definition in Section 6.11.2

Runway : This is a defined rectangular area of a land aerodrome prepared for the landing and takeoff of aircraft. Runways may be a man-made surface (often asphalt, concrete, or a mixture of both) or a natural surface (grass, dirt, gravel, ice or salt).

**Ch 6: Proposed Alteration 26:**

To amend Section 6.11.6 as follows:

6.11.6 **Other Aerodromes** ~~Airfields~~

It is the policy of the Council:

AF1: To consult with the Irish Aviation Authority in relation to proposed developments in **other aerodromes in the County** and in the vicinity of ~~these airfields~~ **other aerodromes**.

**Ch 6: Proposed Alteration 27:**

Amend Map V1-6.5 to clarify that 236.6 OD refers to Casement (not Weston).

**Ch 6: Proposed Alteration 28:**

RR 2: To restrict new access onto regional roads where the 80km per hour speed limit currently applies, except in the following exceptional circumstances-:

- Developments of strategic, local, regional or national importance, where there is a significant gain to the county through employment creation or other economic benefit.
- Where applicants comply with Table 4.3 Schedule of Local Need Criteria (see Chapter 4), **are proposing to build a home on their family landholding** and cannot provide access onto a nearby county road ~~and therefore need to access a Regional Road~~. In this instance, applicants will only be permitted to maximise the potential of existing entrances. The onus will be on the applicants to demonstrate that there are no other accesses or suitable sites within the ~~landowner's~~ **family** landholding (See also Policy RH 15).
- Where it is proposed to demolish an existing dwelling and replace with a new dwelling, where there is an existing entrance onto the Regional Road.

**Ch 6: Proposed Alteration 29:**

Replace Policy NR3 with the following:

To recognise the strategic importance of the proposed Leinster Orbital Route (linking Drogheda, Navan, Trim and Naas) and co-operate with the NTA, TII and other Local Authorities in clarifying and finalising the route of route proposed in the Regional Planning Guidelines for the Greater Dublin Area 2010 and the NTA Transport Strategy for the Greater Dublin Area 2016-2035. This is important in order to protect and preserve the corridor free from development.

## Chapter 7 Infrastructure

Submissions received relevant to this chapter include 30, 44, 90, 119, 156, 161, 165, 171, and 180.

### Main Issues Raised

#### Section 7.2 Infrastructure Provision

*Insufficient infrastructure or barriers that impact on Kildare's competitiveness will cause a slowdown in the County's growth and would have a disastrous effect on the economy. Addressing these issues will however create competitive advantage. The future is bright and the quality of life that is on offer in Kildare is unrivalled. This must be protected and our social and community infrastructure strengthened.*

#### Section 7.5 Water & Drainage Policies

*The submission received from Irish Water (Submission No. 156) notes that at a strategic level the eastern region of the country is facing a number of infrastructural challenges particularly in the supply and demand for high quality drinking water and welcome the Development Plans reference to Irish Waters' Water Supply Project for the Eastern and Midlands Region at Section 1.4.2 (v) in addition to the policies in Section 7.5.1.*

*In relation to the Eastern and Midlands Water Supply project, the submission states that Irish Water is currently refining a 200metre wide corridor and a preferred 50 metre way-leave within the emerging least constrained 2km corridor through Kildare (see map attached to Submission No. 156) which was identified in the Preliminary options Appraisal Report during the last public consultation series. The current corridor and preferred wayleave will be subject to a further public consultation when the Final Options Appraisal Report is published in Q4 2016.*

*Irish Water note the significant increase in the number of rural one-off dwellings in County Kildare over the past 15+ years, the most intense levels of which occurred in the northern half of the County. In this regard Irish Water suggests an amendment to Policy WS2 so that policy reflects the need for any proposed development to take cognisance of the Eastern and Midlands Water Supply Project corridor/way leave).*

*The EPA suggests that the plan ensures that sustainable development and economic growth is promoted in collaboration with other key stakeholders. Settlement growth and associated development should be linked to the ability of infrastructure to accommodate further growth, taking into account Irish Water's Services Strategic Plan and Capital Investment Programme.*

#### Section 7.5.5 Surface Water and Flood Alleviation

*The final County Development Plan must make focused reference to the Eastern CFRAM Flood Risk Management Plans, when completed, in stated policies and objectives (Eastern CFRAM Study). Policies relating to zoning decisions for flood risk areas should be added such as*



To ensure that zoning decisions in flood risk areas are guided by the findings of CFRAM studies and associated Flood Management Plans (FRMP) to include, but not limited to, the following:

- South Eastern CFRAMS and the recommendations therein.
- Eastern CFRAMS and the recommendations therein.
- Newbridge Surface Water Improvement Schemes.
- Morrell River Flood Management Scheme.
- Hazelhatch Flood Management Scheme. **(161)**

#### Section 7.6 Environmental Services

The aim to increase recycling facilities within County Kildare is welcomed, however, the provision of such facilities is not considered appropriate in all instances. A more flexible approach should be taken, on a case by case basis.

Declare an objective of Kildare as a Litter Free County and institute a balanced programme of 'stick and carrot' to achieve this during the plan period.

#### Irish Water Future Schemes

The submission advises that Irish Water is currently upgrading the Upper Liffey Valley Sewage Scheme (ULVSS) which comprises two elements, one of which is the upgrade of Osberstown WWTP and the associated network. The upgrade to Osberstown will result in a capacity of 130,000 by the end of 2016. Plans are also in place to extend the Osberstown WWTP in conjunction with the expansion and upgrade of the various elements of the associated collection network. The submission notes that these upgrades will run until mid 2020.

The submission advises that the upgrade to the WWTP in Leixlip is due to be completed at the end of 2016, and will increase the capacity to 150,000.

In addition to the upgrades to the WWTP's Irish Water advise that a number of Drainage Area Plans (DAP's) will be prepared for the Lower Liffey Valley Regional Sewerage Scheme in 2017, which will include the towns of Kilcock, Maynooth, Leixlip and Celbridge. These DAP's will identify solutions to provide capacity for future residential development and to meet environmental compliance requirements.

The submission states that the Irish Water Local Network Reinforcement Project (LNRP) identified 'bottlenecks' in the water and wastewater networks across the GDA. A number of constraints were identified in Kildare. The Celbridge LNRP has been included in Irish Water's Emerging investment Plan (2017-2021) and the DAP's for the towns of Kilcock, Maynooth, Leixlip and Celbridge will inform preferred solutions for the identified constraints in towns located within the Lower Liffey Valley Regional Sewerage Scheme catchment.

#### Water Quality and Municipal Sewage Treatment Infrastructure

IFI highlights the importance of building a comprehensive and robust assessment of both local infrastructural needs and Local Authority capacity to meet those needs into the plan. Should WWTPs

*fail to provide expected capacities during the life of the plan, IFI highlights the risk of associated significant environmental impacts which may result from local development. While advancing policies in line with sustainable water management it is imperative that the CDP works in harmony with the Water Services Programme of Irish Water.*

*The policy of granting planning permissions for developments with associated increased loading on inadequate or already overloaded municipal sewage treatment plants is clearly not a sustainable practice having regard to the adverse effects of increased wastewater discharges on the general well being and quality of rivers. It is submitted that in areas where treatment facilities necessary for development do not exist, planning permissions should either be refused, permitted with conditions to delay connection to sewage system or install a private treatment plant. IFI welcomes the commitment to permit single house development in a sustainable manner.*

#### *Aquatic Habitat Protection (incl. Riparian Habitat)*

*Protection of the aquatic environment has to date been generally addressed on an ad-hoc basis under planning control/legislation. The impacts of some developments on the aquatic environment may only become apparent in the long term. The Council under the terms of the EU Water Framework Directive (WFD) (2000/60/EC) is legally obliged to protect the ecological status of river catchments and channels. Therefore consideration has to be given to other factors including flow, drainage, dams, bank erosion, quality of in-stream vegetation and riparian habitat etc. In terms of the practice of realigning, culverting or covering a stream (particularly in an urban setting) the IFI requests that the protection of these streams is addressed in the Development Plan.*

#### *River Crossing Structures*

*IFI submits that the impact of poorly designed water crossing structures can be serious in terms of habitat loss for fish species. The CDP should include a clear policy on the use of clear span structures on fisheries waters and the IFI should be consulted on any such proposals.*

#### *Sustainable Urban Drainage Systems (SUDS)*

*IFI considers that the inclusion in the CDP of SUDS for surface water disposal is a positive indicator of the Council's intention for the sustainable development of the area and should, in conjunction with good management of the site, aid in flooding and pollution management.*

#### *A Sustainable Development Plan and the Environment*

*In determining the likely significant effects of plans or programmes, regard should be given to the need for the sustainable development of the inland and marine fisheries resource (including the conservation of fish and other species of fauna and flora, aquatic habitats and the biodiversity of inland and marine water ecosystems). Consideration should be given to potential significant impacts on:*

- Water quality*
- Aquatic and associated riparian habitats*
- Biological Diversity*
- Ecosystem structure and functioning*

- Fish spawning and nursery areas
- Surface water hydrology
- Passage of migratory fish
- Areas of natural heritage importance including geological heritage sites
- Sport and commercial fishing and angling
- Amenity and recreational areas

*The CDP should create the policy framework for sustainable development, be consistent with River Bain Management (s) and comply with the requirements of the EU Water Framework Directive, while promoting the integration and improvement of natural watercourses in urban renewal and development proposals.*

### General Issues

*Given the uncertainty around the future of Irish Water, a stronger commitment by Kildare County Council to water services must be given in the CDP e.g. section 7.2.1*

*Flooding around Hazelhatch train station is an issue, so it is not suitable for a high density sustainable neighbourhood and nowhere else in Celbridge can justify high density development.*

*The Council should ensure that ESB dams and controls on rivers (etc) are capable of preventing flooding due to increased flow of water from its dams.*

*Submission requests repair to the weir on the River Greese at Crookstown Bridge.*

*The weir at Crookstown Mill must be repaired to allow water flow to the mill wheel.*

## **Chief Executive Response**

### Section 7.2 Infrastructure Provision

The Chief Executive notes the comments in relation to the importance of maintaining an appropriate infrastructure capacity within the county to accommodate Kildare's growth levels. It is considered that the policies and objectives contained in Chapter 7 provide an appropriate balance to facilitating further sustainable development in the county in addition to the protection of the overall environmental quality.

### Section 7.5 Water & Drainage Policies

The comments made by Irish Water are noted and the support indicated for the inclusion of reference to Irish Water's Water Supply Project for the Eastern and Midlands Region.

In relation to the request for the Council to amend Policy WS2 so that any proposed development to take cognisance of the Eastern and Midlands Water Supply Project/Corridor, the Chief Executive whilst acknowledging the strategic importance of this future water supply scheme, cannot at present include the additional wording as requested due to the scheme not being a finalised and approved

corridor/route with the necessary statutory consent. In the absence of same, Kildare County Council cannot include such a request.

#### Section 7.5.5 Surface Water and Flood Alleviation

The comments in relation to the policies and objectives of the Draft Plan needing to make specific reference to the OPW Eastern CFRAM Flood Risk Management Plans, when completed, are noted.

It is considered that there is sufficient detail in the Draft Plan in relation to the OPW CFRAM Flood Risk Management Programme. Specific policies SW3, SW4, SW5 and SW12 provide adequate guidance on how Kildare County Council will facilitate and support the effective implementation of the OPW CFRAM programme as it relates to Kildare, in addition to ensuring that all land use planning decisions are informed by the recommendations of the Strategic Flood Risk Assessment report for the County Kildare (forming part of Volume 3 of this Draft Plan) and the requirements of the 'Planning System and Flood Risk Protection Guidelines for Planning Authorities (DoEHLG, 2009)'. Future Local Area Plans to be prepared in the county will also be subject to their own individual SFRA. No change is recommended in this instance.

#### Section 7.6 Environmental Services

The provision of public recycling facilities in association with new commercial developments forms part of Policy WM6 of this Section. The identification of where such facilities will be necessary will be on a case by case basis as part of the development management process. This is considered a balanced approach. No change is recommended.

In relation to Litter, the Council will be guided by the Litter Management Plan 2016-2019 which was adopted in 2015 which details measures proposed by the Council in relation to litter prevention and control. This is already included in the Draft Plan.

#### Irish Water Future Schemes

The Chief Executive notes the update received from Irish Water in relation to future upgrade works to wastewater treatment infrastructure in the County.

Irish Water also outline that Drainage Area Plans are to be prepared for the Lower Liffey Valley Regional Sewerage Scheme in 2017, which will include the towns of Kilcock, Maynooth, Leixlip and Celbridge. It is recommended that this be included as an amendment to narrative in Section 7.2.2.

#### Water Quality & Municipal Sewage Treatment Infrastructure

The Chief Executive can confirm that Kildare County Council intends to work in close collaboration with Irish Water in ensuring the satisfactory delivery of Irish Water's Water Service Programme as it relates to Kildare.

There are strong policies contained in the Draft Plan that ensure that proposed developments can only proceed where there is adequate wastewater services available (Policies WW4 and WW10 refer). Applicants for multi unit developments are advised to consult with Irish Water regarding available capacity prior to applying for planning permission. Irish Water took over responsibility for

public water and wastewater services from Local Authorities with effect from 1<sup>st</sup> January 2014, and is now the responsible body for the operation of public water services.

#### Aquatic Habitat Protection (Incl. Riparian Habitat)

In relation to Inland Fisheries Ireland comment requesting that the Draft Plan contain an action on the protection of streams and in particular that the practice of realigning, culverting or covering a stream (particularly in an urban setting), it is considered that such instances are most relevant to be considered at development management level where specific development proposals can be assessed on a case by case basis. Statutory bodies like Inland Fisheries Ireland will have the opportunity to comment on the potential impacts, if any, of same. It is not considered appropriate in this instance to insert additional policies or objectives into the Draft Plan in addition to those which already cover water quality.

#### River Crossings

The Chief Executive considers the matter of river crossings as a specific project issue that should be assessed during the development management process on a case by case basis for potential impacts, including the views of statutory bodies and third parties. Further policies in the Draft CDP beyond those already included in the plan for the protection of water and environmental quality is not considered necessary in this instance.

#### A Sustainable Development Plan and the Environment

It is considered that the matters raised in relation for the need to determine the likely significant effects of the Draft Plan on the inland and marine fisheries resource have been considered as part of the overall Strategic Environmental Assessment (SEA) of the Development Plan. These Environmental Reports are contained in Volume 3 of the Draft CDP.

#### General Issues

It is considered that Chapter 7 provides satisfactory outline of the role Kildare County Council plays in the provision of water services in the county in conjunction with Irish Water under the current legislative provisions for public water service provision in Ireland. No change to the wording in the Draft Plan is recommended on this issue.

In relation to the issue raised on Flooding in the Hazelhatch area of Celbridge, this is a matter that will be addressed as part of the SFRA in the review of the Celbridge Local Area Plan.

The issues raised in relation to the ESB & Flooding are matters that are outside the scope of the CDP.

The request raised in relation to the need to repair the weir on the River Greese at Crookstown Bridge is not a matter for the Draft CDP to comment on.

## Chief Executive Recommendation

### Ch 7: Proposed Alteration 1

To include the following additional text in Section 7.2.2 'Wastewater':

Furthermore, Irish Water intends to prepare Drainage Area Plans (DAPs) for the Lower Liffey Valley Regional Sewerage Scheme (including the towns of Kilcock, Maynooth, Leixlip and Celbridge) during 2017. The DAPs will identify solutions to provide capacity for future residential development and to meet environmental compliance requirements.

### Ch 7: Proposed Alteration 2

To include the following objective in Section 7.5.1:

- (a) To recognise the strategic importance of the Eastern Regional Water Supply Scheme and co-operate with Irish Water, the Department of Housing, Planning, Community and Local Government and other statutory agencies in finalising the route.
- (b) To preserve the emerging corridor of the Eastern Regional Water Supply Scheme free from development.

### Ch 7: Proposed Alteration 3

To insert policies into Section 7.6.6 Waste Management as follows;

WM17: To facilitate the development of waste management infrastructure that is of an appropriate scale and is related to the needs of the county and the Eastern and Midlands Waste Region, subject to the protection of the environment, landscape character, road network and the amenities of the area.

### Ch 7: Proposed Alteration 4

To insert policies into Section 7.6.6 Waste Management as follows;

WM 18: To facilitate the ongoing operation of the Drehid waste facility in so far as operations at the facility relate to the waste management needs of the County and the Eastern and Midlands Waste Region and subject to the protection of the environment, landscape character, road network and the amenities of the area.

### Ch 7: Proposed Alteration 5

Replace WM 16 with the following:

~~WM 16 To work in conjunction with the Department of the Environment and all other relevant stakeholders to remediate the Kerdiffstown Landfill in a socially, economically and environmentally sustainable manner to deliver an appropriate scheme to manage and reduce environmental risk.~~

To work in conjunction with Government Departments and Agencies and all other relevant stakeholders to remediate Kerdiffstown Landfill in a socially, economically and environmentally sustainable manner that will both manage and reduce environmental risk and accommodate an appropriate end – use that is compatible with the established character of the area.

## Chapter 8 Energy and Communications

Submissions received relevant to this chapter include 7, 30, 51, 65, 73, 103, 118, 120, 134, 184, 208 and 236.

### Main Issues Raised

#### Section 8.1 Background

- *Reference should be made to the new white paper 'Ireland's Transition to a Low Carbon Energy Future 2015-1030'.*
- *References to the DCENR should be changed to the Dept. of Communications, Climate Action and the Environment as the department has been restructured.*
- *The Department of Communications, Energy & Natural Resources in 2012 published the Strategy for Renewable Energy 2012 – 2020.*
- *The reduction of greenhouse gas emissions, combating climate change, reducing carbon fuel imports and safeguarding security of energy supply are among the principal objectives of energy policy in Ireland.*

#### Section 8.5 General Energy Policies

- *Objective ERO 1: The Climate Change Adaptation Strategy should be undertaken in consultation with the EPA. The Energy Strategy should consider the actions in the LECF prepared in 2015.*
- *The DCENR has consulted on a Renewable Electricity and Policy Framework for the island of Ireland. This Framework will take cognisance of the methodology proposed in the Draft National Landscape Strategy. The Framework also seeks to identify areas where large scale renewable energy development can be accommodated without undue landscape impacts.*
- *Policy ER8 of the Draft CDP states: 'To have regard to the Renewable Electricity Policy and Development Framework once adopted when assessing any renewable energy proposals'. Waiting for the publication of the Framework will avoid any contradictions in the CDP.*
- *The policies described in Section 8.5 promote conservation, efficiency and the development of renewable sources, however a policy on reducing demand for electricity produced from fossil fuels such as that provided through Moneypoint and Dunstown transformer station could be incorporated. For example;  
ER 2 could be amended as follows; 'To support infrastructural renewal and development of electricity and gas networks in the county, subject to safety and amenity requirements and in line with the County Energy Strategy.'*

#### Section 8.6 Wind Energy

- *Highlights that there is no new update on the wind energy guidelines with the current turbine set back distance of 500m in place from the 2006 Guidelines which are indicated to be out of date & unworkable.*
- *Requested that the Draft Plan include a setback distance of 10 times the height of an individual wind turbine from residential properties and other population centres.*
- *No wind farms should be permitted on forest areas owned by the state.*
- *Concerns also expressed on shadow flicker and noise from wind farms.*

- *Welcome for policy WEO 1: "To prepare a Wind Energy Development Strategy and to publish it as a proposed variation of this plan following the completion of the review of the DECLG's Wind Energy Development Guidelines."*
- *The Wind Energy Guidelines favour the developer to the detriment of local communities and individual householders. Appropriate policies should be put forward at local level in the Development Plan to protect the health and the rights of citizens of the County.*
- *Best international practice recommends a minimum set-back distance between wind turbines and dwellings of ten times the rotor diameter, rather than 500m as outlined in Guidelines. The Guidelines have not kept up with turbine technological developments.*
- *The Guidelines recommend noise levels at 500m should not exceed 43dBA which is too high for rural locations. World Health Organisation night noise guidelines recommend 40dBA.*
- *Flicker is a potentially serious problem at 500m but not at 1000m. Flicker should be eliminated altogether by mandating that turbines be remotely switched off at appropriate times.*
- *Property depreciation should be considered by the Planning Authority when considering the impact of wind turbines. It is estimated that houses in Eadestown would have depreciated in value by up to 20% within 1km of a turbine (estimated at €2m for the area).*
- *Sites suitable for Wind Farm development should be identified at Draft CDP stage. It is suggested that no wind farm development be considered for the north eastern uplands of County Kildare.*
- *One submission highlights the carbon footprint in constructing a typical wind turbine with specific figures on CO2 emissions. States that renewables like wind turbines will incur far more carbon dioxide emissions in their manufacture and installation than what their operational life will ever save.*
- *Concerned with the impacts of pursuing an all wind strategy for renewable energy in the county.*
- *The Council should commit to a specified timeline post of the publication of the Wind Energy Development Guidelines to have a Wind Energy Strategy in place.*
- *Element Power is encouraged by the generally supportive policies contained within the Draft Plan in relation to Wind Energy. They believe the policies proposed in the Draft plan are reflective of current EU and National Policy.*
- *The inclusion and content of the Wind Energy policies WE 1 and WE 4 is welcomed and Bord na Mona look forward to contributing to the development of a Wind Energy Strategy as indicated in Objective WEO 1.*
- *IWEA welcomes the continued support of renewable energy included in Sections 2.2, 8.3 and 8.5 of the Draft Plan, However IWEA notes the proposal contained in Section 8.6 of the Draft Plan, not to carry out a Wind Energy Development Strategy until such time as the results of the Government's review of the current Wind Energy Development Guidelines (WEDGs) are published. In the interest of providing clarity, IWEA requests that Kildare County Council states within the draft CDP [that the current Wind Farm Planning Guidelines \(2006\) remain in place until any final revisions or updates on specific aspects of those Guidelines are signed into force by the Minister, and sets out a specified timeline, post the publication of the review of the WEDG's, to have a Wind Energy Strategy in place.](#)*



### Section 8.10 Energy from Waste

- *Objections raised to plans to promote the development of waste heat technologies and the utilisation & sharing of waste heat in new or extended industrial and commercial developments.*

### Section 8.13 Energy Supply & Infrastructure

- *No new ESB pylons should be erected.*

### Section 8.8 Solar Energy

- *Submission No. 51 (Lighthouse Solar Energy Company) considers this section to be generally well thought out and clearly structured, providing consistent direction for solar developments in Co. Kildare.*
- *However some concerns regarding surrounding commentary which they feel is not reflective of commercial realities, the recent Energy White Paper or the programme for Government (May 2016).*
- *Section 8.8 wrongly identifies a number of site selection criteria for ground mounted solar arrays. The submission strongly disagrees with the statement below which is considered inaccurate "Solar farms are installations of multiple solar photovoltaic (PV) modules, usually mounted 1.5-2.5 metres above either Greenfield or brownfield land, occupying between 2 and 15 hectares".*
- *Concern is expressed that it could be interpreted as a cap on solar development. Lightsource considers 15ha to be too restrictive.*
- *Economies of scale must be obtained on solar PV projects in Ireland to allow solar developers to bid competitively to sell electricity to the grid.*
- *Draft Policy SE 2:  
"To ensure that the assessment of solar energy development proposals will have regard to: site selection by focussing on the first instance on developing solar farms on previously developed and non-agricultural land, provided that it is not of high environmental value".*
- *This policy largely replicates the wording contained in the English Planning Practice Guidance relating to solar farms and it is recommended that the Council caution in adopting this guidance and recommends giving thorough consideration to its applicability in the Irish Context.*
- *Brownfield sites have proven difficult to develop due to a number of listed constraints. Less than 5% of their 200 solar sites can be classified as previously developed land.*
- *Solar farms are best suited to rural locations, given their land requirements, whereas brownfield sites are more likely found on the fringe or within urban settlements, in many case adjacent to residential areas.*
- *It is requested that the Council clarify what 'non-agricultural land' refers to.  
Suggested that the Policy SE 2 be reworded as follows:  
*'To ensure that the assessment of solar energy development proposals will have regard to: Site Selection focusing on an evidence based methodology, with a site specific justification on the process by which the site was selected and others discounted'.**

*Draft Policy SE2. Concern is expressed on the following policy*

*"To ensure that the assessment of solar energy development proposals will have regard to: Where a proposal involves Greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages*

*biodiversity improvements around arrays"*

*This is based on the Planning Practice Guidance for England where there is a classification system in place for agricultural land with national level maps available identifying land grades.*

*It is recommended to change the wording of this policy as follows;*

*"To ensure that the assessment of solar energy development proposals will have regard to: Where a proposal involves Greenfield land, the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays"*

- The Draft Kildare CDP does not make specific reference to ground mounted solar farms in relation to development contributions. A suggested wording for generic planning condition is outlined in the submission which will allow for tailored development appropriate Development Contribution figure to be agreed.*
- Solar should be encouraged on residential properties, industrial buildings, businesses and public/state buildings in order to reduce CO2. Other stand alone solar farms should also be encouraged.*

*Elgin Energy is an Irish Solar Development company. Solar energy projects can be developed in a timely and sustainable manner in areas of high demand for electrical supply. In addition to providing background information regarding Solar PV, this submission requests that the Council support Solar Energy Projects in the following ways:*

- Support the development of solar PV installations at appropriate locations including utility scale projects (1 MW).*
- Planning exemptions for roof top project less than 250 kw or 8 or less panels.*
- Consider a specific development contribution scheme that takes account of the potential output of solar farms.*
- Support farming enterprises that use solar energy to reduce their overall electricity consumption.*
- Support Utility Scale Projects throughout the County to help support an indigenous source of electricity supply while helping the country to transition to a low carbon economy.*
- It is requested that the Council ensure that any new policies, objective and zonings to be inserted in the Kildare CDP 2017-2023 do not inhibit the development of solar PV installations.*

#### Section 8.13.2 Electricity Supply & Infrastructure

- Support is expressed for the plan narrative 'the siting of overhead cables should seek to avoid and minimise visual impact by avoiding areas of high landscape sensitivity, sites and areas of nature conservation and/or archaeological interest' and 'the removal of hedgerows should be avoided'. Further to these, it is suggested that consideration be given for ground vegetation especially in areas of low ecological importance with recorded rare and endangered species even if they are not in designated areas'.*
- Eirgrid suggest a number of text updates in relation Section 8.13.2 regarding the White Paper, Grid 25 and Gridlink Implementation Programme and the Grid Link Project.*
- It is submitted that Eirgrid's policy document 'Grid Development Strategy' is under review and due to be published in 2016 along with a new Grid Implementation Plan and associated SEA. The*

*technical option for the Grid Link Project has changed and is now referred to as the 'Regional Option. This should be reflected in the Draft Plan.*

### Section 8.13.3 Electricity Supply & Infrastructure Policies

- *ESB welcomes Policies TN 1 and TN 4 in the context that the national planning framework of the National Spatial Strategy, Regional Planning Guidelines, Local Development Plans and the Strategic Infrastructure Act provides a robust framework for ensuring that all necessary standards are met and that extensive statutory and non statutory consultation continues to be an intrinsic part of the planning process. This ensures that there is ongoing consultation with local communities and local authorities regarding the construction of new networks.*
- *ESB welcomes Objective TNO 1 which highlights the requirement to safeguard 'strategic infrastructure corridors'.*

### Section 8.14.1 Telecommunications Policies

- *ESB welcomes the recognition within the Draft Plan to have regard to up to date guidance, this is set out in section 8.14.1 Telecommunications Policies under policy TL 5; "To have regard to the provisions of the Telecommunications Antennae and Support Structures Guidelines for Planning Authorities (1996) and Circular Letter PL 07/12 and to such other publications and material as may be relevant during the period of the Plan."*

### Bord na Mona

*A submission from Bord na Móna states that they currently have the following operations in County Kildare; Corporate Head Office and Innovation Centre, Newbridge, Peat production operations (8,500ha in Kildare), Resource Recovery (AES Ltd), Kilberry Horticulture Factory and Composting facility.*

*Bord na Móna welcomes the references in the draft plan to its lands holdings and the importance of the peatlands landscape and cutaway bogs. However it is important that the potential of the cutaway peatlands to generate commercial, social and environmental value is reflected in the County Plan.*

### General Issue

*At night time, Intel emits tonnes of smoke and fumes. Kildare County Council should carry out research into increase of asthmas in the area and Intel expansion, etc, before proposing such a plan.*

## **Chief Executive Response**

### Section 8.1 Background

- *It is agreed that this section of Chapter 8 be updated to include reference to the Government's White Paper 'Ireland's Transition to a Low Carbon Future 2015 -2030' and the 'Strategy for Renewable Energy 2012 – 2020'.*

- The formation of the new Government in May 2016 and a number of restructured Government Departments is noted. The new title of the 'Department of Communications, Climate Action and the Environment' is noted as per the submission. It can be confirmed that prior to the publication of the final adopted Plan, the chapters of the new CDP will be updated to accordingly reflect all new Government Department names.

#### Section 8.5 General Energy Policies

- It is agreed that Energy Objective ERO 1 be updated to include reference to the need to consult with the EPA and consider the actions on energy included in the LECF prepared in 2015.
- The Dept. of Communications, Climate Action & Environment has held a consultation period on the formulation of a Renewable Electricity and Policy Framework for the island of Ireland.
- The point raised in relation to Policy ER8 is noted. It is considered that the wording in the Draft Plan is the most appropriate given the current publication is still in draft form. 'To have regard to the Renewable Electricity Policy and Development Framework, once adopted, when assessing any renewable energy proposals.'
- It is considered that the wording of Policy ER2 is satisfactory. The preparation of a County Energy Strategy is part of a separate objective of the draft Plan (ERO1) which will have its own individual actions on supporting renewable energy sources, and the strategy when prepared will form part of the Council's targeted approach to reducing carbon production.

#### Section 8.6 Wind Energy

The concerns raised in a number of the submissions in relation to wind energy developments in the county are noted. The most up-to-date Government guidance on this matter remain the '*Wind Energy Developments Guidelines for Planning Authorities, 2006*'. In December 2013, the DoECLG published a draft targeted review of these guidelines in relation to Noise, Proximity and Shadow Flicker. The Department indicated that it is proposed to update the relevant sections of the existing Guidelines on these specific issues. All other sections of the 2006 guidelines will remain in place. To date, the Department has not finalised its targeted review of the current guidelines, and as such the current guidelines remain in full effect, and the Planning Authority must be consistent with the standards set out in same.

Having regard to the above, it is considered that the Draft Plan has appropriate policies and an objective in place to manage wind energy developments in the county. Policy WE1 indicates that the Council will have regard to the current Wind Energy Development Guidelines (or any update to same) in assessing planning applications for wind farms. Objective WEO1 outlines that it will be objective of the Council to prepare a Wind Energy Development Strategy, and to publish same as a variation of the CDP, following the completion of the Departments review of the above Guidelines. This is considered the most reasonable and balanced approach to managing future wind energy development proposals in the county whilst also complying with Government policy on the matter. No change is recommended.

### Section 8.10 Energy from Waste

The Chief Executive notes the concerns expressed. Waste to energy projects form part of the overall waste management hierarchy. Kildare County Council will also be guided by the regional policy direction for same as per the Eastern-Midlands Regional Waste Management Plan (WMP) 2015-2021. It is considered that the policies and wording in the Draft Plan are the most appropriate to manage such development proposals in Kildare. No change is recommended.

### Section 8.13 Energy Supply & Infrastructure

The Council is obliged to have regard to Government Policy on the matter of electricity supply and infrastructure. It is considered that the Draft Plan has satisfactory policies and objectives in place that support government policy on the strategic and economic importance of investment in networks and energy infrastructure, whilst also taking into account specific local issues to be managed including landscape impact. No change to the Draft Plan is recommended.

### Section 8.8 Solar Energy

The comments made in relation to the section on Solar Energy are noted.

It is agreed that the first sentence on the 2<sup>nd</sup> paragraph of this section can be omitted due to the prescriptive nature of this sentence and the evolving nature of this new renewable energy technology.

In relation to Policy SE2 which offers guidance on the assessment of solar energy development proposals, it is considered that the 11 criteria listed in this policy offer suitable guidance as to how the Planning Authority would assess future applications for such proposed developments. It is considered appropriate that site selection consider brownfield land in the first instance as good planning practice. Any planning application that is submitted should provide a justification as to how the most suitable site for the project has been chosen. Policy SE2 also provides detailed guidance on how greenfield proposals will also be assessed. It is considered that there is sufficient flexibility in the draft policy on this issue and no change is recommended.

Matters in relation to the Development Contribution Scheme and the application of levies for Solar Farm development are outside the scope of the CDP review, and is a separate process.

It is considered that Policy SE1 allows for the consideration of standalone solar energy proposals on a case by case basis.

### Section 8.13.2 Electricity Supply & Infrastructure

The comments raised in relation to planning applications involving the siting of overhead cables are noted. Advice on this issue is given in the Draft Plan in the narrative to Section 8.13.2. The assessment of such planning applications will be on a case by case basis, and will involve assessment of overall landscape and ecological impacts, including appropriate assessment. It is considered that there is no requirement to expand the narrative in this section, as any specific local issue can be managed within the development management process where third parties have the opportunity to also comment and make submissions.

### Section 8.13.3 Electricity Supply & Infrastructural Policies

- This CE report already recommends the inclusion of reference to the 2015 Government White Paper (See response to Section 8.1).
- The Chief Executive welcomes the update from Eirgrid on their current development programmes. It is noted that this section of the plan needs to be updated to reflect the current status of Eirgrids Grid Link Project whereby the emergence of the new 'Regional Option' means there is now no requirement to proceed with the previously proposed Grid Link 400 kV overhead line.

### Section 8.14.1 Telecommunications Policies

The supportive comments raised in the ESB submission towards policies TN1, TN4 and objective TNO1 are noted.

### Bord na Móna

The Chief Executive notes the comments made in Bord na Móna's submission regarding the potential of cutaway peatlands to generate commercial, social and environmental value. This is an issue which is covered in Chapter 14 'Landscape, Recreation and Amenity' in relation to Section 14.8.2 'Lowland Plans and Boglands Character Area Policies'.

### General Issue

The specific issue regarding emissions at Intel is outside the scope of the Draft Plan to comment on.

## **Chief Executive Recommendation**

### **Ch 8: Proposed Alteration 1:**

To amend Section 8.1 'Background', to include the following additional text;

In December 2015, the Government published a new White Paper 'Ireland's Transition to a Low Carbon Energy future 2015 – 2030' which is a complete energy policy update, setting out a framework to guide Government policy between now and 2030. Its objective is to guide a transition to a low carbon energy system, which provides secure supplies of competitive and affordable energy. The Government's vision is to transform Ireland into a low carbon society and economy by 2050, with 2030 representing a significant milestone. By this, the aim is to reduce greenhouse gas emissions from the energy sector by between 80% to 95% (compared to 1990 levels) by 2050, while ensuring that secure supplies of competitive and affordable energy remain available to citizens and businesses.

In May 2012, the Government published 'The Strategy for Renewable Energy 2012 – 2020'. The document includes 36 actions to maximise the economic potential of renewable energy including wind power, bio energy and wave and tidal power. The strategy points out that green energy and clean technology already support an estimated 19,000 jobs in Ireland. Ireland has also agreed with the EU that by 2020, 40% of all electricity consumed will be generated from renewable power.

### Ch 8: Proposed Alteration 2:

To amend Objective ERO 1 as follows;

'To prepare and implement an Energy Strategy in tandem with the preparation of a Climate Change Adaptation Strategy, following consultation with the Sustainable Energy Authority Ireland (SEAI), the Environmental Protection Agency (EPA) and other relevant stakeholders. The strategy will also be informed by relevant actions contained in the LECP. This will result in a structured response to energy cost changes and support work with central government to reduce market volatility. This could then assist community stakeholders and the renewable energy sector to cooperate in developing appropriate projects of sufficient scale with stable demand and thereby attract employment investment.'

### Ch 8: Proposed Alteration 3:

To delete the following sentence from the narrative of Section 8.8 'Solar Energy' 2<sup>nd</sup> paragraph;

~~Solar farms are installations of multiple solar photovoltaic (PV) modules, usually mounted 1.5 – 2.5 metres above either greenfield or brownfield land, occupying between 2 and 15 hectares.~~

### Ch 8: Proposed Alteration 4:

To amend the narrative of Section 8.13.2 'Electricity Supply & Infrastructure' by inserting text in red and omitting text with strike through as follows;

GRID 25 is the Development Strategy Plan of Eirgrid (published in 2008), the national transmission system operator of the wholesale power market. Eirgrid's development plan strategy recognises the need to strike a sustainable balance between cost, reliability, security and environmental impact in the provision of electricity transmission networks. Eirgrid is currently in the process of reviewing their current grid development strategy with a new draft strategy published in March 2015 for consultation. In addition, Eirgrid is also preparing a new Grid Implementation Plan which will replace their original "Grid 25 Implementation Programme 2011-2016" which is a regional spatial 6 year Development Plan for grid development.

Under the GRID LINK 25 project, the 'Regional Option' has now emerged as the preferred option for upgrading the existing electricity network based on advanced smart grid technology which is capable of strengthening the existing grid infrastructure in the region. This meets the needs of the project without building new large scale overhead infrastructure.

- ~~• Eirgrid is seeking to progress the Grid Link Project comprising a 400kV voltage line linking Leinster and Munster (Knockraha, Co. Cork – Great Island, Wexford to Dunstown, Co. Kildare).~~

~~In addition to the foregoing, Eirgrid's Draft Transmission Development Plan 2013 – 2023 published in November 2013 states that "Eirgrid is currently investigating the expansion of the 400kV network into the Greater Dublin Area. This reinforcement could be the alteration of existing routes or with new overhead line or cable routes entirely". It is the Transmission Development Plan (TDP) which~~

documents Eirgrid's infrastructural programme for the period of the TDP and is subject to constant review.

The Grid Link Project had three technical options; 1) HVDC Underground Cable Option, 2) HVAC 400 Kv Overhead Line Option, 3) Regional Option. Eirgrid analysed the three options in a report to the government appointed Grid Link Independent Expert Panel. The Regional Option was identified as the preferred solution. It is basically a suite of transmission network reinforcements mainly on the existing 400kV lines. It would also include the installation of series compensation devices at certain locations including Dunstown 400kV station south of Naas.



## Chapter 9 Retail

Submissions received relevant to Chapter 9 Retail: 48, 57, 71, 89, 91, 134, 157, 159, 165, 172, 174, 187 and 226.

### Main Issues Raised

#### 9.2 Retail Context

*A comprehensive submission from RGDATA requests that the Council commit to applying the strict interpretations contained in the Retail Planning Guidelines to ensure that there is a vibrant, efficient and competitive retail sector, vibrant towns and villages and local shops that people can walk to. The submission also suggests that no new retail developments should be approved until Town Centre Health Checks are undertaken in key towns including Naas, Athy, Celbridge, Clane, Kildare Town, Leixlip, Maynooth, Monasterevin and Newbridge.*

*The submission also emphasises the importance of confirming the retail hierarchy and role of centres when assessing planning proposals and developments. It is submitted that the council should take into account the views of retailers, shoppers and property owners in this regard.*

*The level of retail provided in villages and neighbourhood centres should relate to the local area. Concerns that over development of local or neighbourhood centres would result in drawing business away from nearby towns, which are already experiencing high vacancy rates and loss of footfall.*

#### 9.4.3 Metropolitan Area: Level 2 Major Town Centre – Leixlip including Collinstown

*One submission welcomes the new policy R12 which seeks to re-designate Leixlip (including Collinstown) as a Metropolitan Area Level 3 Town Centre. It is considered that this scale of development (up to 20,000 sq.m) is appropriate in Leixlip.*

*Request that specific reference is made for a district centre level of retail development at Collinstown which should be made prior to adoption of the new CDP. It states that there is no potential for Leixlip to develop as a Level 3 Town Centre in the absence of a district centre at Collinstown as there is a lack of available sites in the town centre core area and the nature of the historic centre containing protected structures and conservation areas.*

*Requests Policy R14 to be amended as follows;*

*To encourage and facilitate sustaining and enhancing the retail, commercial leisure and services offer Leixlip Town Centre (including Collinstown) as a Level 3 Town Centre and harnessing the potential of its heritage and tourism asset.*

*Section 9.4.3 Requests an amendment to this section as follows;*

*“In 2011, Leixlip had the fourth largest population in the county and this position is projected to remain over the period of this Plan. However, it is eighth in terms of its quantum of retail floorspace. As has long been recognised, there is relatively limited potential for expansion of Leixlip Town Centre’s retail offer. Accordingly, the continued enhancement and consolidation of the traditional heart of the town centre is promoted as well as the development of appropriate Level 3 Town Centre*

*development at Collinstown in the form of a district centre to complement Leixlip Town Centre. The expansion of the established neighbourhood scale centres at Confey and Louisa Bridge is also encouraged. In addition, Leixlip has the relatively untapped potential of its heritage and tourism assets which requires to be harnessed".*

*The TII notes that specific objectives (R 12 and R 13) seek the re-designation of Leixlip (incl. Collinstown) as a Metropolitan Area Level 3 Town and Section 5.4 of the Draft Plan refers to the reservation of strategic land banks in Collinstown also. TII recommends that any future proposals in this regard are required to be advanced in accordance with the evidence based requirements of the DECLG Spatial Planning and National Roads Guidelines (2012).*

*One submission addresses the appropriateness and deliverability of the Level 2 Major Town Centre for North East Kildare at Collinstown and Leixlip designated at a Metropolitan Area Level 3 Town Centre.*

*The Draft Plan should make a distinction in terms of land budgeting, development objectives and required urban design and development responses between Collinstown and Leixlip Town Centre for the purposes of realising the overarching Level 3 Town Centre designation for Leixlip and longer term objectives to grow to a Level 2 Centre consistent with the Regional Retail Planning Guidelines.*

*It is submitted that two different planning approaches to Leixlip Town Centre (Brownfield) And Collinstown (Urban Expansion Areas/Greenfield) are required.*

*Leixlip Town Centre is an established town centre representing brownfield opportunity sites with a particular emphasis on appropriate infill development and consolidation of the town centre.*

*Locations such as Collinstown offer significant scope and capacity to accommodate a significant quantum of new Greenfield retail development. Assuming that the established Leixlip Town Centre could accommodate between 10-20% of the required retail quantum of at least 10,000 sq.m2 of new retail floorspace, it would result in a remainder of 8,000 to 9,000 sq.m of retail floorspace that could potentially be accommodated in such a purposely planned District Centre at Collinstown.*

*It is further submitted that if Leixlip is to fulfil its regional growth objectives, a critical mass of population growth must be achieved over the lifetime of the Draft CDP. It is noted that Leixlip has had the lowest population growth rate over the past inter-census period (2006 – 2011) at 7.7%, which is well below the County Average of 12.9% and the State Average of 8.2%.*

*This submission states that if Leixlip is to fulfil its regional level objectives, and Collinstown is to develop as a sustainable District Centre, it is imperative that a critical mass of population is available in the town and within the District Centre. As such, the designation of the lands for District Centre use must include for a sustainable level of population to be provided as part of a sustainable mixed use district centre development.*

*Having regard to the above, and in order to appropriately acknowledge the future role of Collinstown in the County retail hierarchy and its role and potential contribution it could make to achieve the Level 3 Town Centre designation for Leixlip, the following amendments are proposed to the Policy Objectives contained in Chapter 9:*

Amend text under sub-section 9.4.3 of the Draft Plan, as follows:

In 2011, Leixlip had the fourth largest population in the county and this position is projected to remain over the period of this Plan. However, it is eighth in terms of its quantum of retail floorspace. As has long been recognised, there is relatively limited potential for expansion of Leixlip Town Centre's retail offer. Accordingly, it is envisaged that the majority of new retail floorspace (lower order comparison and convenience retail floorspace) will be promoted through the delivery of a new District Centre at Collinstown (to the west of the R449) contributing to the longer term status of Leixlip/Collinstown as a Level 2 centre consistent with the Regional Retail Planning Guidelines, whilst the continued enhancement and consolidation of the traditional heart of Leixlip ~~the town centre will be is promoted~~ through predominantly infill development and consolidation of the retail core. The expansion of the established neighbourhood scale centres at Confey and Louisa Bridge ~~will is also be~~ encouraged. In addition, Leixlip town centre has ~~the relatively~~ some untapped potential of its heritage and tourism assets which requires to be harnessed.

It is the policy of the Council:

R13: To encourage the development of a new District Centre at Collinstown to contribute towards the delivery of Objective R12 – i.e. Leixlip, including Collinstown, as a Metropolitan Area Level 3 Town Centre in the new GDA Retail Hierarchy growing in time to a Level 2 Centre consistent with the Regional Retail Planning Guidelines.

R ~~14~~13: To work with development interests/landowners and other key stakeholders in the development of a revised plan for the lands at Collinstown to ensure the delivery of a new District Centre that would seek to augment and enhance the retail, commercial, residential, leisure and services offer in Leixlip town centre in a sustainable manner and contribute to the growth of a Level 2 Centre over time.

R ~~15~~14: To encourage and facilitate sustaining and enhancing the retail, commercial leisure and services offer of Leixlip Town Centre through predominantly infill development in a manner to consolidate the established town centre and retail core area whilst promoting and harnessing the potential of its heritage and tourism assets.

It is submitted that the delivery of a District Centre and supporting residential development at Collinstown should not be linked to the development of a new rail station at Collinstown. It is submitted that any development of the lands at Collinstown needs to be decoupled from any objective relating to a rail station and that the objectives to provide a railway station at all, or linked to the release of development land, should be removed from the Plan, due to;

- The proximity of the Collinstown lands to Louisa Bridge. The station is proximate and highly accessible to established and planned residential areas and Intel by foot. It is well connected and serviced by cycle paths.
- The clearly stated intention in the Draft Plan to reconsider the designation of a Level 2 centre at Collinstown in the upcoming Regional Strategy.

- *Linking the provision of a train station to the release of lands at Collinstown has the potential to indefinitely delay the release of strategically located development lands in the Metropolitan Area.*

#### 9.4.4 Metropolitan Area: Tier 1 Level 3 Town Centres – Celbridge and Maynooth

*In paragraph 9.4.4 (Metropolitan Area: Tier 1 Level 3 Town Centres – Celbridge and Maynooth) it is not accurate to say that new convenience floorspace has been delivered largely on the periphery of Celbridge since the recent retail developments are all located within or close to the town centre.*

*A number of submissions express concerns in relation to the final sentence in the first paragraph of Section 9.4.4 which refers to retail provision in Celbridge, as follows 'The key opportunities for this to be redressed are identified as the backlands to the east of the town centre and Donaghcumper Demesne, with respect for the heritage and landscape of both areas being of significant importance'. This should be amended to omit the reference to the opportunities provided by the backlands to the east of the town centre and Donaghcumper and to state that opportunities to redress any retail shortfall be identified in the Local Area Plan, with due regard to the significance of the heritage of the 18<sup>th</sup> century streetscape, and conservation of historic houses and associated demesnes.*

*The importance of Donaghcumper Demesne as an historic designed landscape and the importance of the rear gardens backing onto the River Liffey as an essential part of the setting of the 18<sup>th</sup> century streetscape is highlighted.*

#### 9.4.5 Metropolitan Area: Tier 2 Level 3 Town Centre – Kilcock

*Policy R20 refers to the provision of Retail Warehousing to the north west of Kilcock. TII have previously raised concern with this zoning objective during the Kilcock LAP 2015 process. TII remains concerned regarding this zoning objective.*

#### 9.4.6 Hinterland Area: Tier 1 Level 3 Sub County Town Centre – Athy and Kildare Town

*R25 refers to future expansion of the Kildare Outlet Village Centre. This policy should be revised to make specific reference to 'no capacity impacts on the national motorway **and junctions**' in the interests of clarity.*

*Amend R25 to delete the following "In any future expansion of the Kildare Village Outlet Centre it should be demonstrated that there will be no capacity impacts on the national motorway and regional and local road networks" as this is provided for in Policy TM6 and such a requirement for a specific development has negative connotations.*

*Insert new policy "To encourage and facilitate the further expansion and enhancement of the Kildare Tourist Outlet Village as a key tourism related retail development in County Kildare."*

*Further consideration should be given to the position of Kildare Town in the Retail Hierarchy. Having regard to its scale, role, offer and population, Kildare Town should be designated as a Level 2 Centre in the Hinterland Area.*

*Given the important role the KTOV plays in Kildare Town, the future expansion of this unique retailing offer should be given primacy in policy terms. An opportunity exists to complete the link phase back to the historic core and this should be a central objective of the CDP. The following policy should be inserted.*

*“To facilitate the further expansion of the Kildare Tourist Outlet Village retail use in a form and layout consistent with the established Phase 1 and 2 developments as a primary objective and to provide the basis for additional linkages back to the historic core.”*

*The KTOV should be recognised as part of the Retail Core of Kildare Town. While it is normal for retail cores in towns to be somewhat concentric in layout from the centre or linear along a main street, KTOV functions as an area primarily devoted to shopping and given the morphology of the town and pattern of expansion should be included in the Retail core.*

#### 9.5.1 Convenience Retailing

*Policy R37 and Section 17.13.4 could be considered onerous when compared with the requirements of the Retail Planning Guidelines (2012), and the Development Plan Guidelines (2007). These documents do not require any restrictions on comparison sales areas associated with large convenience stores and the proposed policies outlined in the Draft Plan could be considered contrary to the Development Management Guidelines as there is no evidence to suggest that the proposed policy will have the desired effect. Furthermore there is no method of proposed measurement for this policy and this is contrary to the Development Plan Guidelines. As such, it is requested that Policy R37 is removed and the Section 17.13.4 is amended as follows “Given the potential impacts of this on existing town centre comparison floorspace, and the move by a number of major convenience companies to franchise space to mainstream national and international High Street comparison operators, the Council will require a RIA/RIS to be submitted in support of any application for large convenience stores. Such cases will be dealt with on a case by case basis and in certain cases the Planning Authority may restrict the inclusion concessions as part of the comparison floorspace through the attachment of conditions”.*

#### 9.5.9 Garden Centres and Agri–Business Diversification

*R 55 relates to new garden centres and extensions to existing garden centres. TII recommends that this policy should also seek the preparation of Traffic and Transport Assessments in addition to Retail Impact Assessments having regard to the potential impact such proposals may have on the adjoining network.*

#### 9.5.10 Casual Trading

*Chapter 9.5.10: Amend policy R 58 by removing the word “indigenous”. The term indigenous would preclude a number of typical market products such as cheeses, chocolates or non-national crafts etc. The use of the term “quality town markets” should be sufficient to achieve the aims of the objective.*

### 9.5.11 Non Retail uses in Core Retail Areas and other Main Streets

*Policy R60 restricts the development of fast food outlets in the core retail areas of settlements and as such uses only permissible in designated centres (Section 1.8.2 of Volume 2 of the Draft Plan), it is not clear where such centres fast food outlets should be developed. Requests that Policy R60 be removed.*

### 9.6 Retail Objectives

*Chapter 9 of the Draft Plan is welcomed. It supports safeguarding and improvement of town centres and promotion of the sequential test as well as Objective RTO 7 which seeks to address the dominance of the private car for access to retailing.*

*Amend RTO 10: "To promote retail-led tourism in Kildare, including the existing Kildare Tourist Outlet Village, and to facilitate the provision of tourism infrastructure."*

- *Insert New Policy: To encourage and facilitate the further expansion and enhancement of the Kildare Tourist Outlet Village as a successful innovator of the County's retail offer and attraction.*
- *Amend Objective RTO 11: To encourage and facilitate innovation and diversification in the county's retail profile and offer, specifically the further expansion and enhancement of the successful Kildare Tourist Outlet Village.*

### General

*The Retail Planning Guidelines (2012) include an explicit presumption against large out of town retail centres located adjacent to or close to existing, new or planning national roads/motorways. A policy reflecting this should be included in Chapter 9.*

*There is a need to audit retail space, and set more realistic targets for retail space having regard to online activity.*

*The Plan should strongly advocate and support with effective policies, the strengthening of town centres and special designation should be given to Core retail centres with a specific matrix of activity that can only happen in this space, drivers of footfall should only be allowed developed within this curtilage.*

*Regard should be given in consideration of planning proposals of large retail operations, of how they may affect the current retail market and might it have a detrimental effect of the economic ecosystem of a town.*

## **Chief Executive's Response**

### Section 9.2 Retail Context

The submission comments from RGDATA are noted. The Council is committed to applying the requirements for new retail development in the county in accordance with the Retail Planning

Guidelines (2012), the Retail Strategy for the Greater Dublin Area (2008) and any future updates to same. In relation to town centre health checks, it is considered that such health checks will be considered to inform LAP's where deemed necessary and subject to resources. This is considered the most appropriate level to consider background studies of this nature.

The Draft CDP comprehensively outlines the retail hierarchy in the county which is consistent with the Regional Retail Strategy (2008).

Proposals for significant retail development in villages and neighbourhood centres will be subject to the criteria for assessing retail proposals as set out in Section 9.5.13 of the Draft Plan in addition to Section 17.13 of the Chapter 17 (DM Standards). The impact of new retail development on existing town centres is a fundamental consideration for the Planning Authority and will need to comply with the retail policies and objectives of the CDP.

#### Section 9.4.3 Metropolitan Area: Level 2 Major Town Centre – Leixlip including Collinstown

The support for policy R12 which seeks to re-designate Leixlip (including Collinstown) as a Metropolitan Area Level 3 Town Centre is noted. Clarity is required in relation to the Council's position. The text of Section 9.4.3 refers to the continued enhancement and consolidation of the traditional heart of the town centre of Leixlip and expansion of established neighbourhood centres at Confey and Louisa Bridge. While the objective includes a reference to Collinstown, this reflects the current retail designation as opposed to a vision for a new retail centre at Collinstown.

Any Level 3 retail designation that might emerge will need to be achieved across centres in Leixlip and it is considered appropriate that the scope of established centres to achieve this should be explored in the first instance, followed by an assessment of possible expansion areas.

In the event that the designation of Collinstown is amended from Major Town Centre, the future role of this strategic site will need to be explored in consultation with the key stakeholders, including landowners. It is considered premature pending the publication of the Regional Spatial and Economic Strategies to adjust the retail expectation from Major Town Centre to District Centre, as other uses (e.g. business and technology) may emerge as the preferred option. It is proposed to amend Policy R12 to provide clarity.

In relation to the TII submission on Leixlip/Collinstown that refers to specific policies R12 and R13 on the proposal to seek the re-designation of this area as a Level 3 Town/District Centre in the new GDA Retail Hierarchy, it can be confirmed that any future development of lands in Leixlip, particularly at Collinstown, will be done in a plan led manner cognisant of the requirements set out in the Spatial Planning & National Roads Guidelines (2012).

It is anticipated that new retail provision in Leixlip will be achieved through a combination of redevelopment of appropriate infill and opportunity sites in the town centre area, expansion opportunities at neighbourhood centres and in conjunction with the development of new residential districts. No changes recommended.

The issues of a new rail station and phasing of same is a matter more appropriately addressed through the Local Area Plan. The CDP does not link new development at Collinstown to the development of a rail station.

#### Section 9.4.4 Metropolitan Area: Tier 1 Level 3 Town Centres – Celbridge and Maynooth

The Chief Executive notes the comments in relation to the final sentence of Section 9.4.4 in relation to Celbridge & Donaghcumper Demesne. It is agreed to reword this sentence so that the new Celbridge/Castletown Local Area Plan review will seek to provide further guidance on the most appropriate retail expansion areas.

#### Section 9.4.5 Metropolitan Area: Tier 2 Level 3 Town Centre – Kilcock

The TII submission raises concerns with Policy R20 which refers to the provision of Retail Warehousing on lands to the north west of Kilcock.

The above concerns have been reviewed in relation to the current Kilcock LAP (2015). The lands to the northwest of the town are zoned 'H' Light Industry & Warehousing. The zoning objective specifically excludes retail warehousing. Having regard to this, it is appropriate that Policy R20 is amended and to delete reference to retail warehousing.

#### Section 9.4.6 Hinterland Area: Tier 1 Level 3 Sub County Town Centre – Athy and Kildare Town

The comments in relation to Kildare Village Outlet Centre are noted, in particular the suggested amendments to Policy R25.

The Draft CDP is supportive of the Kildare Village Outlet Centre, and this is reflected at the start of Policy R25. However the suggested amendments proposed are not agreed as any future expansion of this centre will be required to demonstrate that there will be no capacity impacts on the national motorway network, in addition to the regional and local road network.

Policy R25 also includes for greater linkage and synergy between the Outlet Centre and Kildare Town Centre.

In terms of Kildare Town's status in the retail hierarchy, this is determined at a regional planning level under the Retail Strategy for the Greater Dublin Area 2008-2016. Its current status as a Level 3 Retail Centre in the Draft Plan is reflective of this. The view that its retail status should be upgraded to a Level 2 centre is not agreed.

#### Section 9.5.1 Convenience Retailing

In relation to Policy R37, it is considered important that the policy as contained in the Draft Plan is retained in order to protect the overall viability and attraction of Core Retail Areas of the county's main town centres. Furthermore, it should be noted that large scale retail developments will be required to comply with the criteria for assessing retail proposals as set out in Section 9.5.13 of the Draft Plan.



#### Section 9.5.9 Garden Centres and Agri-Business Diversification

There is no objection to the TII suggestion that Traffic and Transportation Assessment be included as part of Policy R55. An amendment to this effect will be recommended.

#### Section 9.5.10 Casual Trading

It is agreed to remove the word 'indigenous' from the wording of Policy R58.

#### Section 9.5.11 Non Retail uses in Core Retail Areas and other Main Streets

The removal of Policy R60 is not considered to be appropriate. This policy is considered important in the protection of core retail area of town centres from non-retail and lower grade retail uses. Whilst every planning application will be treated on its own merits, the Council will seek to discourage an over-concentration of such uses in prime retail areas.

#### Section 9.6 Retail Objectives

It is not considered appropriate to amend Retail Objectives RTO 10 and RTO 11 as suggested. The Council's policy in relation to Kildare Town and Kildare Village Outlet Centre is reflected in Section 9.4.6 of the Draft Plan. No change is recommended.

#### General

The Draft CDP includes Policy RTO 12 which requires new retail proposals to be in accordance with the Retail Planning Guidelines. It is not considered necessary to include an additional policy for a presumption against large out of town retail centres located adjacent to or close to existing, new or planned national roads/motorways. This is the reflected national position within the above stated guidelines. There are strong policies and objectives within the Draft Plan which identify existing town centres as the priority location for new retail development such as RTO6.

Where more specific detail is required at a local level of retail space and vacancies (such as town centre health checks or audits) this will be a matter for future Local Area Plans to investigate rather than as part of the Draft CDP.

It is considered that the Draft Plan has strong policies and objectives already included in relation to the protection of Core Retail Areas within the County Kildare's main town centres.

It is also considered that the Draft Plan has sufficient protection measures in place for traditional core retail areas of town centres with the requirement for planning applications for significant retail development to be compliant with Section 9.5.13 of the Draft CDP 'Criteria for Assessing Retail Development'. This is in combination with the requirements for retail development as set out in Section 17.13 of the Development Management Chapter (Ch 17).

## Chief Executive Recommendation

### Ch 9: Proposed Alteration 1:

To amend Policy R12 as follows:

R 12: To seek the re-designation of Leixlip, ~~including Collinstown~~, as a Metropolitan Area Level 3 Centre in the new GDA Retail Hierarchy.

### Ch 9: Proposed Alteration 2:

To amend Policy R14 as follows;

R14 'To encourage and facilitate sustaining and enhancing the retail, commercial leisure and services offer of Leixlip ~~Town Centre~~ as a Level 3 Town Centre and harnessing the potential of its heritage and tourism asset.'

### Ch 9: Proposed Alteration 3:

To amend the final sentence of the 1<sup>st</sup> Paragraph of Section 9.4.4 as follows;

'Celbridge is underperforming in meeting the needs of local people in the town and its hinterland in a more efficient and equitable way. The key opportunities for this is to be ~~redressed~~ satisfactorily addressed are identified as the backlands area to the east of the town centre and Donaghcumper Demesne, with respect for the heritage and landscape of both areas being of significant importance. The new Celbridge/Castletown Local Area Plan will provide more specific detail at a local level on the most appropriate locations and extent for new retail provision and expansion within the town, taking account of heritage and landscape character.'

### Ch 9: Proposed Alteration 4:

To amend Policy R20 as follows;

R20 'To encourage and facilitate the regeneration of land and buildings in the Kilcock Core Retail Area and other Town Centre zoned lands. ~~and to facilitate the provision of retail warehousing to the north west of the town~~'.

### Ch 9: Proposed Alteration 5:

To amend Policy R55 as follows;

'To seek comprehensive details such as Retail Impact Assessment/Retail Impact Statement and other appropriate studies, for all proposals for new garden centres or agri-businesses or extensions to either (which include retail and restaurant/cafe floorspace) to enable assessment of their potential impact on nearby small towns and villages'. In addition, such proposals may also require the submission of Traffic and Transport Assessment, where required, under the NRA Traffic and Transport Assessment Guidelines (2014) or any update to same.

**Ch 9: Proposed Alteration 6:**

To amend policy R58 as follows;

'To encourage and support the development and attraction of quality town markets selling ~~indigenous~~ artisan food and craft produce products in centres, at all levels of the County Retail Hierarchy, in recognition of their potential to sustain and increase the attractiveness of these centres.'

## Chapter 10 Rural Development

Submissions received relevant to this chapter: 50, 118, 130, 181, 219 and 235.

### Main Issues Raised

#### Boglands - Section 10.4.6

*One submission references Bord na Mona's 15 year strategy (Sustainability 2030) stating that while references to biodiversity and eco tourism are appropriate reference should also be made to other potential and appropriate uses such as renewable energy as well as other commercial and industrial developments. The same submission requests that this section acknowledges the potential of the cutaway peatlands to generate significant value in rural areas through a range of developments and initiatives such as enhanced biodiversity and tourism, renewable energy, commercial and industrial developments. (118)*

*The following changes in wording of policies are requested as follows:*

**BL 2:** *To seek a balance between the peat extraction potential of the county, whilst ensuring the protection and conservation of bogland habitats. Limiting extraction to those bogland that are currently **in production or under development** will help to minimise impacts by localised effects and thus protect the bog landscape character areas within the county. (118)*

**BL 3:** *To take a balanced approach to the redevelopment of cutaway bogs. Large portions of cutaway bog should be developed as areas for wildlife, biodiversity, conservation and their amenity value, whilst other portions can be utilised for economic uses such as forestry, **renewable energy, biomass and commercial/industrial uses** subject to all planning and environmental considerations. (118)*

**BL 4:** *To liaise with Bord na Mona, **the Peatlands Council**, the Irish Peatland Conservation Council, Coillte and National Parks and Wildlife Service of the DECLG **and having due regard to the National Peatland Strategy approved by the Government**, to ensure the sustainable use of cutaway bogland, with due consideration given their ecological and amenity value **as well as their potential to generate commercial value and support job creation in rural communities.** (118)*

#### Rural Economy (Section 10.5.1)

*In terms of the rural economy, it is submitted that whilst some natural resources (e.g. bogs, forests, quarries) may be convertible into limited economic value in the short term, it should be recognised that the economic value of not exploiting them (e.g. carbon sequestration, water absorption/flood prevention, biodiversity, tourism and educational value) may be much more significant.(181)*

#### Sand and Gravel Extraction (Section 10.7)

*Two submissions request changes to policy EI 6 as follows is submitted that the wording of EI 6 should be changed as follows:*

Policy EI 6 requires consistency as it refers to the protection of County Geological Sites identified in Chapter 12. These are actually identified in section 13.9 and are listed in table 13.4 as *Sites of Geological Importance* listed in the County Development Plan. (Chapter ~~12~~ 13) (130, 235)

One submission suggests that a better balance of policies is necessary in relation to aggregates. Policies should be carefully constructed to avoid adverse effects on aggregate resources. The draft development plan does not refer in detail to the importance of extractive industries to the economy and society. The main focus of the proposed policies in the draft CDP relates to the potential for adverse environmental effects. As it is not generally viable to transport aggregates over long distances, Kildare should have its own sources of aggregates in order to achieve projects envisaged in the draft CDP. Text in 10.7 should be revised to refer to

- i. The important role of the extractive industry in the delivery of infrastructure, housing and other social and economic benefits.
- ii. The potential for quarries and pits to deliver environmental benefits in the form of habitat creation and not only the potential for environmental risks.
- iii. Securing of long-term future supply of aggregates and value-added products including concrete products, asphalt etc. (130)

It is submitted that additional policies should be included in Section 10.7 as follows:

- To support the necessary and important role of the extractive industries in the delivery of building materials for infrastructural and other development and to recognise the need to develop extractive industries for the benefit of society and the economy.
- To secure the long-term supply of value-added products (such as concrete products and asphalt) within the county, which are often, but not always, produced in conjunction with aggregate extraction. (130)

It is submitted that the potential role of recycled aggregates in reducing the demand for primary aggregates should not be over-emphasised and should not be used as a criterion to prevent the development of primary aggregate resources, as this source of building materials has not yet reached the scale of production in Ireland that it can significantly reduce the need for the extraction of primary aggregates, due in a large part to the absence of any national End of Waste criteria. (130)

Language in Section 10.7 should be clarified. It relates to both rock and sand and gravel extraction, but is titled 'Sand and Gravel Extraction'. The opening sentence refers only to gravel resources. Both rock and sand and gravel should be referred to collectively as 'aggregates' and a clear distinction should be made between policies that are relevant to all forms of aggregate extraction and to those that relate to rock extraction and those that relate to sand and gravel extraction. (130)

Section 10.7.1 In addition to topography and vegetation, the potential for quarry design and the use of screening berms to reduce the visibility of quarry sites should be referenced. It cannot be stated that notwithstanding careful design and screening, quarry works are likely to be significant, this can only be established on a case by case basis, in conjunction with landscape and visual assessment and site restoration plans. (130)

*Figure 10.1 is not appropriate and shouldn't be used for assessing quarry and pit design or assessing designs relating to the continued working or extension of existing pits and quarries. The scenarios outlined are not widely applicable to quarries and do not consider complexities other than visual effects (geo technical, geological, safety, commercial, nature of resource) which determine extraction patterns. The CDP should include a statement relating to the preferred outcomes and objectives of quarry and pit design rather than these instructions. (130)*

*Section 10.7.5 -the timeframes for the section 261 and 261A registration/reviews have largely expired. At this stage, those sites that are being reviewed under section 261A are generally before An Bord Pleanála or have already been determined. (130)*

*Chapter 10 Policy EI 11 suggests that additional contributions will be required in respect of road improvements. The Development Contributions Scheme already requires contributions. The legal basis for such payments, and the calculations of such, and nature of such for recreation and amenity is not clear. The policy overall is vague and provides no clarity in terms of when such contributions would be required and how they would be calculated. (130)*

*Chapter 10 Policy EI 13 wording re. bond should be revised to provide choice in respect of the form of security, e.g. to 'a cash deposit, a bond of an insurance company, or other security acceptable to the planning authority' as per section 17.1.9. (130)*

*Section 10.7 The ICF and the Government or relevant state bodies have also agreed the following codes which should also be referred to in the relevant text.*

- Environmental Code (2005);
- Geological Heritage Guidelines for the Extractive Industry;
- Code of Practice for Transport Operations.(130)

*Chapter 10- Section 10.7 (Sand and Gravel Extraction) and 10.7.8 (Extractive Industry Policy): 'Aggregate Potential Mapping' (APM) is published online and this identifies sources of aggregates identified for the extractive industries. This will also indicate available local sources of materials for transport and/or housing developments. (Sub 235)*

## **Chief Executive's Response**

### Boglands

While Kildare County Council is not the responsible body for the rehabilitation and development of cutaway bogs in Kildare, it does recognise the role of the local authority in protecting the unique habitat and landscape of bogland, recognising the importance of bogland and supporting the appropriate redevelopment of the boglands going forward. Given that many of the county's peatland resources are designated SACs and NHAs, it is a legal requirement to protect these bogs. The potential for the utilisation of protected peatlands areas for tourist, amenity, educational and research purposes is acknowledged and promoted in the plan.

- Policies BL 3 and BL 6 contained in Chapter 10 sufficiently support and recognise raised boglands as a major natural resource in the county.

- Bórd na Móna has produced a 15 year strategy Sustainability 2030 which recognises the role and responsibility of Bord na Mona in the rehabilitation of its peatlands to an environmentally sustainable condition with a higher biodiversity value.

The following policies which are included in the proposed draft CDP address the issues raised

**BL 3:** To take a balanced approach to the re-development of cutaway bogs. Large portions of cutaway bog should be developed as areas for wildlife, biodiversity, conservation and their amenity value, whilst other portions can be utilised for economic uses such as grassland, forestry and wind energy, subject to all planning and environmental considerations being met.

**BL 4:** To liaise with Bord na Mona, the Irish Peatland Conservation Council, Coillte, National Parks and Wildlife Service of the Department of the Environment, Heritage and Local Government, to ensure the sustainable use of cutaway bogland, with due consideration given to their ecological and amenity value.

- It is not considered necessary to amend policies BL3, BL4 as requested by Bord na Mona. Chapter 10 recognises that boglands are an important resource for the county and supports the sustainable use and balanced development of cutaway bogland.

- The potential for eco-tourism based on the unique characteristics and biodiversity of peatlands should be acknowledged in the plan. Therefore it is considered appropriate to include an additional policy in Section 10.5.6.

#### Rural Economy

The plan seeks to achieve a reasonable balance between responding to EU and National Policies on climate changes, renewable energy and communications while enabling resources to be harnessed in a manner consistent with the proper planning and sustainable development of the while. While the spirit of the submission is noted, it is not considered appropriate to include a policy regarding the non exploitation of our natural resources as this would be inconsistent with Governmental policy.

#### Sand and Gravel Extraction

- Agreed to amend policy EI 6.

The importance of the extractive industry in Kildare is agreed and it is considered that Section 10.7 of the Draft Plan reflects this. It is reasonable to include additional policies regarding the important role of the extractive industry in the delivery of infrastructure, housing and other social and economic benefits while recognising the potential for quarries and pits to deliver environmental benefits in the form of habitat creation and not only the potential for environmental risks.

It is noted that the potential role of recycled aggregates in reducing the demand for primary aggregates should not be over-emphasised.

In the interest of clarity, language in Section 10.7 should be revised to refer to the 'Extractive Industry' rather than 'Sand and Gravel Extraction' and to refer to rock, sand and gravel collectively as 'aggregates'.

Section 10.7.1 should be revised to refer to the screening berms as an option in appropriate locations to reduce visibility of a quarry.

Section 10.7.5 refers to Section 261 and Section 261 A. It is considered premature to omit this policy from the CDP. A number of processes initiated under this Section of the Act remain ongoing and future amendments are likely.

Policy EI 11 refers to development contributions in respect of road improvements and also the contribution of the industry to the recreation and amenity of the county. This requirement is assessed on a case by case basis. No change is required.

Policy EI 13 should be revised to have regard to Section 17.1.9

Section 10.7 should include an additional policy which references to the relevant codes.

It is noted that 'Aggregate Potential Mapping' (APM) is published online and this identifies sources of aggregates identified for the extractive industries.

### Chief Executive's Recommendation

#### Ch 10: Proposed Alteration 1:

Amend policy BL 3 as follows:

**BL 3:** To take a balanced approach to the re-development of cutaway bogs recognising their significant landscape, environmental and heritage value. ~~Future development of cutaway bog should be developed as areas for~~ **seek to conserve cutaway bogs and maximise their potential for** wildlife, biodiversity, conservation and amenity in the first instance, whilst ~~other portions can be utilised for~~ **acknowledging** the potential for economic uses such as grassland, forestry and ~~wind~~ **renewable** energy **in some circumstances is acknowledged**, subject to the protection of the environment and landscape character.

#### Ch 10: Proposed Alteration 2:

Include additional policy in Section 10.5.6 as follows:

**BL 7: To recognise the potential and support the appropriate development of eco tourism developments based on the unique characteristics and biodiversity of bogland in Kildare.**

#### Ch 10: Proposed Alteration 3:

All policies in Section 10.5.6 (Boglands) to be re-positioned into Section 10.4.6



**Ch 10: Proposed Alteration 4:**

Amend Policy EI 6 as follows:

**EI 6:** To consult with the Geological Survey of Ireland (GSI), with regard to any developments likely to have an impact on ~~County Geological Sites~~ Sites of Geological Importance listed in the County Development Plan (Chapter ~~12~~13).

**Ch 10: Proposed Alteration 5:**

Revise Policy EI 2 and replace with the following in order to recognise the important role of the extractive industry in the delivery of infrastructure, housing and other social and economic benefits while exploiting the potential for quarries and pits to deliver environmental benefits in the form of habitat creation and not only the potential for environmental risks.

~~EI 2: To continue to regulate the exploitation of natural resources of the county including the extraction of sand, gravel and rock.~~

EI 2: To recognise the role and facilitate the exploitation of County Kildare's natural aggregate resources in a manner which does not unduly impinge on the environmental quality, and the visual and residential amenity of an area while continuing to regulate the extraction of aggregates and to seek the delivery of environmental benefits in the form of sustainable habitat creation in conjunction with the restoration phases of development.'

**Ch 10: Proposed Alteration 6:**

Revise Section 10.7 of the plan as follows:

**10.7 Sand and Gravel Extraction to be replaced with Extractive Industry**

Gravel Aggregate resources are important to the general economic and provide a valuable source of employment in some areas of the county.

**Ch 10: Proposed Alteration 7:**

Fig 10.1 ~~Rock~~ Quarrying with Gradual Restoration

**Ch 10: Proposed Alteration 7:**

Revise Policy EI 13 wording re. bond to provide choice in respect of the form of security as per section 17.1.9.

'To require, where permission is granted for quarrying / ~~sand and gravel~~ extraction of aggregates the submission by the developers, of a bond (cash deposit, bond from an insurance company or other security acceptable to the planning authority) for the satisfactory completion and restoration of the site.'

**Ch 10: Proposed Alteration 8:**

Include an additional policy referencing what are considered to be the relevant guidance documents to be referred to in the assessment of planning applications;

'To have regard to the following guidance documents (as may be amended, replaced or supplemented) in the assessment of planning applications for quarries and ancillary facilities:

- Quarries and Ancillary Activities: Guidelines for Planning Authorities' (2004, DEHLG);

- Environmental Management Guidelines – Environmental Management in the Extractive Industry (Non Scheduled Minerals)', EPA 2006

- Archaeological Code of Practice between the DEHLG and the ICF 2009;

- Geological Heritage Guidelines for the Extractive Industry', 2008; and

- Wildlife, Habitats and the Extractive Industry – Guidelines for the protection of biodiversity within the extractive industry', NPWS 2009.

## Chapter 11 Social, Community and Cultural Development

Submissions relevant to this section: 12, 14, 30, 50, 61, 63, 86, 97, 161, 176

### Main Issues Raised

#### People with Disabilities/Special Needs/ Mental Health Issues - Section 11.8.2

*This policy is welcomed. However it does not acknowledge the needs of those with mental health issues and the objectives of service providers to care for such people within the community. It is suggested that the policy be extended to include support for the delivery of accommodation for those with physical and intellectual disabilities along with those with mental health issues, in suitably designed residences, in mainstream residential developments. (176)*

#### Local Development Community Groups – Section 11.9

*There should be a commitment in section 11.9 of the County Development Plan to support the ISP in delivering on its priorities. (161)*

#### Arts and Culture in the Community - Section 11.10

*Requesting that provision is made in the Development Plan to grow the excellent art and wellbeing service provided by Kildare County Council. (14)*

*The provision of a Heritage Centre in Celbridge should be an objective in section 11.10. Celbridge should be considered for the performing arts space for North Kildare to be provided on the back of objective ACO 4. (161)*

#### Library Services - Section 11.11

*Section 11.11 Library Services: The library is a community asset and should not be 'subject to availability of resources and finance'. If a librarian is on holidays in any of the 15 branches, relief staff should be available to provide cover for the stated opening hours. (63)*

#### Health Services - Section 11.14

*Section 11.14 Health Services: This plan must prioritise the support and co-operate with promoters of public healthcare (HSE) ahead of the privatisation of our healthcare. Any planning application for a nursing home must be accessible by public transport and must be and shops in order to reduce traffic in the countryside and promote public safety and sustainability. (63)*

#### Places of Worship and Burial Grounds - Section 11.16

*This submission relates to lands adjoining Bodenstown Graveyard north of Sallins (Refer to map), comprising 3.24 ha to facilitate the provision of a private led cemetery extension. (12)*

*Request that Section 11.16 of the Draft CDP is revised to read as follows:*

*'The Council has responsibility in the provision of burial grounds including, as necessary the acquisition of lands and the undertaking o any necessary works on these lands. [The Council also recognise the private led development can play an important role in the delivery of such services.](#)*

*Local Area Plans and Village Plans within this Plan will ensure that adequate land is reserved to accommodate such use in accordance with the future needs of the county. A number of burial grounds may need to be extended and/or new sites identified over the period of this plan. This includes established burial grounds in rural locations where appropriate.'* (12)

*Request the addition of a new policy under Section 11.16 to read as follows:*

*'BG 4: It is the policy of the Council to facilitate private led provision of burial grounds at suitable locations, subject to appropriate safeguards with regard to environmental, noise and traffic impacts.'* (12)

*Request that objective BGO 3 is revised to read as follows:*

*'To investigate the feasibility of developing lands adjacent to Bodenstown cemetery to facilitate an extension to the existing graveyard (public or private options will be considered) and to facilitate development of suitable facilities for visitors to Wolf Tone's grave.'*(12)

*This submission supports the development of a green graveyard in Co. Kildare (61)*

*It is requested that more support for community food projects and publicly owned land being used as a community farm or CSA, particularly in the area of Clane. (61)*

#### Community Services and Facilities - Section 11.6

*There is a need for Kildare to provide public gyms and swimming pools. This giving access to people on low income and keep private gym prices affordable. (30)*

*In relation to the provision of the north Kildare swimming pool, if Collinstown is chosen a commitment must be given to supporting local bus-routes to Celbridge. (161)*

#### Educational Facilities - Section 11.12

*The submission from the South Kildare Educate Together Second Level Group highlights the significant pressure in post primary school capacity and choice in the region, and in particular in and around the towns of Newbridge, Kildare & Kilcullen. It also highlights significant existing & projected population increase in the area. The Dept. Of Education & Skills have not introduced any second level schools in South Kildare, whereas North Kildare has seen the opening of 3 new secondary schools in the last two years. Disappointment expressed at the Dept. Of Education pursuing a policy of extension to existing schools as its preferred way of dealing with the crises in the region over the provision of a new school.(86)*

*Whilst the latest schools to open in the region have improved diversity of patronage at primary level, there is not the same level of choice available for secondary level schools. The submission acknowledges that school patronage is decided centrally by the Dept. Of Education & Skills, it is considered that the council should make provision (either policy or an objective) for a new secondary level school in South Kildare area that caters and promotes choice and is multi-denominational in nature, ideally in Newbridge, Kildare or Kilcullen as these towns have the most pressing need for post primary school places. (86)*

*An amendment to Policy EF1 of the Draft Plan is suggested as follows;*

*-To work in conjunction with the relevant education authorities to promote and support the provision of primary and post-primary schools in the county and to support the Department of Education & Skills School Building Programme by planning for future schools based on forecast need. The council consider it prudent in line with expected population growth during the lifetime of this plan to include in this Policy, its support through the planning system and local area plans for a new post-primary school in the South Kildare Area. (86)*

*Revised overall guidance is required on meeting community infrastructural needs and land use zoning in the new CDP. It is acknowledged that individual land use zonings will be dealt with an LAP level, it is considered that that the new CDP should provide further guidance on the matter. (176)*

*Local Area Plans should*

- Quantify the requirement for community & educational facilities within the Plan area;*
- Work with stakeholders to review the need for existing facilities and devise appropriate policies to protect viable facilities;*
- To ensure delivery of adequate community and educational facilities as part of residential and mixed development proposals;*
- Work with stakeholders to identify particular institutional purposes and to promote their delivery with appropriate zoning policies;*

*Identify, in consultation with stakeholders, lands currently in community or educational (institutional) use that are underutilised, or likely to become surplus to such needs in the period of the plan, and to zone the lands for alternative development, in the interest of proper planning and sustainable development. (176)*

*The Department of Education states that suitable sites must be zoned to cater for school provision. Land should be zoned where provision of services and access will not hinder the development of the school within the required timeframe. The Council is requested to consider favourable implementation strategies and phasing in the identification of school specific sites. To reduce the land take for school development site reservations should be made as close as possible to community facilities so that they can be shared between school and community. The Department is also open to the concept of multi-campus school arrangements in this regard. Where possible, land adjacent to existing schools should be zoned appropriately to allow for the potential future expansion. The Council is requested to consider a policy of introducing a buffer zone around existing school sites, where possible to facilitate adequate separation from housing while allowing reasonable scope for increased school heights. (97)*

*Based on the Department's analysis, overall school provision in County Kildare is expected to be able to cater for the level of demand for places during the lifetime of the plan. If the projected population growth as set out in the draft Plan is realised, this would result in the need for an additional 192 classrooms at primary level and 3,680 school places at post-primary level. If not catered for in existing schools, this would equate to the need for 12 x 16-classroom primary schools or 8 x 24-classroom primary schools. The post-primary numbers equate to three 1,000 pupil post-primary schools and one smaller post-primary school. Site size requirements for schools are stated; sufficient lands must be zoned in areas where significant additional population is likely to arise. (97)*

*The Department's Technical Guidance Documents set out design requirements for educational buildings. It is important that renewable applications are properly suited to the schools' needs and that the demand for energy is minimised before investing in renewable energy applications. (97)*

*The submission includes a list of the school projects (21 No. ) in the Kildare area included on the programme of capital investment in schools, listing the school projects planned to go to construction during the years 2016 to 2021 in Kilcock, Athy, Clane, Kildare, Monasterevin, Maynooth, Newbridge, The Curragh, Naas, Celbridge, Newbridge, Kilcullen, Prosperous, Hewetson and Blessington. (97)*

*It is stated that the Department supports the objective to facilitate the development of a school on the C1 New Residential lands in the Blessington Environs Plans. (97)*

*A suitable site for schools must be identified and zoned on the south side of the river Liffey in Celbridge. (161)*

#### Childcare

*Policies and objectives outlined in section 11.13 must acknowledge and support the challenges posed for the childcare sector due to changes in the ECCE scheme. (161)*

### Chief Executive's Response

#### Special Needs Accommodation- Mental Health Issues and Accommodation for Older People

The request is noted to support the delivery of accommodation for those with physical and intellectual disabilities along with those with mental health issues, in suitably designed residences. However it is considered that the provision of housing to cater for specific needs is adequately addressed in Section 4.7 and Policy SN1 (Specific Housing Needs) of the plan and provides the planning authority with sufficient flexibility to consider the provision of such accommodation.

**SN1:** To seek to ensure that groups with special housing needs, such as the elderly, people with disabilities, the homeless, those in need of emergency accommodation and Travellers are accommodated in a way suitable to their specific needs.

The CDP explicitly supports the provision of nursing homes at appropriate and accessible locations in particular the following policies in Chapter 11 and text in Chapter 4 emphasise the need for nursing homes and semi independent living to be appropriately located close to facilities and services.

**Section 11.8.6, Policy OP 3:** To provide for a mixed urban/rural setting for nursing homes in the county and to sit residential care facilities for the elderly in accordance with the following:

(i) Facilities should be located close to community and social facilities required by occupants (e.g. shops, post office, community centres, etc) thereby ensuring that older people can remain part of existing communities.

(ii) Facilities should be easily accessible for residents, employees, visitors and service providers. Such facilities will generally be acceptable in villages and rural settlements to cater for local demand. A

mobility strategy shall be provided detailing connections to town and village centres for residents, employees and visitors.

(iii) Facilities should be located within an environment that is suitable for their stated purpose, integrating within the wider community while providing a safe environment for residents.

(iv) Facilities should be located in an area which can benefit from the creation of strong links between the care for the elderly facilities and the local community including activities linked to other community groups.

**Section 4.7 Specific Needs Housing:** The changing nature of the age profile of the county requires greater consideration of the housing needs of the elderly. There are two aspects which need to be addressed in order to provide housing for older people:

(a) Sheltered housing, nursing homes and other residential facilities catering specifically for older people should be appropriately located close to public transport, community facilities, retail and other amenities.

(b) For those who wish to continue to live independently in their community but wish to downsize, it is important to provide a range of attractive and appropriately located accommodation choices which will in turn address the underutilisation of larger houses, particularly in more established areas.

#### Integrated Services Programme (ISP)

The Integrated Services Programme (ISP) is an interagency initiative of Kildare County Development Board. It involves state agencies, voluntary organisations, local businesses and local community representatives working together. The ISP aims to make a real difference to the infrastructure, services, supports and lives of people in the towns that the ISP is targeting. While the ISP is supported at a Local Area Plan level, it is considered that inclusion of support to delivering its programme is appropriate. It is recommended that an additional policy is included in Section 11.9 to support the Kildare Integrated Services Programme in the delivery of its objectives in County Kildare.

#### Art and Wellbeing

There is adequate provision in Section 11.10 of the plan to support the art and wellbeing service provided by Kildare County Council. In particular policy AC 2 and objective ACO 1 support this development and expansion of these services in the county. No change is recommended

#### Libraries Heritage Centre - Celbridge

The support for the provision of a Heritage Centre specifically in Celbridge would be more appropriately considered within the context of the forthcoming Celbridge Local Area Plan. No change is recommended.

The issue of staffing of libraries is not an issue for the County Development Plan. The libraries are staffed and developed as finance and resources become available and having regard to the Kildare County Council Library Services Development Plan 2015-2019. No change is recommended.

### Burial Grounds

No further amendment of the aforementioned policies is considered necessary. Having reviewed the requests of this submission, it is considered that the issue of the provision of a regional burial grounds, namely the extension of Bodinstown Cemetery is adequately addressed and supported in the plan in objectives BGO 2 and BGO 3 as follows:

**BGO 2:** To explore the feasibility of the provision of a regional-type burial ground, including crematoria and a natural wood cemetery (subject to a site specific feasibility study), at two locations as follows;

- (i) North-east of the county
- (ii) Centre of the county

**BGO 3:** To investigate the feasibility of developing lands adjacent to Bodinstown cemetery to facilitate an extension to the existing graveyard and to facilitate development of suitable facilities for visitors to Wolf Tone's grave.

The provision or extension of any new or existing burial grounds does not preclude the development of a green graveyard in the county. An explicit policy regarding the provision of such graveyards is not a requirement of the plan. No change is recommended.

Section 13.10.5, policy GI 30 adequately supports community projects such as a community farm/allotments within open spaces and parks as follows:

**'GI 30:** To promote the planting of woodlands, forestry, community gardens, allotments and parkland meadows within the County's open spaces and parks to promote the development of multifunctional amenity areas with enhanced biodiversity value.'

Policies and objectives set out in Section 11.6 are appropriately positioned within the plan. Chapter 12 only addresses architectural heritage and would not encompass the provision of burial grounds as a vital community facility. No change is recommended.

### Community Services and Facilities

As highlighted in Chapter 14 of the plan public swimming pools and gyms have been provided in Athy and Naas to service the south and mid county areas. Policies RA 9 and CO 7 specifically support the completion of the swimming pool programme which will meet the needs of the whole county through the provision of a north Kildare swimming pool in conjunction with other relevant bodies. Public facilities such as pools are generally located at accessible locations, and ideally in proximity to good transport connections. No change is recommended.

### Education Facilities

When identifying and zoning appropriate sites for the provision of primary and post primary schools in the county, the Council are guided by consultations with the Department of Education, their School Building Programme and The Provision of Schools and the Planning System, a Code of



Practice for Planning Authorities which sets out the best practice approach in facilitating the timely and cost effective roll out of school facilities. In accordance with the Memorandum of Understanding (MoU) on school planning agreed between Chief Executives and the Department of Education and Skills, Kildare County Council consult with the Department of Education in the making of Development and Local Area Plans and relies on the Department to furnish them with their requirements in terms of school provision and location. It is considered that the policies and objectives contained in the plan adequately address and support the provision of educational facilities and the siting and design requirements associated with such facilities. The issue of the provision of multi denominational schools is not a matter for the development plan.

The Department of Education's submission lists 21 no. school projects to be rolled out across County Kildare that are included on the programme of capital investment in schools which include Kildare, Newbridge and Kilcullen.

The Department's Technical Guidance Documents set out design requirements for educational buildings.

Section 8.5 Green Energy, Policy ER 3 seeks 'to support regional, national and international initiatives for limiting emissions of greenhouse gases through energy efficiency and the development of renewable energy sources which make use of the natural resources in an environmentally and socially acceptable manner.'

Section 8.11 Energy Efficient in Buildings, Policy EB 1 also seeks 'to ensure that new development is designed to take account of the impacts of climate change, and that energy efficiency and renewable energy measures are incorporated in accordance with national building regulations, policy and guidance.'

It is considered that the assessment of renewable applications that are suited to the schools' needs and that the demand for energy is minimised before investing in renewable energy applications is adequately addressed in the aforementioned sections of the plan. No change recommended.

It is noted that The Department support objective BEO 2 to facilitate the development of a school on C1 lands in Blessington Environs. The identification of a school site in Celbridge would be more appropriately addressed in the forthcoming Celbridge Local Area Plan.

### Chief Executive's Recommendation

#### Ch 11: Proposed Alteration 1:

Insert additional policy in Section 11.9, Local Development/Community Groups as follows:

#### Integrated Services Programme

**LDG 2: To support the Kildare Integrated Services Programme in the delivery of its objectives in County Kildare.**

**Ch 11: Proposed Alteration 2:**

Section 11.12 Educational Facilities insert the following text at end of paragraph no. 3

Kildare County Council will work with the Department of Education and Skills, under the nationally agreed Memorandum of Understanding on the provision of school sites, to support the Department's Schools Building programme and to proactively identify and acquire sites for new primary and post primary schools where the Department has identified a need.

## Chapter 12 Architectural and Archaeological Heritage

Submissions relevant to this section: 17, 50, 63, 68, 71, 89, 91, 103, 143, 161, 171, 187, 194 and 195

### Main Issues Raised

#### Country Houses and Demesnes - Section 12.5

Submissions (71, 89, 91) seek amendments to policy CH2 and Section 12.5 as follows:

CH2: ~~'To have regard to~~ To preserve and protect the historic gardens and designed landscapes identified in the National Inventory of Architectural Heritage'.

Section 12.5: County Kildare boasts a large number of Country Houses and demesnes where the grounds and settings constitute an intrinsic element of their character. The two most notable houses and demesnes in the county and in Ireland are Castletown House and demesne in Celbridge and Carton House and demesne in Maynooth, both of which are accessible to the public.

#### Architectural Conservation Areas and Map V1 – 12.12 - Section 12.7

The submission from Meath County Council notes that the map 'Protected Area Carton Demesne' illustrates the Maynooth Town development boundary. It is suggested that the map also illustrate the boundary of the Environs area included in the Meath County Development Plan 2013-2019 in order to show the complete land use context pertaining to the area.

One submission (91) notes that Section 12.4.3 and Section 12.7.2 both refer to 'Architectural Conservation Area (ACAs) Objectives' and suggests that these two related policies should be merged and made available in the same section of the plan.

One submission refers to Monasterevin ACA stating that the gardens adjoining the River Barrow SAC should be included in the ACA "these are an integral and unique part of the streetscape and must be preserved".

One submission requests that the protection afforded to ACA's should extend to candidate ACAs listed in objective ACA 1 Chapter 12.

It is submitted that the ACA for Naas as set out in Chapter 12 of the Draft Plan should be extended to include the Monastery on Friary Road, the tennis courts adjacent to Gort na Greine, Station House and its curtilage and to protect the special character of the area having regard to ABP Reference PL 73.232163. (Map submitted) (72) Are we extending the ACA??

#### Urban Archaeological Survey of Kildare – Section 12.9

One submission highlights inconsistent terminology in relation to zones of archaeological potential (areas of significant archaeological potential / zones of archaeological potential / areas of archaeological potential in Policy EI5 / section 12.9 & table 12.1/ section 17.15.5).

### Features of Historical Interest - Section 12.13

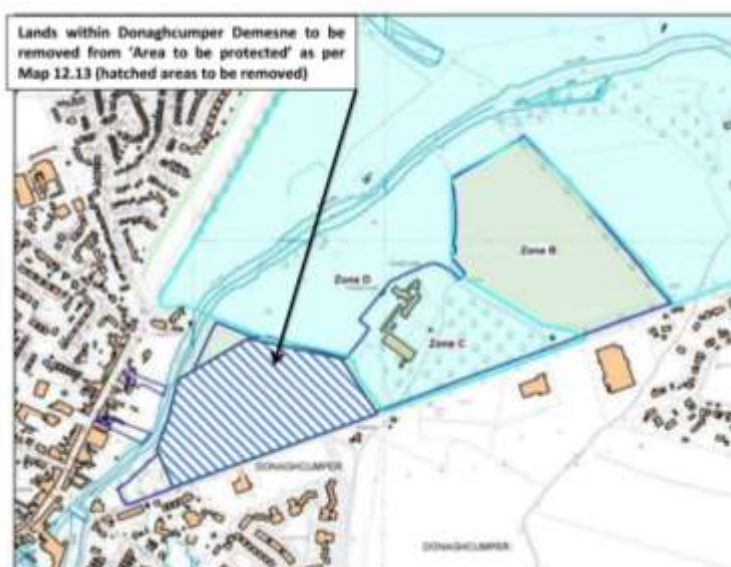
One submission requests that policy HF 1 is revised as follows:

*'To secure the identification, protection and conservation of historic items and features of interest throughout the county including historical laneways, street furniture, surface finishes, roadside installations, items of industrial heritage and other stand alone features of interest (items not listed on the RMP or RPS).'* (171)

Castletown, Donaghcumper, St. Wolstan's

#### Map 12.13:

A number of submissions request that Map V1- 12.13 be amended so that the blue line outlining the area to be protected includes the south western corner of Donaghcumper demesne. (71) (91)



Another submission seeks the removal of the subject lands from the 'Area to be Protected' as shown on Map 12.13. The continued inclusion of the entirety of the lands on this map discourages the sensitive development of a reduced footprint of development at Donaghcumper. (143)

It is submitted that the inclusion in the current Kildare CDP of the subject lands on Map 12.13 in the 'Area to be Protected' has contributed to undue uncertainty in the development potential of the lands which could be used to support the future sustainable use of Donaghcumper House.(143)

A number of submissions (71, 91, 89, 187) relate to the maintenance of views from Castletown House to the River Liffey onto the linked demesnes of Donaghcumper and St. Wolstan's and seek to maintain views within Castletown House and demesne.

Submissions request that the following policies be amended:

*PS 5: 'To maintain the views from Castletown House to the River Liffey and across the Liffey to the linked demesnes of Donghacumper and St. Wolstan's, and to maintain views along paths within the curtilage of Castletown House and demesne'.*

*PSO 4: Views from the main avenue towards the river, upstream and downstream to Celbridge and New Bridges and across the river to linked demesne of Donaghcumper;*

*Views from the paths within the demesne to the river and across to the linked demesnes of Donaghcumper and St. Wolstans.*

*Submission 143 requests that the reference to Donaghcumper be omitted from PSO 4 stating that the reference to Donaghcumper is not required as the amenities of Castletown Demesne would not be impacted upon by a sensitive integrated development which did not include a vehicular bridge across the River Liffey. The submission also states that the Zone A' (R Zoned) lands located close to the existing town centre of Celbridge and a reduced footprint of development would not impact on the amenities of Castletown or Donaghcumper Demesnes. Donaghcumper Demesne is a protected structure and was included within 'area to be protected' at the material amendments stage of the previous County Development Plan review. The following text is sought to be included in Section 12.4:*

*"The Council acknowledges that Policies PSO4 and AAO6 do not preclude the sensitive integrated development of Donaghcumper Demesne which is required to safeguard Donaghcumper House."*  
(143)

*Submission 194 states that the objective to prepare a LAP for Castletown Demesne is welcomed. Janus Securities Limited and Castle Town Homes Limited are the owners of land adjacent to Castletown House which forms part of a critical component of land. Historically associated with Castletown House and Demesne, the future of this land requires a clear planning framework in respect of future uses and role in the development of Castletown House. It is submitted that the subject lands by their significant extent and position are an essential ingredient to the formulation of the future development patterns of Celbridge, Leixlip and more particularly the internationally recognised and nationally protected Castletown House and Demesne.*

#### Table 12.4 Monuments Vested in the care of Kildare County Council

*Submission 103 suggests that Table 12.4 include the existing monument on the Hill of Brownstown (proposed ancient site of Aenach Carmain). The monument number is not known but it is thought to be on the list of national monuments.*

#### Miscellaneous

*One submission seeks a size limit / ban on hoardings/ signs erected without permissions in Prosperous especially around crossroads where it is a traffic hazard and they are unattractive.*

*Section 12.13.1 has policy HF1 whilst 12.13.2 has objective HF1. It is submitted that these policies be relabelled 12.13.2 objectives to avoid duplication of the label "HF1".*

## Chief Executive's Response

### Country Houses and Demesnes - Section 12.5

It is considered that proposed amendments to CH2 and Section 12.5 would strengthen the policy context.

### Architectural Conservation Areas and Map V1 – 12.12 - Section 12.7

It is agreed that the outline of the Maynooth Environs in County Meath should be detailed. As section 12.4.3 deals with distinct Architectural Conservation Objectives (ACO) and section 12.7.2 deals with distinct Architectural Conservation Area objectives (ACAO) it is considered appropriate to address ACO's in both sections. No change recommended.

In relation to the Monasterevin ACA, the gardens adjoining the River Barrow SAC in Monasterevin are not part of the ACA boundary. These gardens are individually protected as part of the curtilage of a protected structure and as historic designed landscape and gardens but are considered worthy of inclusion within the ACA.

Candidate ACAs are afforded the same level of protection as ACAs. No change recommended.

The Council intends to carry out a review of ACA's in the County (to include the possibility of extending existing ACA's and adding new ACA's) during the life of the CDP.

### Urban Archaeological Survey of Kildare – Section 12.9

In 1986 an Urban Archaeological Survey of Kildare was conducted. A number of medieval / early modern towns with known archaeological potential were surveyed and zones of potentially significant archaeology identified (referred to as Zones of archaeological potential). It is therefore appropriate to correct all references to Areas of Archaeological Potential to Zones of Archaeological Potential

### Features of Historical Interest - Section 12.13

Section 12.13 refers to specific items of vernacular importance that are not protected but may contribute significantly to the character of a street or area and as such are deemed to be worthy of protection. The inclusion of a reference to laneways in this context is not considered appropriate but it is proposed to include reference to laneways in Policy GI 5.

### Castletown, Donaghcumper, St. Wolstan's

It is not considered necessary to amend the "area to be protected" shown in Map 12.13, which currently includes the Castletown and St. Wolstan's demesnes in entirety and Donaghcumper, save a small area close to the existing Liffey Bridge. This entire area will be explored in detail as part of the preparation of the Celbridge LAP and guidance provided in the LAP in relation to the approach to development within the linked demesnes of Castletown, Donaghcumper and St. Wolstan's. The proposed additional text to clarify that Policies PS04 and AA06 do not preclude development in this area is considered appropriate.

The boundary of the Celbridge LAP will be amended to incorporate the Castletown, Donaghcumper, St. Wolstan's demesnes. The historic and landscape relationship that exists between the historic linked demesnes of Castletown, Donaghcumper, St. Wolstan's is under assessment as part of work that is being undertaken to inform the Draft Celbridge Local Area Plan 2016. Given the move to include this area within an LAP, it is more appropriate to incorporate specific policies and objectives for the protection of this landscape within the LAP.

#### Table 12.4 Monuments Vested in the care of Kildare County Council

Aenach Carmain: The monument referred to appears to be Recorded Monument KD028-029 (Brownstown Great). It is listed in Appendix 2 Record of Monuments and Places (RMP) and is protected by Policies AH1-AH3 in Section 12.8.4 Archaeological Heritage. The monument is not vested in the care of Kildare County Council and as such, should not be listed under Table 12.4 Monuments Vested in the Care of Kildare County Council.

#### Miscellaneous

The erection of signage, advertising and hoarding to protected structures or within an ACA requires planning permission and is more appropriately addressed through the development management process or where no permission has been granted through the enforcement system.

The duplication in Section 12.13.1 / HF 1 is noted and can be addressed by amendment.

### **Chief Executive's Recommendation**

#### **Ch 12: Proposed Amendment No. 1**

Amend Policy CH2 as follows:

~~'To have regard to~~ **To preserve and protect** the historic gardens and designed landscapes identified in the National Inventory of Architectural Heritage'.

Amend Section 12.5 as follows:

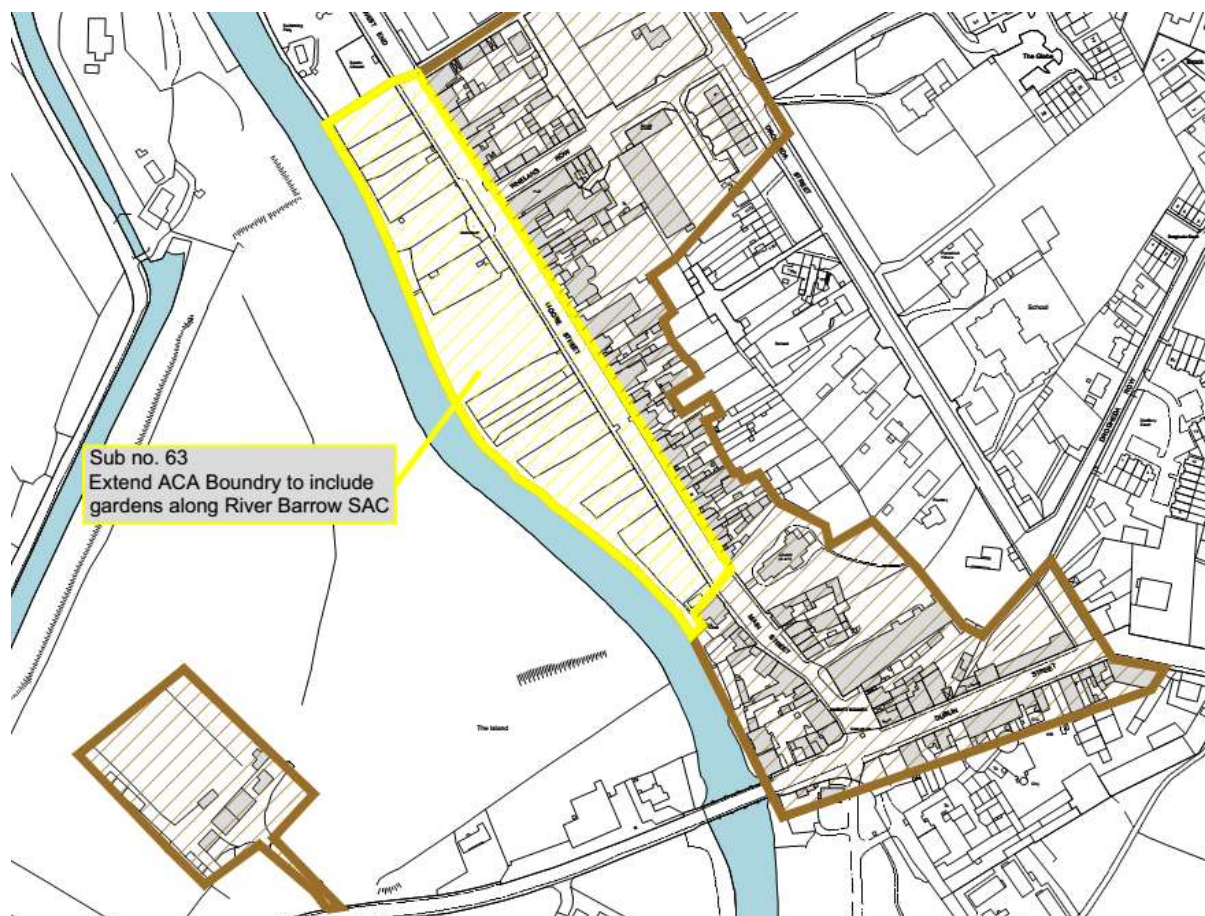
Section 12.5 (Country Houses and Demesnes) should be amended as follows: 'County Kildare boasts a large number of Country Houses and demesnes where the grounds and settings constitute an intrinsic element of their character. **The two** most notable houses **and demesnes** in the county and in Ireland are Castletown House in Celbridge and Carton House in Maynooth and **their demesnes**, both of which are accessible to the public.

#### **Ch 12: Proposed Alteration No. 2**

Revise Map V1 to include the boundary of the Environs area included in the Meath County Development Plan 2013-2019.

### Ch 12: Proposed Alteration No. 3

Amend ACA boundary on map V1-12.5 Monasterevin to include the riverbank landscape and gardens.



### Ch 12: Proposed Alteration No. 4

- Revise Policy EI 5 as follows:

*'To ensure that development for aggregate extraction, processing and associated concrete production does not significantly impact the following:*

*- ~~Areas of significant~~ Zones of Archaeological Potential*

- Change title and text of Section 17.15.5 as follows:

#### **Development in ~~Areas~~ Zones of Archaeological Potential**

When considering development proposals within ~~Areas~~ Zones of Archaeological Potential and on, or in close proximity to, sites of known archaeological significance, the Council will have regard to the provisions of Section 12 of the National Monuments (Alteration) Act, 1994 (as amended). The Council will also have regard to the observations and recommendations of the Department of Environment Heritage and Local Government.



## **Ch 12: Proposed Alteration No. 5**

Insert text in Section 12.4

Policies and objectives contained in this section do not seek to preclude development that is sensitive to and integrated with the historic landscape of the Donaghcumper and St. Wolstan's demesnes. The Celbridge Local Area Plan will provide clarity in relation to the key views and prospects that are to be protected and the nature of scale of development that is considered appropriate within these historic landscapes.

## **Ch 12: Proposed Alteration No. 6**

Amend Section 12.13.2 Features of Historical Interest as follows:

Change ~~HF 1~~ to **HFO 1**

Change ~~HF 2~~ to **HFO**

## Chapter 13 Natural Heritage and Green Infrastructure

Submissions received relevant to this section 63, 71, 72, 91, 119, 130, 131, 171, 119, 187, 219, 235

### Main Issues Raised

#### Intro/ Background

*Submission 131 from the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs (DAHRRGA) welcome the strong emphasis on protecting the natural heritage in the Draft Development Plan.*

*The submission states that there is inconsistencies between the title of Chapter 13 one page indicates 'Natural Heritage and Biodiversity' and the following page is titled 'Natural Heritage and Green Infrastructure'. The submission recommends that the natural heritage section should also contain a policy on implementing the All Ireland Pollinator Plan 2015-2020. In particular uncut road verges, where safety allows it, can provide wild flowers as food for pollinators, and should be encouraged. The submission notes that some of the policies in chapter 13 may be better in a different more relevant section. For example policy GI 28, may be more relevant to chapter 14, which deals with landscape, recreation and amenity. (131)*

#### Section 13.5.2 Natural Heritage Areas

*One submission (130) states that the Natural Heritage policy NH9 should be revised as follows :*

*"To ensure the impact of development within or adjacent to national designated sites Natural Heritage Areas, Ramsar Sites and Nature Reserves **that is likely to result in significant adverse effects on the designated site** is assessed by requiring the submission of an Ecological Impact Assessment (EclA) prepared by a suitably qualified professional which should accompany planning applications and council developments", as not all developments are likely to result in adverse effects.*

#### Section 13.7 Protected Habitats and Species

*The DAHRRGA submission states that Policy NH 12 should be amended to include the fact that licences may also be required under the Wildlife Acts where there are impacts from proposed development on protected species.*

#### Section 13.9 Geology

*Submission 235 highlights that Geological Audit is published and available to download online. Section 13.9.1 NHO 10 states "The Council will publish the findings of the audit of Geological Heritage of County Kildare".*

#### Green Infrastructure – Section 13.10

*A number of submissions state that the Development Plan needs to preserve and protect the demesnes as a critical component of green infrastructure. GI 2 should be amended: **'To develop and support the implementation of a Green Infrastructure Strategy for County Kildare taking full account***

*of the Actions for Green Infrastructure in the GDA identified in Chapter 7 of the Regional Planning Guidelines 2010-2022 and included in Table 12, p. 162.*

*It is submitted to revise policy GI 7 as follows:*

*'To promote a network of paths and cycle tracks to enhance accessibility to the Green Infrastructure network, while ensuring that the design and operation of the routes **respects and where possible enhances** the ecological potential of each site.'* (171)

*The Wetlands survey which was carried out in the county should be referenced in the CDP so that rare and endangered species associated with these habitats can have some level of protection. There does not seem to be any reference in maps to Harristown Commons (103)*

*One submission advises that not all green spaces necessarily qualify as green infrastructure.*

*It is recommended that in Section 13.10 Green Infrastructure, the Council include and make provision for the following references:*

*- EU's Biodiversity Strategy with the inclusion of the EC's document on Green Infrastructure entitled, Enhancing Europe's Natural Capital, 2013 and 'Building a Green Infrastructure for Europe'. (103)*

*In the bullet point stating that green infrastructure "provides places for local food production – in allotments, gardens and through agriculture" would need to be modified to state that green infrastructure provides resources such as pollinators, and pest control agents, which aid in local food production in allotments, gardens and through agriculture. Pest control agents include birds and bats which eat insects and need trees and hedges to roost/nest in. (131)*

#### *Section 13.10.2.1*

*It is submitted to revise policy GI 16 as follows:*

*'To encourage the planting of woodlands, trees and hedgerows as part of new developments using native plants of local provenance.'*

#### *Section 13.10.4*

*It is submitted to revise policy GI 25 as follows:*

*'To require all new developments to identify, protect and **enhance ecological features by making provision for local biodiversity (e.g. through provision of swift boxes or towers, bat roost sites, green roofs, etc.)** and providing links to the wider Green Infrastructure network as an essential part of the design process.'*

- *One submission advises that care needs to be taken when implementing policy GI 27 to ensure that the movement of people and recreational activities envisaged do not reduce biodiversity and do not encourage antisocial behaviour in wild areas that may not otherwise have been accessible. (131)*

#### Hedgerows, trees etc - Section 13.10.2.1

*The plan must provide protection from flailers butchering the hedgerows and at inappropriate times of the year. A policy must also be included to discourage the use of toxic chemicals to 'die back' roadside verges in order to protect the flora and fauna of the county. (63)*

#### Inland Waterways Network - Section 13.10.3

*One submission states that the wording of the bullet points relating to access, tourism and recreation, cycling and walking etc. needs to be examined. Care should be taken to ensure that green infrastructure involves greening existing infrastructure, rather than adding built infrastructure to existing biodiversity corridors in a way that may reduce the biodiversity and the benefits that can be derived from it. Given the fact that the draft Plan has objectives such as EO 37, EO 44, EO 48, CR 7 and RAO 13, relating to greenways and blueways along waterway ecological corridors, the protection for watercourses in Policy GI 18 to maintain a buffer of undisturbed vegetation of not less than 10m from the bank for all watercourses in the County, is very welcome to protect biodiversity. (131)*

*The submission from Inland Fisheries Ireland (IFI) states that Kildare is traversed by some of the more productive and important salmonid systems in the region i.e. Rivers Liffey, Barrow and Boyne. It is submitted that the development plan in considering the protection of the quality of the aquatic environment must address not only water quality but also include the protection of the physical environment, hydrological processes and biodiversity. The Development Plan must recognise that protection of the aquatic environment/habitat not only requires the protection of water quality but also necessitates the protection and maintenance of physical habitat and hydrological processes/regimes. (119)*

#### Tree Protection Orders - Table 13.4

*One submission requests that consideration be given to including the mature trees at Gort na Greine in Table 13.4 of the Draft Plan as they are some of the last remaining urban trees in Naas. They provide visual amenity and habitat for a variety of birds and bats. It is submitted that an objective is included in Section 13.10.2 to carry out a survey of significant urban trees within the main settlements. (72)*

#### Sites of Geological Importance - Table 13.4

*Table 13.4 - Titled 'Sites of Geological Importance'. This should be renamed '**County Geological Sites**' as referred to in National heritage Plan. (Same reference should be used throughout the Plan). (235).*

*Aspects of a GSI report on the Hill of Allen is noted with respect to the listing of the Hill of Allen on table 13.4: Quarrying is not necessarily a development that would conflict with the preservation of geological heritage. (130)*

#### Miscellaneous

*The DAHRRGA submission advises that the Dept is currently prioritising the preparation of site specific conservation objectives (SSCOs) defined by a list of attributes and targets and accompanied by supporting documents. Where these are not available for a site it is recommended to consult the detailed conservation objectives for other sites which have the same qualifying interests. The submission advises that when the SSCOs and supporting documentation are taken in to account they will, in many instances; indicate how a site should be managed. (131)*

*The submission advises that with regard to citing Irish nature conservation legislation it should be noted that the relevant legislation is the Wildlife Acts of 1976 to 2012, the European Communities (Birds and Natural Habitats) Regulations 2011 to 2015 and the Flora (Protection) Order of 2015. The relevant European legislation is the EC Habitats Directive (Council Directive 92/43/EEC) and the EC Birds Directive (Directive 2009/147 EC). The draft Plan may therefore need to be amended in places. For example section 13.6 refers to the Flora Protection Order 2009. It is submitted that the Local Authority should note that: when listing designations of sites that Pollardstown Fen has been designated as a Council of Europe Biogenetic Reserve; any "bat friendly" lighting proposed should be proven, and should be set on a timer where appropriate so that such lights are not on all night.*

*One submission states that Heritage developments in adjoining towns should be encouraged to widen a heritage trail through Kildare. (171)*

*One submission states that as the most important component of the architectural heritage of the county, Castletown House and attendant demesnes should be included as Regional Scale Managed Parks and Strategic Green Belts in the context of the Green Infrastructure Chapter. Significant amounts of public funding are being spent on the conservation of Castletown House and Demesne. It has the potential to be the flagship tourism asset for the county. (187)*

*Submission 219 from Birdwatch Kildare raises a number of issues as follows:*

- A proper list of native hedging to be produced by KCC for all one of houses and to be stringently met and inspected after build. KCC should meet with hedge-cutting contractors to review the cutting of hedges and grass verges in the summer months near signage, bridges and bends.*
- An updated ecological survey at Ballynafagh Lake. Look at the possibility of future SACs and NHAs such as Lullymore wetlands. TgBan the growing of Laurel and Griselinia.*
- KCC should lead a group including wildlife and tidy town groups to find a way to achieve the highest biodiversity value on all our towns.*
- Wildflower areas should be planted on Council Amenity Land. (219)*
- KCC should employ a biodiversity officer and should take a hands on approach to the requests of wildlife groups.*
- KCC should father relevant groups together to help save the last few pairs of breeding curlew in the County. (219)*

## Chief Executive's Response

### Intro/ Background

The DAHRRG's comment regarding the strong emphasis on protected the natural heritage of the county is noted. No change required.

It is agreed that inconsistencies in the title need to be addressed. Amend title of Chapter 13 to *Natural Heritage and Green Infrastructure*.

Policy regarding the implementation of the All Ireland Pollinator Plan 2015-2020 is not considered to be a spatial planning matter and might be more appropriately addressed through the County's Heritage or Biodiversity Plan.

It is considered appropriate that Policies GI 25 to GI 30 should be moved to Chapter 14 Landscape, Recreation and Amenity.

### Policy Context – Section 13.3

It is considered appropriate to amend GI 5 to include a reference to laneways.

### Section 13.5.2 Natural Heritage Areas

It is agreed that the inclusion of reference to possible significant adverse effect on designated sites is relevant. Amend Policy GI 5 accordingly.

### Section 13.7 Protected Habitats and Species

Proposed amendments to NH 12 are considered appropriate.

### Section 13.9 Geology

No change considered necessary.

### Green Infrastructure – Section 13.10

- Proposed amendments to policy GI 2 and GI 7 considered appropriate.
- Harristown Commons is not a national or internationally Biodiversity Site and so it is not referred to in the Chapter 13. However Policy NHO 7 (To identify, conserve and provide guidance on development in important local biodiversity areas within the county) seeks to identify locally important biodiversity sites within the county. No change recommended.
- It is considered appropriate to include additional references to EU Biodiversity Strategy.
- The reference to pollinators and pest control agents as the benefits of green infrastructure is considered too detailed in the context of the CDP. No change recommended.
- Increased support for planting of native plants of local provenance is considered appropriate.
- Revise Policy GI 25 to include increased reference to ecological features as proposed.

- Reference to movement of people and recreational activities not considered relevant in context of a CDP. No change recommended.

#### Hedgerows, trees etc - Section 13.10.2.1

The issue of inappropriate hedge cutting and spraying of verges is not a matter for the CDP – save broad policy GI 12.

#### Inland Waterways Network - Section 13.10.3

- Comments of IFI noted but no change recommended.
- It is proposed to include additional text to Section 13.10.3 to incorporate additional information regarding the salmonid systems of Kildare.
- It is considered that policies and objectives contained in Section 13.10.3 adequately address the issue of the protection of the quality of the aquatic environment. No change recommended.

#### Tree Protection Orders - Table 13.4

Urban trees provide visual amenity as well as providing rich habitat for a variety of birds and bats. It is considered appropriate to include an additional objective in Section 13.10.2 to reflect the importance of trees particularly in an urban landscape.

#### Sites of Geological Importance - Table 13.4

Amend Table 13.4 to include correct reference – County Geological Sites.

#### Miscellaneous

- It is considered appropriate to revise references to legislation to reflect corrections highlighted by DAHRRGA and to include the reference to Pollardstown designation as European Biogenic Reserve.
- The issue of bat friendly lighting is not a matter for the County Development Plan. No change recommended.
- The future role of Castletown will be explored through the Celbridge LAP. No change recommended.
- The issues in relation to hedge planting for single dwellings and enforcement of same are not CDP matters. Native Trees and Shrubs include recommended species for planting in new development. This issue of hedge cutting contractors is not a matter for the County Development Plan. No change recommended.
- An updated ecological survey of Ballynafagh Lake and considering future SACs and NHAs such as Lullymore is not a matter for the County Development Plan. No change recommended.
- Chapter 17 contains a comprehensive list of recommended native planting species in Table 17.2. KCC actively encourages wildlife groups and Tidy Towns in the promotion of wildlife through the Community Grants Scheme and the Tidy Towns Network. Planting wildflower

meadows on Council owned amenity lands is not a matter for the County Development Plan. No change recommended.

- Employment of a Biodiversity Officer and direct measures to deal with breeding curlew conservation are not matters for the County Development Plan. Sections 13.6 and 13.7 of the plan contains policies which protect and conserve threatened species. No change recommended.

### Chief Executive's Recommendation

#### Ch 13: Proposed Alteration No. 1

Amend title of and references to Chapter 13 to *'Natural Heritage and Green Infrastructure'*.

#### Ch 13: Proposed Alteration No. 2

Move Section 13.10.5.1 (inc. policies GI 25 to GI 30 that relate to public parks and open space) to Chapter 14 Landscape, Recreation and Amenity

#### Ch 13: Proposed Alteration No. 3

Revise policy GI 5 as follows:

'To encourage, pursuant to Article 10 of the Habitats Directive, the management of features of the landscape, such as traditional field boundaries **and laneways**, important for the ecological coherence of the Natura 2000 network and essential for the migration, dispersal and genetic exchange of wild species.'

#### Ch 13: Proposed Alteration No. 4

Amend policy NH9 Natural Heritage Areas as follows:

"To ensure the impact of development within or adjacent to national designated sites Natural Heritage Areas, Ramsar Sites and Nature Reserves **that is likely to result in significant adverse effects on the designated site** is assessed by requiring the submission of an Ecological Impact Assessment (EclA) prepared by a suitably qualified professional which should accompany planning applications and council developments", as not all developments are likely to result in adverse effects.

#### Ch 13: Proposed Alteration No. 5

Amend Policy NH 12 as follows:

NH 12: To ensure that, where evidence of species that are protected under the Wildlife Acts 1976 and 2000, the Birds Directive 1979 and the Habitats Directive 1992 exist, appropriate avoidance and mitigation measures are incorporated into development proposals as part of any ecological impact assessment. In the event of a proposed development impacting on a site known to be a breeding or resting site of species listed in the Habitats Regulations **or the Wildlife Acts** a derogation licence as, issued by DAHG may be required.



### **Ch 13: Proposed Alteration No. 6**

Amend policy GI 2 as follows:

To develop and support the implementation of a Green Infrastructure Strategy for County Kildare *taking full account of the Actions for Green Infrastructure in the GDA identified in the Regional Planning Guidelines 2010-2022.*

### **Ch 13: Proposed Alteration No. 7**

Amend GI 7 as follows:

To promote a network of paths and cycle tracks to enhance accessibility to the Green Infrastructure network, while ensuring that the design and operation of the routes *respects and where possible enhances* the ecological potential of each site.

### **Ch 13: Proposed Alteration No. 8**

Amend Section 13.10 Green Infrastructure, third paragraph as follows:

Responding to the Biodiversity Strategy, the EU published "*Building a Green Infrastructure for Europe*" and 'Green Infrastructure: Enhancing Europe's Natural Capital' Strategy (May 2013), which sets out 'to promote the deployment of green infrastructure in the EU in urban and rural areas'.

### **Ch 13: Proposed Alteration No. 9**

Amend policy G1 7 as follows:

'To encourage the planting of woodlands, trees and hedgerows as part of new developments using native plants of local provenance.'

### **Ch 13: Proposed Alteration No. 10**

Amend policy G1 25 as follows:

To require all new developments to identify, protect and *enhance ecological features by making provision for local biodiversity (e.g. through provision of swift boxes or towers, bat roost sites, green roofs, etc.)* and providing links to the wider Green Infrastructure network as an essential part of the design process.

### **Ch 13: Proposed Alteration No. 11**

Include additional text in Section 13.10.3

*Kildare is traversed by some of the more productive and important salmonid systems in the region i.e. Rivers Liffey, Barrow and Boyne. The maintenance of rivers and streams in an open, semi-natural condition can provide effective measures to protect and maintain biodiversity, and to help manage*

fluvial and pluvial flooding whilst supporting a quality, multi-functional green network generating multiple benefits for the environment, tourism and society.

#### **Ch 13: Proposed Alteration No. 12**

Include an additional objective in Section 13.10.2 as follows:

It is an objective of the Council to carry out a survey of trees within the main urban settlements as part of the preparation of Local Area Plans and to include policies for the protection of trees within Local Area Plans where appropriate.

#### **Ch 13: Proposed Alteration No. 13**

Amend title of Table 13.4 and throughout text contained in Section 13.9 to 'County Geological Sites'.

#### **Ch 13: Proposed Alteration No. 14**

Amend section 13.5.2, first sentence, to **The Wildlife Acts (1976-2012)**

#### **Ch 13: Proposed Alteration No. 15**

Amend Section 13.5.1 to the **EC Birds Directive (Directive 2009/147 EC)**

#### **Ch 13: Proposed Alteration No. 16**

Amend section 13.6, 13.7 and 13.7.1 to the **Flora (Protection) Order of 2015 and Wildlife Acts of 1976-2012**

#### **Ch 13: Proposed Alteration No. 17**

Amend Section 13.8, policy NH15 to the **European Communities (Birds and Natural Habitats) Regulations 2011 to 2015**

#### **Ch 13: Proposed Alteration No. 18**

Include additional text at the end of Section 13.5.2.1 stating that 'Pollardstown Fen has also been designated as a Council of Europe Biogenic Reserve.'

#### **Ch 13: Proposed Alteration No. 19 (Chief Executives Change)**

Amend GI 18 Section 13.10.3.1 Inland Waterways Networks Policies

~~To maintain a buffer of undisturbed vegetation of not less than 10 metres from the top of the bank of all watercourses in the county, to mitigate against pollution risks, reduce flooding potential, maintain habitats and provide an ecological corridor, with the full extent of the buffer zone to be determined on a case by case basis by the Planning Authority, based on site specific characteristics and sensitivities. This buffer zone shall, where possible be maintained free of development and hard surfaces.~~

To maintain a biodiversity zone of not less than 10 metres from the top of the bank of all watercourses in the County, with the full extent of the protection zone to be determined on a case by case basis by the council, based on site specific characteristics and sensitivities. Strategic Green Routes / Blueways / Trails will be open for consideration within the biodiversity protection zone, subject to appropriate safeguards and assessments, as these routes increase the accessibility of the Green Infrastructure Network.

## Chapter 14 Landscape, Recreation and Amenity

Submissions relevant to this section: 58, 71, 89, 91, 101, 103, 118, 120, 121, 130, 143, 160, 161, 171, 184, 193, 209, 236

### Main Issues Raised

#### Background

*Submission 131 requests that the Rye Water River is referenced in section 14.1. (131)*

#### Landscape Character Assessment

*Submissions 71 and 89 request that the Northern Lowland, including the River Liffey environs including the historic demesnes of Castletown, Donaghcumper and St. Wolstan's be reclassified as 'sensitive to development'.*

*Submission 91 states that the absence of historic design landscapes as one of the determining factors in the Landscape Sensitivity is a significant omission.*

*Submission 71 recommends that the River Liffey environs including the demesnes of Castletown, Donaghcumper and St. Wolstan's be reclassified as 'sensitive to development' in Section 14.4.1 and 14.4.2. (71)*

#### Landscape Sensitivity Classification - Table 14.2

*A number of submissions raise the issue of clarity in relation to sensitivity classification in particular it is submitted that clear justification of sensitivity ratings should be provided. The following issues are specifically raised:*

- The Northern Lowlands are categorised as 'least sensitive' despite the acknowledged importance of the historic landscapes in North Kildare and the valley of the river Liffey. This needs additional clarity. (91)*
- The Kildare Eastern Uplands should continue to be designated as in the previous CDP's as a Landscape Character Area'. (101)*
- The sensitivity rating criteria proposed in the Draft LCA lends itself to higher determinations of sensitivity. There is no justification for the sensitivity ratings increasing in the LCA? For example the Western Boglands will increase from 'medium' to 'high sensitivity. Most counties use low, medium and high rating. Kildare proposes High, Special, Unique and Low. Clear justification should be provided. (236)*

*It is noted that a significant portion of the Bord na Mona landholding in County Kildare is in an area referred to as 'Western Boglands' in the Draft Plan which is an area classified as 'High Sensitivity'. It is submitted that much of the land in this area is currently in industrial peat production and that as areas become cutaway that a range of uses such as renewable energy, biodiversity, recreation,*

commercial and industrial should be considered. Biodiversity can be integrated into some renewable energy projects. (118)

Submission 236 raises concerns about the manner in which the Landscape Character Assessment (LCA) has been carried out. The results of the LCA could severely limit wind farm development in the County. It is suggested that there is a need to carry out a revised LCA when the National Landscape Strategy (NLS) is published by DAHG. A Draft National Landscape Strategy 2016-2025 has recently been issued by the DAHG. It is recommended that Kildare County Council wait until this is published before making any changes to the County LCA. Kerry County Council has adopted this approach.

#### Compatibility between land uses and Principal Landscape Areas

Submission 236 submits that in Table 14.3 only two land uses (rural housing and urban expansion) are deemed to have a 'low' compatibility in the Western Boglands LCA. The remaining 9 land uses (including forestry and windfarms) are deemed to have 'medium' or higher than medium compatibility in this area. On this basis, the overall 'high' sensitivity for the area is not understood. At a minimum it is suggested that provision be made that this landscape is deemed to have capacity for wind farm development. The re-designation of the entirety of the western boglands LCA to high, special or unique sensitivity is contradictory to Section 10.5.6 of the Plan and does not encourage wind energy development on large portions of cutaway bogs. (236)

It is submitted that the landscape designations are appropriately defined however there is inconsistency with the sensitivity judgements, e.g. the Chair of Kildare (Hill of Allen etc.) has a 'special' sensitivity rating that contradicts the fact that the hills are extensively quarried/ cloaked in commercial conifer planting and topped with communications masts. (236)

Having reviewed the Western Boglands Landscape Character Area extensively it is considered that there are areas with potential for Wind Farm Development in the future and this option should be kept open. The Draft Plan could preclude wind farm development in the Western Boglands Landscape Character Area. (236)

Table 14.3 sets out the likely compatibility between a range of land uses and principal landscape areas. Major Powerlines are listed as a land use in this table however it is not clear if this applies to all transmission lines (i.e. 110Kv, 22Kv and 400Kv). It is also noted that other types of infrastructure have not been considered, such as telecommunication masts, roads infrastructure or bridges. Eirgrid suggests that Table 14.3 should include compatibility ratings for other types of infrastructure in order to provide a more balanced guidance. (58)

#### Compatibility between land-uses and Principal Landscape Sensitivity Factors

Table 14.4 indicates that solar development within 300m of peat bogs would be 'compatible only in exceptional circumstances' and that industrial projects, rural housing, forestry, agriculture, tourism, quarrying activities are 'very unlikely to be compatible' within 300m of peat bogs. It is submitted that if Bord na Mona cutaway and cutover peatlands are included in the 'Peat Bogs' category, this would create a significant conflict with respect to existing and future development on and around these

lands. The general classification of 'peat bogs' included in Section 4.3.3 of the SEA Environmental Report describes the CORINE landscape classification as follows:

*'Land cover categories indicating lands that are likely to be most valuable to biodiversity include peat bogs, agriculture with natural vegetation, natural grassland, broad leaved forest, moors and heaths and transitional woodland scrub.'*

*This general classification fails to recognise the industrialised nature of Bord na Mona lands due to the peat extraction process. It is submitted that a more nuanced approach should take in the classification of this category, differentiating between intact peat bog and cutover/cutaway peat bog. This clarification should also be included in the assessment outline in t Table 14.4. Arising from this amendment Bord na Mona lands would not be included as a landscape sensitivity factory and would align with Section 14.8.2 of the Draft Plan. (118)*

#### Scenic Routes in County Kildare

*Submission 103 states that the 'Table of Views' is very out of date and has not been updated since 2005 - many views, particularly in the east of the county are completely omitted although this is an area of high landscape sensitivity. Suggested to add the following: views from Mullacash hill to the Wicklow Mountains, as well as south to Keadeen and south west to the Curragh; views from Harristown at the top of the hill from the old water pump out towards Mullaghcleevaun and down to Keadeen mountain. This view looks at landscape that is classed in the CDP as highly sensitive but at this viewpoint the area is classed as medium sensitivity.*

*A number of submissions (71, 89, 91 and 187) refer to important views in the vicinity of Castletown as follows:*

- Views to the South and North from Castletown House, including axial views to Obelisk and the Wonderful Barn (No. 31 on Table 14.5).*
- View from the rear along the Broad Walk to the Connolly Obelisk,*
- View to the east along the avenue which frames the Wonderful Barn, and the view from the Dublin-Celbridge road along the line of the boundary planting between Donaghcumper and St Wolstans demesnes. (Note: The Wonderful Barn was omitted yet the axial view is included in Map 12.13).*
- Views of the River Liffey and beyond to the attendant demesne of Donaghcumper, from the main avenue of Castletown House (For Consistency). (71) (89) (91)*

#### Lowland Plains and Boglands Character Area Policies

*Bord na Mona welcomes policy LL5 'To recognise that cutaway and cutover boglands represent degraded landscapes and/or brownfield site and thus are potentially robust to absorb a variety of appropriate developments.' It is very important that the CDP recognises the full potential of our cutaway lands and to realise the potential for biodiversity and recreation as well as commercial uses such as renewable energy and certain industrial developments. (118)*

*Irish Wind Energy Association (IWEA) express concern regarding the landscape sensitivity ratings, in particular with regard to the Western Boglands, as these areas may be precluded from any wind energy development within the Kildare Wind Energy Strategy, once published. It is therefore requested that further clarity as to how the proposed sensitivity ratings have been determined and also justify why certain LCA area's have increased in sensitivity from the LCA in the current County Development Plan (2011-2017), as the reasons for these increases have not been provided. For example "Western Boglands" Landscape Character Area has been increased from "medium" sensitivity to "high" sensitivity. It is difficult to ascertain and validate where this increase in sensitivity comes about. (120)*

*Irish Wind Energy Association (IWEA) (120) strongly urge Kildare County Council to undertake further consultation with key stakeholders with regard to the appropriateness of the re-classification of landscape areas from that of "Medium to High", and the impact that this will have not only on future projects, but projects that are currently at an advanced pre-planning stage.*

*The National Landscape Strategy will be implemented on a National level and will compare all areas of the country and will ensure a consistent approach is taken across each county in relation to Landscape Character Assessment. In the interest of consistency, IWEA request Kildare County Council to wait until the final National Landscape Strategy is published before making any changes to the current LCA for the county.*

*IWEA requests that Kildare Co. Co. take cognisance of the EU Commission's 2010 Guidance Document "Wind Energy Development and Natura 2000", as it provides clear guidance on how best to ensure that wind energy developments are compatible with the provisions of the Habitats and Birds Directives and provides clarifications on certain key aspects of this approval process. In doing so, it will allow consideration of each project based on its own merits, subject to the findings of the Environmental Impact Assessment and Habitats Directive Assessment process. IWEA however is of the opinion that the proposed changes within the Draft County Development Plan have the potential to severely restrict the development of wind energy within certain areas of the County and will impact the delivery of Ireland's renewable energy targets and in turn could impact FDI and the exclusion of data centres within the County.*

*IWEA requests the inclusion of increased landscape sensitivity ratings for certain areas of the county as outlined above be re-considered by Kildare County Council in consultation with key stakeholders in advance of the preparation of a Wind Energy Development Strategy for the county. IWEA also requests that any such increase in landscape sensitivity ratings of an area should not arbitrarily preclude that area from wind energy development.*

#### Liffey Valley Park – Section 14.12.7

*Submission 91 requests that Policy LV2 be amended as follows: 'LV2: To pursue the creation of a Liffey Valley Regional park, together with Fingal and South Dublin County Councils, with extensions from the Final and South County Dublin boundaries to the environs of Straffan, within the lifetime of the plan and to reflect the Regional-scale managed parks and strategic green belts objective (Regional Planning Guidelines for the Greater Dublin Area, 2010-2022, Table 12, p.162) which cite Castletown and attendant demesnes as an example'.*

*Submission 187 refers to "Towards a Liffey Valley Park" published in November 2006 stating that the purpose of this document "is to clearly demonstrate the need to create a management framework for the whole Liffey Valley in one of the few remaining green space areas within the Dublin/Mid-East Regions." It is submitted that a High Amenity zoning is included on the Demesne lands at Celbridge. Submission requests that CDP should positively ensure that policies/commentary relating to the Liffey Valley Park Strategy should be amended to acknowledge that the implementation of a Liffey Valley Strategy should not preclude appropriate development on zoned land within the footprint of towns along the course of the River Liffey. It is submitted that the proposed development of the subject lands at Donaghcumper is the only opportunity to provide a significant area of amenity walkways and parkland at this location. Reference also made to the ceding of land (12.5ha) to Kildare Co Co which effectively ensures that the Strategy objectives can be met. (143)*

### Countryside Recreation – Section 14.11.3

*Submission 209 seeks to develop a networking of walking / cycling routes in the Prosperous – Coill Dubh – Staplestown – Donadea area. The submission includes a map and photographs of a number of separate walking/cycling routes that could be established, with the majority of the routes identified being on traffic free bog lanes or on very minor quiet roads. These routes connect to local areas of population via short sections of Regional Roads. They also link the 4 no. Special Areas of Conservation and/or Natural Heritage Areas in the area as marked on page 280 and 290 on the Development Plan. (209)*

*The submission of the ESB (184) refers to policy CR 12: "To facilitate the development of a walking route between Ballymore Eustace, Golden Falls, Poulaphouca, Russborough and Barretstown, in cooperation with landowners and government agencies". In this context ESB wish to highlight that access is only considered when issues such as ownership, maintenance, impact on station operations and liability for the proposed activities have been addressed. Access to ESB lands under licence is granted where appropriate to organisations that have the expertise to manage and control their activities and can indemnify ESB from any liability associated with such activities.*

### Public Rights of Way

*Submission 81 requests that Chapter 14 be amended to include a new objective RAO 12:*

*'To preserve the pedestrian public right of way which links the Parsonstown-Newbridge area, vi Batty Langley Lodge, through the Castletown House grounds along the River Liffey to Celbridge Main Street' and is accompanied with documentation to demonstrate a right of way in Castletown.*

*Submission 193 requests that the Planning Authority ensure that the public right of through Castletown Demense along the River Liffey is retained. The submission suggests the inclusion of a specific objective to facilitate same 'To preserve the public right of way which links Parsonstown Newbridge Area at Batty Langley Lodge to Celbridge Main Street...'. The submission is accompanied with documentation to demonstrate a right of way in Castletown.*

*Submission 187 states that Castletown House is a House of international significance and a protected structure. It is considered that the location of the Riverside Walks, which are located within the*



*confines of that demesne and the undisputed evidence of their historical purpose and their planned design by Louisa Connolly, should be accorded protection.*

*Submission 50 seeks to replace RAO12 with the following:*

*'The Planning and Development Act 2010, Section 7(b)(ii)(o) provides that the preservation of public rights of way which give access to mountain, lakeshore, riverbank or other places of natural beauty or recreational utility, which PROW shall be identified both by marking them on at least one of the maps forming part of the development plan and by indicating their location on a list appended to the development plan. The Council will prepare this list within one year of the adoption of the plan and will make the appropriate variation to the plan.'*

*It is submitted that the listing of public rights of way is an urgent matter as the lack of certainty on access has affected the right of local people and been the major cause of the failure of walking tourism to reach its full potential. If an interim list is included in the plan, the following statement should be included 'The omission of a public right of way from this list shall not be taken as an indication that such right of way is not a public right of way. It is submitted that Cavan County Council have an excellent modus operandi that should be referred to when listing PROW. (50)*

*Submission 50 seeks the following text changes to Section 14.12.2 Public Rights of Way:*

***RW 1:*** *To recognise the importance of established public rights of way, especially in tourist areas and those which provide access to RMPs, uplands areas and water corridors, to encourage cycling and walking by maintaining, preserving, conserving, enhancing, promoting and improving them for the common good and to ensure they are effectively maintained by controlling undergrowth, trees and bushes.....To encourage and facilitate the creation of additional rights of way and extend existing ones, by undertaking a review of walking and cycling routes and bringing forward proposals within two years of the adoption of the plan, either by agreement or by the use of CPO powers, for the creation of PROW particularly in areas of high amenity and to the Royal Canal and the River Barrow, to areas of high amenity, areas of historic or archaeological importance, National Monuments, to create a meaningful network. Promote their greater use and provide linkages from built up areas to the countryside and to link with PROW in adjoining counties.*

*Submission 50 suggests that RW2 is replaced with the following policy:*

*To prohibit development and keep free from obstruction existing public rights of way on one hand and walking routes to which, unless they are designated as a public right of way, no permanent access rights are conferred and any other development and any other development capable of affecting the respective public right of way.*

*Additional policies in relation to signposting and way marking; to consider designating greenways as a public rights of way, to prohibit development where a public right of way will be affected unless suitable alternatives are put in place (including establishing a new alternative public right of way to replace one lost).*

### Miscellaneous

*The various terms used in the landscape section Chapter 14 should be clarified, defined in the text and used consistently to avoid any confusion in the application and understanding of these policies. (130) i.e:*

*Table 14.1 The classification of Chair of Kildare and the Northern Hills under two categories appears to be an error; all others classified under one category only. (130)*

*The terms used in relation to landscape sensitivity areas are inconsistent; various versions - 'landscape sensitivity factors', 'principal landscape sensitivity factors' and 'sensitivity factors' -are used in Section 14.4.2, Policy LA3, objective LO1, map titled Landscape Sensitivity Areas and Table 14.4. (130)*

*Table 14.1 and 14.3 refer to principal and subordinate LCAs, but the text does not explain the significance of the distinction. (130)*

*Tables 14.3 and 14.4 should be removed; if they are interpreted strictly certain uses could be prevented in certain LCAs, regardless of the conclusions of any landscape assessment submitted with a planning application. They are not in the current CDP. (130)*

*Map 14.3 The scenic route adjacent to the Hill of Allen is not numbered on the map. (130)*

*The purpose of policy LA7 is unclear and there is no context in the accompanying text. It is not clear whether the policy would operate at a macro or site scale and what the practical requirements of implementing the policy entails. (130)*

*Section 14.8.4 relates to transitional character areas, not identified on a map and their purpose not explained in the text. It is thought these policies. They may refer to the Eastern Transition LCA shown on Figure 14.1; this is not clear, however. (130)*

*Section 14.9.3 is titled Hill Views. However, map 14.3 refers to Hilltop Views and policy HV1 refers to upland areas. Terms should be clarified to avoid confusion between policies that relate to designated Hilltop Views and policies relating to views to and from wider upland areas. (130)*

### **Chief Executives Response:**

#### Background

It is considered appropriate to include reference to the Rye Water River. Revise Section 14.1 accordingly.

#### Landscape Character Assessment

In response to submissions that the whole of the Northern Lowlands should be reclassified as 'sensitive to development', consideration must be had of the following factors:

- The Northern Lowlands contains the majority of the population, settlements, infrastructure and enterprise of the County – as such it is a highly man-modified landscape.

- The Northern Lowlands is generally low-lying, flat to gently undulating and contains significant enclosing elements such as mature hedgerows and trees – it is generally devoid of any of the sensitivity factors identified in Map 4.1 'Landscape Sensitivity factors'.
- Table 14.3 confirms that the Northern lowland is compatible with the widest range of potential land-uses.

These characteristics mean that there is no evidence to support the re-classification of this landscape as being sensitive.

Submissions (71), (89) and (91) all refer [generally and specifically] to historic and designed landscapes as being sensitivity factors. These features are ubiquitous throughout the lowland landscapes of Ireland and so have not been used as diagnostic features for landscape character assessment. More importantly, these features are separately and more specifically protected under protected Structures legislation – which protects both the structures as well as their setting and context. Views relevant to the named Protected Structures are also already protected in Table 14.10. In the matter of the specific protected Structures that have been mentioned - Castletown, Donaghcumper and St. Wolstan's – it is the intention that the Liffey 'River Valley' Landscape Character Area protects the river and its environs – which are mapped [map 4.1] as being areas of 'High Sensitivity'. The three features mentioned all fall within the area illustrated on the map. This matter could be further clarified by specific wording to draw attention to the role of River valleys as part of the context and setting of Protected Structures

#### Landscape Sensitivity Classification - Table 14.2

Western Boglands are classified as 'Class 3 High Sensitivity'. The classifications of sensitivity refer to the capacity of the landscape to accommodate uses without significant adverse effects on the appearance or character of the landscape. These are intrinsic visual characteristics that arise from a combination of land-cover, lack of enclosing woodland/hedgerow screening and lack of topographic enclosure.

This classification does not preclude development but advises '*Class 3 High Sensitivity. Areas with reduced capacity to accommodate uses without significant adverse effect on the appearance or character of the landscape having regard to prevalent sensitivity factors*'.

Table 14.2 describes the likely compatibility of a range of land-uses with the principal landscape areas of the county. In the case of wind energy and solar this is accorded a medium compatibility within the Western Boglands while Table 3 identifies the likely compatibility between a range of land use classes and proximity of less than 300m to Principal Landscape Character Areas - noting that wind energy projects are likely to be compatible (with peat bogs) if sited and designed appropriately, while solar are deemed compatible only in exceptional circumstances.

In the light of the dynamic nature of the Bord na Mona holdings which will involve future re-naturing of the peatlands as well as the provision for development of energy projects in areas that will not

give rise to adverse landscape effects, the landscape designations and classifications are considered to be robust and should not be altered.

In response to the submission received from Element Power, the review of the LCA had specific consideration of whether and how the National Landscape Strategy could be addressed. In 2015, the DECLG issued A National Landscape Strategy of Ireland 2015-2025 which stated that *'Landscape Character Assessments will be prepared at local and intra local authority level, building on the National Landscape Character Assessment, using Landscape Character Guidelines. These regional and local landscape character assessments will inform and guide landscape policy, action plans and local authority development plans.'*

As set out in Objective LO 10, Section 14.10 of the plan, the Council will undertake a review the LCA on foot of any actions from the forthcoming National Landscape Character Assessment. However until such time as clearer guidance is available, the LCA provides the policy context. As set out in the previous response above, the classifications will not preclude wind energy development in certain areas, in fact it is recognised that wind energy projects are likely to be compatible with certain classifications if sited and designed appropriately.

Element Power objects and considers that the number of categories used (5) to determine sensitivity (unique, special, high, medium and low) is unbalanced. It should be noted that the original Kildare LCA only had three levels and sensitivity and designated an excessive proportion (approximately 50%) of the county as being of high and medium sensitivity. The review recommended that the Sensitivity Map 14.2 of the Kildare CDP 2011-2017 should be revised to produce an evidence based landscape sensitivity map with a wider range of sensitivities.

The revised sensitivity has five categories of sensitivity that range from 'low' to 'unique'. This provides greater clarity and focus to guide the development of CDP objectives and policies – while also significantly reducing the percentage of the county that are classified as having the highest level of overall sensitivity.

In this new system the majority of the county is in Class 1 and 2 (normal farmland) that have the capacity to accommodate a wide range of uses with Class 3 (Bogs and Uplands) being areas with reduced (though still large) capacity to accommodate development, while Classes 4 and 5 are limited in area with little or low capacity to accommodate development. Clear evidence is put forward for each of these considerations which are supported by detailed descriptions of the general capacity of each area as well as in depth use by use assessment of the compatibility and capacity each major land use in each type of area.

As stated in the submission from Element Power, the National Landscape Strategy is intended to provide comparable and consistent methods and classification systems to be used within each county LCA. The review, incidentally evaluated consistency with the LCAs in adjoining counties and found very high levels of existing consistency. The resultant changes will alter the names and boundaries – policies and assessments (such as sensitivity analysis) are not likely to be within the remit of the National Landscape Strategy.

### Compatibility between land uses and Principal Landscape Areas

It is asserted (submission 236) that the re-designation of the entirety of the western boglands LCA to high, special or unique sensitivity does not encourage wind energy development on large portions of cutaway bogs. It is also asserted that the Draft Plan could preclude wind farm development in the Western Boglands Landscape Character Area.

However, as already stated, Table 14.2 describes the likely compatibility between a range of land-uses, classes and the principal landscape areas of the county-classified by sensitivity. In the case of wind energy and solar this is accorded a medium compatibility within the Western Boglands while Table 3 identified the likely compatibility between a range of land use classes and proximity of less than 300m to Principal Landscape Character Areas- noting that wind energy projects are likely to be compatible (with peat bogs) if sited and designed with great care, while solar are deemed compatibility only in exceptional circumstances.

Furthermore, as already stated, in light of the dynamic nature of the Bord na Mona holdings which will involve future re-naturing of the peatlands - as well as the provision for development of energy projects in areas that will not give rise to adverse landscape effects – it can be seen that the Landscape Character Assessment provides greater certainty about the criteria for where wind energy projects are likely to be deemed compatible. So, while it is correct to state that elements of the Draft plan could preclude wind energy developments – it does so only in unsuitable areas. It can thus, also be argued that this increased certainty facilitates the efficient and expeditious advancement of wind energy projects.

A submission (236) queries inconsistency in sensitivity judgements because some features already contain significant levels of development – such as quarrying and afforestation. These refer to elevated areas in the centre of Kildare which have concentrations of sensitivities – as shown on map 4.1 – including hill top views and ridgelines and which, on account of the relative scarcity of such features in central Kildare are deemed to have a sensitivity and significance that overrides the presence of localised or changeable adverse effects.

A Submission (58) queries

- which types of transmission lines are classified as 'Major Powerlines'
- whether other types of infrastructure [such as roads, bridges or telecom masts] should be included on table 14.3 'to provide a more balanced guidance'.

'Major Powerlines' are intended to include only those conveyed entirely on lattice towers – [i.e. 220kV and 400kV], table 14.3 can be amended with a footnote to clarify this

Experience of other types of infrastructure indicates that linear projects – roads and railways – generally have little vertical expression and give rise to lower visual impacts, while individual objects – such as bridges, signs, lights, and telecom masts tend to have localised effects, which, as pointed out in 14.4.2 should be assessed on individual merits'.

The landscape designations and classifications should not be altered.

#### Compatibility between land-uses and Principal Landscape Sensitivity Factors

The classifications of sensitivity refer to the capacity of the landscape to accommodate uses without significant adverse effects on the appearance or character of the landscape. These are intrinsic visual characteristics that arise from a combination of land-cover, lack of enclosing woodland/hedgerow screening and lack of topographic enclosure.

This classification does not preclude development but advises '*Class 3 High Sensitivity. Areas with reduced capacity to accommodate uses without significant adverse effect on the appearance or character of the landscape having regard to prevalent sensitivity factors*'.

Furthermore Table 14.2 describes the likely compatibility between a range of land-uses, classes and the principle landscape areas of the county-classified by sensitivity. In the case of wind energy and solar this is accorded a medium compatibility within the Western Boglands while Table 3 identified the likely compatibility between a range of land use classes and proximity of less than 300m to Principal Landscape Character Areas - noting that wind energy projects are likely to be compatible (with peat bogs) if sited and designed with great care, while solar are deemed compatible only in exceptional circumstances.

In light of the dynamic nature of the Bord na Mona holdings which will involve future re-naturing of the peatlands as well as the provision for development of energy projects in areas that will not give rise to adverse landscape effects, it is considered that the landscape designations and classifications should not be altered.

#### Scenic Routes in County Kildare

It is acknowledged that scenic routes and views in the county require further consideration, therefore Section 14.9, Policy SR 2 seeks 'to review and update all Scenic Routes and Views in the county during the lifetime of the Plan (Tables 14.5-4.10 refer).'

The scenic routes and views submitted are noted. In this regard it is considered appropriate to carry out a review of such views during the life of the CDP.

#### Lowland Plains and Boglands Character Area Policies

Classifications of peatlands in particular present an unusual challenge in that they are a dynamic system. In Kildare, these landscapes generally have three phases that include undisturbed, industrial and restored or abandoned peatlands. Industrial peatlands, in turn, have many distinct phases.

It is acknowledged that Bórd na Móna has produced a 15 year strategy Sustainability 2030 which recognises the role and responsibility of Bord na Mona in the rehabilitation of its peatlands to an environmentally sustainable condition with a higher biodiversity value.

The following policies which are included in the plan address this issue of the future of cutaway bogs:

**BL 3:** To take a balanced approach to the re-development of cutaway bogs. Large portions of cutaway bog should be developed as areas for wildlife, biodiversity, conservation and their amenity value, whilst other portions can be utilised for economic uses such as grassland, forestry and wind energy, subject to all planning and environmental considerations being met.

**BL 4:** To liaise with Bord na Mona, the Irish Peatland Conservation Council, Coillte, National Parks and Wildlife Service of the Department of Housing, Planning, Community and Local Government, to ensure the sustainable use of cutaway bogland, with due consideration given to their ecological and amenity value.

In light of these considerations and having regard to the nature of a LCA, it is prudent to treat the classification of the majority of these working bogs that they will gradually have less 'industrial' and more 'natural' characteristics. Notwithstanding these considerations, it is important to acknowledge the scale, variety and complexity of these area and their contexts. In these circumstance, it is reasonable to acknowledge the within the programmes to renature peatlands there will be areas that will facilitate development.

The intention of the classification of boglands in Kildare is to accommodate the complex nature of this type of landscape by recognising the level of sensitivity while understanding that development of certain types can be accommodated.

The classification of boglands in the LCA does not preclude development but advises 'Class 3 High Sensitivity. Areas with reduced capacity to accommodate uses without significant adverse effect on the appearance or character of the landscape having regard to prevalent sensitivity factors'.

As with all planning applications, every proposal and accompanying environmental assessments is assessed on its own merits while have regard to the relevant guidance documents and legislation.

In light of the ever changing nature of boglands, it is recommended that the proposed designations and classification should not be altered.

#### Liffey Valley Park – Section 14.12.7

The importance and potential of the Liffey Valley Park is recognised in Section 14.11.4 of the plan. In particular policies LV 1 and LV 2 specifically support the implementation of the Liffey Valley Park Strategy and the development of a Liffey Valley Regional Park.

It is the policy of the Council:

**LV 1:** To progress the implementation of the flagship projects identified in the *Towards a Liffey Valley Park Strategy*.

**LV 2:** To pursue the creation of a *Liffey Valley Regional Park* together with Fingal and South Dublin County Council's within the lifetime of the plan.

The strategic nature and importance is acknowledged in the plan and the implementation of the Liffey Valley Park Strategy is a key objective of the plan, however until such time as the delivery of the park has been progressed, it is not yet considered appropriate to zone the lands 'High Amenity'.

In addition it is not considered necessary to state that development would not be precluded on zoned lands within the towns located along the River Liffey, as all applications are assessed on their own merits, having regard to the land use zoning and adjoining landuses such as recreation and amenity and any relevant strategies which may apply to such lands.

#### Countryside Recreation – Section 14.11.3

Sections 14.12 and 14.13 Recreation and Amenity includes the following objectives to support the growth and development of countryside recreation.

**'CR 3:** To development and implement a County Walking Strategy, within the lifetime of the Plan, in consultation with statutory bodies and landowners and in accordance with the recommendation of the County Kildare Walking Routes Project, 2005. This strategy will seek to identify established walking routes in the county, evaluate these routes and make recommendations for their promotion.'

**'CR 6:** To develop in conjunction with local communities short walking routes, such as looped walks, heritage trails and Sli na Slainte routes.'

**'RAO 2:** To develop and implement a county walking strategy in consultation with statutory bodies and landowners and in accordance with the County Kildare Walking Routes Project, 2005.'

The subject of which is noted, however it is considered more appropriate to address the development of local walking/cycling routes within the context of the preparation of the County Walking Strategy. When this strategy is being prepared, members of the public will be invited to participate in the identification and selection process of these walking routes. In addition Kildare County Council works closely with the Irish Heart Foundation in the establishment of Sli na Slainte routes throughout the county. The identification of such routes and provision of supporting signage etc is a continuous process managed by Kildare Sports Partnership.

It is considered that while Policy CR 12 seeks to facilitate the development of a walking route between Ballymore Eustace, Golden Falls, Poulaphouca, Russborough and Barrettstown, it does clearly state that this will be done in cooperation with landowners and government agencies.

#### Public Rights of Way

In relation to the proposed amendments to Section 14.2.2 of the County Development Plan it is considered that the policies are robust and in accordance with the requirements of the Planning and Development Act 2010.



In relation to Castletown, while the inclusion of a proposal relating to the preservation of any specific public right of way in a development plan is a matter to be addressed by reference to the proper planning and sustainable development of the area to which the plan is related, it is important that the Council is satisfied that a public right of way does in fact exist. This is primarily a legal question and not a planning question.

The decision of the Supreme Court in the case: Edward Walsh and Constance Cassidy (Plaintiffs) v The County Council for the County Sligo (Defendant), (2013) IESE 48 provides recent case law that is of relevance.

The following common law characteristics of a public right of way (not defined in Irish legislation) are provided within this judgement:

- The first step is proof of the use as of right by the public of the way over the owners land.
- The second step is that, depending on the duration, frequency, or intensity of that user, an inference may be drawn that the landowner has dedicated the way. Such an inference, sometimes called a presumption, can only be drawn only after consideration of all the facts.
- The third step is that it may be concluded that the public has accepted the dedication.

The burden of proof of dedication lies on the person alleging it. Landowners have disputed the existence of a public right of way through Castletown in the past. The Council is not aware of any revised position from the landowners or of any body or party taking legal action to enforce a claimed public right of way. Notwithstanding the documentation detailing a historic pathway at this location and use of same by members of the community, it is not for the Council to determine whether such documentation is adequate or not to demonstrate that a public right of way exists. It is considered inappropriate to amend the Draft County Development Plan to incorporate an objective for the preservation of a right of way at Castletown, in the absence of proof that a verified right of way exists.

There are a number of other considerations that would militate against the inclusion of a specific objective for the preservation of a public right of way at Castletown.

- The process prescribed under Section 14 of the Planning and Development Act 2010 for a provision relating to the preservation of a specific right of way requires that a notice is served on the owner and occupier and that they are allowed to make submissions and observations in relation to the proposal, with the option of appealing any decision to the Circuit Court. The timeframe for the serving of notice and receipt of submissions or observations for consideration by the members is based on the inclusion of such objectives at Draft Plan stage and the remaining timeframes in the completion of the Development Plan would not allow for the process prescribed under the Act.
- Consideration must also be given to the fact that the public have de facto access to the walk and the demesne land which have been the subject of significant investment and remediation over recent years, to the extent that it is now an attraction of regional and possibly international significance. In light of the generous permissive access that exists at present, members must consider the possible consequences of proceeding to insert a specific provision into the County Development Plan. There is a real possibility that this may prompt a more restrictive attitude on the part of the OPW with the consequence that

current access is restricted or curtailed altogether and in the event that the OPW feel that they cannot protect the asset at Castletown from ongoing vandalism and damage, that funding is diverted to other OPW sites.

The Chief Executive strongly recommends against the inclusion of an objective for the protection of Castletown. The inclusion of this objective will expose the Council to possible litigation, threaten the established relationship with the OPW and the ongoing investment in this site and may result in a withdrawal of access entirely. It is considered more advantageous to continue to work with the OPW to support the restoration of this historic site and its future use as an amenity of international significance, and to capitalise on the significant benefits that this can bring to the Town of Celbridge and to the communities of north Kildare and the region.

#### Miscellaneous

Non material amendments can be made to address minor issues raised. It is proposed to amend policy in relation to the Chair of Kildare and Northern Hills.

Submission (130) seeks to omit Tables 14.4 and 14.4 - less strict interpretation should exclude certain uses in certain a LCAs. As stated in 14.4.2 – these are included to provide 'guidance on the likely compatibility between a range of land-use classes and the principal landscape areas of the county classified by sensitivity'. These are provided to overcome the difficulty of providing the broad-brush 'Landscape Sensitivity' mapping. The Review of the 2005 – 2011 Kildare County Council Landscape Character Areas led to specific recommendations about the need to provide assistance and guidance in decision-making.

Other matters need to be amended to avoid any confusion in the application and understanding of these policies

Submission (130) draws attention to the lack of explanatory text about 'Subordinate Landscape Areas'. This text should be amended to address this issue.

Submission (130) draws attention to - Section 14.9.3 and policy HV1 creates between policies that relate to designated Hilltop Views and policies relating to views to and from wider upland areas. This matter should be resolved by omitting 14.9.3 because more specific policies in 14.10 and associated table 14.5 and map 14.3 provide the same protection.

### **Chief Executive's Recommendation**

#### **Ch 14: Proposed Alteration 1:**

Revise Section 14.1 as follows:

Inland waters comprise the River Liffey, River Barrow, River Slate. Rover Boyne, Royal Canal, Grand Canal and **Rye Water River** traverse the county, providing important landscape features.

#### **Ch 14: Proposed Alteration 2:**

Amend Table 14.1 Landscape Sensitivity classification to Landscape Character Areas as follows:

Both the Chair of Kildare and Northern Hills are classified as Class 4 Special Sensitivity

Chair of Kildare           Class-2

Northern Hills           Class-2

**Ch 14: Proposed Alteration 3:**

Amend Section 14.5.3 The River Liffey and the River Barrow Valleys to conclude with '... such as part of historic designed landscapes.'

**Ch 14: Proposed Alteration 4:**

Insert a footnote to table 14.3 to read 'Major Powerlines' are intended to include only those conveyed entirely on lattice towers – [i.e. 220kV and 400kV]'

**Ch 14: Proposed Alteration 5:**

- Amend the title of 14.8.4 to read 'Eastern Transition' instead of 'Transitional Charter Areas'
- Amend Map 14.3 to include a number for the scenic route adjacent to the Hill of Allen
- Amend 14.4 to include the following text after paragraph 1. 'Landscape Character Areas are areas that generally share the same characteristics. Minor or very small distinctive features that arise from localised topographic circumstances – are outcrops, rivers, bogs/fens – are mapped [see map 4.1] as Subordinate Landscape Areas.'
- Omit 14.9.3 Hill Views
- Omit Policy LA-7
- Amend Table 14.1 Landscape Sensitivity classification to Landscape Character Areas:
- Both the Chair of Kildare and Northern Hills are classified as Class 4 Special Sensitivity

Chair of Kildare           Class-2

Northern Hills       Class-2

## Chapter 15 Urban Design Guidelines

Two submissions raised issues relating to Chapter 15 Urban Design Guidelines (166, 171).

### Main Issues Raised

#### Magee Barracks

*It is submitted that policies and objectives should be included in the CDP to provide an appropriate planning framework to help realise potential of the former Magee Barracks site in Kildare, which will inform the review of the Kildare Town LAP. Include the following in Section 15.4.2 which deals with brownfield sites:*

*Creation of a new residential quarter at the former Magee Barracks for the delivery of the following:*

- 425 no. residential units
- Open Space
- Access roads providing permeability and connectivity to the wider Kildare Town area.
- Neighbourhood centre including anchor supermarket
- Hotel (166)

#### Signage

*It is requested that KCC designate a selected number of attractive rural towns as "plastic-free" and discourage plastic shop signs. (171)*

#### Nest and Roost Sites

*It is submitted to include additional point in Section 15.7.2 Building Language and Finish as follows: 'Regarding environmental sustainability, opportunities to provide for nest and roost sites for wildlife traditionally dependant on buildings should be pursued where compatible with the usage of the site. Such wildlife includes swifts and other species of bird, and bats.' (171)*

### Chief Executive's Response

#### Magee Barracks

Specific policy in relation to the redevelopment of the Magee Barracks is addressed in the Kildare Town Local Area Plan 2012-2018. The County Development Plan sets overarching policy to guide development in the county.

#### Signage

It is considered that policy in relation to the design of advertising and signage in towns is adequately addressed in chapters 15 and 17 of the county development plan. Development management standards set out in Section 17.14 of the plan 'promote a dual approach to shopfront design including; protecting traditional and original shopfronts and encouraging good contemporary shopfront design' and all proposals will be assessed having regard to the County Kildare Shopfront Guidelines published by Kildare County Council in 2013, which strongly discourage the use of plastic

and acrylic signage. Proactive initiatives such as the Shopfront/Town Centre Improvement Centre Grant Scheme, provides financial assistance to business owners to help them to improve the appearance of existing shop fronts/commercial properties.

#### Nest and Roost Sites

The potential impact of development on wildlife is considered as part of the assessment of planning applications. Where appropriate, as an environmental mitigation measure conditions are applied to planning permissions to require provisions to accommodate wildlife such as swifts, bats and other species of bird.

#### **Chief Executive's Recommendation**

No change recommended.

## Chapter 16 Rural Design Guidelines

One submission relates to Chapter 16 Rural Design Guidelines.

### Main Issue Raised

#### Hedgerow to Front of Rural Houses

*One submission states that all one off houses should retain existing hedgerow at front of house and other site boundaries to be planted with native hedgerow only. (219)*

### Chief Executive's Response

The design of rural housing including entrance and boundary treatments is considered to be adequately addressed in Chapter 16 and 17 of the County Development Plan.

### Chief Executive's Recommendation

#### Ch 16: Proposed Amendment 1:

The Chief Executive proposes to omit Figure 16.4.1 Kildare's Rural Houses.



Figure 16.17: Sketch of Estate Farmhouse

**Reason:** The above illustration is misleading.

## Chapter 17 Development Management Standards

Submissions received referring to this section: 1, 30, 48, 50, 57, 63, 102, 136(a), 155, 165, 169, 171, 172, 174, 178, 182, 184, 219, 223, 224 and 225.

### Main Issues Raised

*The main issues raised refer to Enforcement; Soft Landscaping; Residential Development; Public Open Space; Family Flats; Childcare Facilities; Student Accommodation; Car Parking; Street Lighting; Cycle Parking; Energy and Communications; Overhead Lines; Telecommunications and Supporting Infrastructure; Retail Development; Large Convenience Stores; Fuel Stations; Fast Food Outlets; Signage; Development in Areas of Archaeological Potential.*

#### 17.1.1 Enforcement

*It is submitted that an additional paragraph should be included stating that 'The Council will take enforcement action, where necessary, where there is non-compliance with conditions attached to planning permission and the carrying out of non exempted development without planning permission'. (50)*

#### 17.2.6 Soft Landscaping

*The proposed replacement planting at a rate of a minimum of five mature / established trees per tree felled is considered high and may not be appropriate and/or viable in all instances, specifically in the case of designated extensions to urban areas. The requirement to provide a specified type of landscaping, especially at this level, must allow for an assessment that considers the particular context to ensure that the standard is appropriate in any given instance. It is suggested that 17.2.6 be amended as follows: "Where the removal of hedges/trees during the development is proposed, those to be removed shall be identified on drawings. A detailed replanting proposal shall be submitted. Based on an assessment of the site context and the nature of the development, this proposal should seek to provide for the replacement of, at a minimum, an equal amount of similar indigenous hedgerows and mature/established tree planting within the overall scheme. The planting of trees in excess of the minimum will be encouraged where considered appropriate on a case by case basis".(165) (174)*

#### 17.4 Residential Development

*The DHPCLG states that the minimum house sizes specified in the Table 17.4 of the Plan exceed the minimum standards detailed in this guidance from the Department in this regard. The submission raises concerns that the setting of arbitrary minimum house sizes standards in this way, without firm research to support them, may undermine new project viability in Kildare. The submission requests, that the planning authority review the minimum houses in Table 17.4 of the Plan and amend the table as necessary to ensure compliance with the relevant national guidance. (1)*

*Requests that the wording of Paragraph 17.4.5 'Dwelling Houses' be amended to be less prescriptive and allow flexibility in relation to the extent of private open space provision for town house typology in inner urban/town centre locations, where a balance of achieving a good quality environment,*

integration with the existing streetscape, sense of enclosure and identity should be promoted, and the extent of open spaces should be reviewed for each specific site context. The following standards are suggested (178);

Unit Type	Location	Private Open Space
2 Bedroom Dwelling	Inner Urban	55 40 sq.m
3 Bedroom Dwelling	Inner Urban	60 55 sq.m
4 Bedroom Dwelling	Inner Urban	75 60 sq.m

One submission requests that Paragraph 17.4.10 be modified to allow for flexibility in the manner in which car parking is provided, and should allow for grouped car parking if appropriate. (178)

It is submitted that policies relating to infill development within existing developed areas take account of and mitigate against loss of spaces. Examples relate to the addition of housing at the end of blocks and where the sense of open space is lost due to the massing and scale of the new developments (e.g. 112a Loughbollard, Clane demonstrates over development of a location with the rear of the property now dominating the character of any area that was previously public open space) (182).

#### 17.4.7 Public Open Space for Residential Development

No building on green spaces in existing housing estates should be allowed. (30)

The standards proposed in the Draft Plan are too prescriptive, and result in inappropriate urban forms being created in our town centres and is contrary to the achievement of sustainable communities, or communities with a sense of place. It is suggested that Paragraph 17.4.7 allow flexibility in terms of the nature of open space permissible in urban contexts, to include the provision of high quality public realm that would integrate with the existing streetscape, and the provision of alternate urban open space such as hard landscaped pocket parks and squares. Consideration should be given to contributions in lieu of public open space towards enhancing the public realm of town or village within which the development is situated. (178)

All new housing estates should have native trees planted on site and all new KCC property and county buildings should incorporate swift blocks/boxes (219).

#### 17.4.9 Family Flat

In Section 17.4.9, it is requested that the statement which restricts family flats to one bedroom be removed as restricting the independence of an older population, by preventing a visitors bedroom is contrary to good design and policies of Care of the Aged. With home care services readily available and where elderly or infirm person's dependent on care from various family member then an added bedroom is a necessity (225).

#### 17.5 Childcare Facilities

This section states that 'one childcare facility is generally required to cater for 20 placements in a development of 75 houses'. It is submitted that previous development plans had similar



requirements and this resulted in a number of childcare facilities being built that were neither viable nor economical to run thereby resulting in an empty facility. It is requested that it should be a requirement for all applications for residential development to provide an assessment of the childcare facilities within a 2km radius of the proposed site. It is also suggested that the requirement for a childcare facility to be built as part of phase 1 of the development should be deleted as the phasing of development is guided by the market and construction phasing. (223)

#### 17.7.6 Car Parking

This submission welcomes the proposed amendment of the car parking standards in Section 17.7.6 and in principle welcomes the proposed site specific approach to car parking having regard to the circumstances of each particular development. (155)

The submission states that the car parking standards do not distinguish between different types of retail land uses, and make no allowance for the operator's specific requirements. This approach is considered to be a "catch all" standards and makes no provision for the operator's specific requirements and does not differentiate between different retail formats. In this context it is considered that the proposed flexible approach to car parking standards for the different operational needs of different types of users is welcomed. The submission then requests that the Draft Plan is amended to clarify that the standard of 1 space per 15 sqm is not a requirement and that no financial levy will be imposed where the maximum permitted number of spaces is not met. (155)

The parking standard for comparison retailing should not apply to Kildare Village as it is a unique type of retailing. The application of a maximum standard of 1 space per 20m<sup>2</sup> gross floor area would inhibit the further expansion of the KTOV contrary to Policy R25. It is requested that the following be added as a footnote: *'This rate applies to standard comparison retail and does not include the retail offer provided at the Kildare Tourist Outlet Village. Car parking provision for this use will be assessed on a case by case basis having regard to its unique nature.'* (165)

The requirement for 10% of the total car parking spaces to be dedicated to the charging of battery operated cars is unnecessary and excessive. It would require Kildare Village to set aside a large number of spaces for the charging of battery operated cars for which there is no demand. Any provision should only relate to new/additional car parking spaces, not retrospectively. (165)

The Draft Plan should provide flexibility in the application of electric vehicle charging space standards to allow for a case by case assessment of requirements. This would guarantee that an appropriate level of electric vehicle charging spaces are provided in the wider area while ensuring that the application of these standards does not inhibit development in designated centres. (174).

The final paragraph of Section 17.7.6 should be amended as follows: *'As a general rule non-residential developments will be required to provide facilities for the charging of battery operated cars at a maximum rate of 5% of the car parking spaces proposed. The exact level will be assessed on a case by case basis having regard to the requirement generated by the type of proposed development.'* (165) (174).

Two submissions were received in relation to car parking standards for dwellings, i.e. two car parking spaces per dwelling (178) (223) Whilst the draft plan allows flexibility on standards other than residential development, it offers no opportunity to review the particular circumstance of the location, or context of the residential development. Along with the guidance offered in Section 17.4.10 of the Draft Plan '*Vehicular Parking in Residential Areas*', the cumulative impact of these standards together with Table 17.9 results in car dominated developments, forces the provision of inappropriate suburban type development in town centre locations, that also result in unsustainable residential densities. Requests that Paragraph 17.7.6 be modified and 'Other than Residential' being omitted from the second paragraph of 17.6.2 in order to allow flexibility in determining the extent of parking requiring particularly in response to town centre urban residential development. It is submitted that an 'across the board' requirement for all house types to provide two car parking spaces per unit regardless of the number of bed spaces is contrary to the spirit of the development plan to promote other forms of transport. This approach creates an excessive hard standing area which visually detracts from the front of houses. It is submitted that car parking requirements for residential units should be categorised according to the number of bed spaces provided. (223)

The ESB welcomes the commitment to sustainable transport modes as expressed in Section 17.7.6: "Non-residential developments shall provide facilities for the charging of battery operated cars at a rate of up to 10% of the total car parking spaces." The ESB recently revised and updated the standards required in order to achieve the desired 10% target for the Electric vehicles. (184)

S.I. No. 325 of 2014 Road Traffic (Traffic and Parking) (Car Clubs and Electrically Powered Vehicles) Regulations 2014 makes provision for EV parking in public areas. Therefore, in order to meet the targets of the Governments Electric Transport Programme and in response to *Climate Change the Government's National Policy Position on Climate Action and Low Carbon Development*, it is respectfully submitted that Kildare County Council should strengthen their support for the roll-out of EV infrastructure with the inclusion of following updated parking standards under section 17.7.6 of the draft plan: (184)

- *For Developments with Private Car Spaces (residential and non-residential) including visitor car parking spaces e.g. office –spaces*

*a. At least one parking space should be equipped with one fully functional EV charging point in accordance with IEC 61851 Standard for Electric Vehicle Conductive Charging Systems. This should be capable of supplying 32A 230V single phase AC electricity and be equipped with Mode 3 protection. It should be fitted with a Type 2 socket as defined by IEC 62196.*

*b. It should be possible to expand the charging system at a future date (e.g. by installing appropriate ducting now) so that up to 10% of all spaces can be fitted with a similar charging point.*

- *For Developments with Publicly Accessible Spaces (e.g. supermarket car park, cinema etc.)*

*a. At least one parking space should be equipped with one fully functional EV charging point in accordance with IEC 61851 Standard for Electric Vehicle Conductive Charging Systems. This should be*

*capable of supplying 32A 230V single phase AC electricity and be equipped with Mode 3 protection. It should be fitted with a Type 2 socket as defined by IEC 62196.*

*b. It should be possible to expand the charging system at a future date (e.g. by installing appropriate ducting now) so that up to 10% of all spaces can be fitted with a similar charging point.*

*c. The Charge Point Parking space(s) should be clearly marked as being designated for EV charging.*

*d. Appropriate signage indicating the presence of a charge point or points should also be erected.*

*e. All charge points fitted in publicly accessible areas should be capable of communicating usage data with the national charge point management system and use the latest version of the Open Charge Point Protocol (OCPP). They should also support a user identification system such as RFID.*

*As the use of electric vehicles continues to increase the Council may increase the number of parking spaces to be equipped with fully functional charge points in either of the above cases. (184)*

Table 17.9 of the Draft Plan sets out that the requirements for a Nursing Home is 1 car parking space for two bedrooms. It is a rarity for a resident to have a car and visitors arrive over a 12 hour period spread over seven days. Therefore there is little demand for extensive car parking and it is suggested that the car parking requirement be reduced to a more appropriate level of one in every 3 residents. This allows for greater landscaped areas and enhances the environment (224).

#### 17.7.5 Street Lighting

Support for the County Plan to ensure that future street lighting provisions will comprise 'white light' delivered by LED luminaries. All busy road junctions should be given lighting. The Council should start replacing the yellow lights starting in Riverforest, Leixlip with white lights, pending moving to LED types when needed. Council should ensure proper estate lighting is provided in consultation with residents associations. (30)

#### 17.7.7 Cycle Parking

Kildare Tourist Outlet Village is a unique form of retailing, and it is not going to generate the same level of trips by bicycle as other standard forms of retailing would. Flexibility is required. The following additional text is requested: *"The standards contained in Table 17.10 are provided for guidance purposes. The provision of cycle parking spaces will be based on the extent to which the development is likely to generate demand for same, having regard to the circumstances of each particular development. Analysis of cycle parking will be assessed on a case by case basis."* Where such an analysis indicates a cycle parking requirement that could not be met on site the provisions of Section 17.7.7 with regard to seeking a financial contribution in lieu of cycle parking could be considered. (165)

### 17.11 Energy and Communications

It is submitted that policies are developed for inclusion in the Plan on the siting and landscaping of utility boxes. Given the roll out of broadband and increased use of utility boxes, it may be appropriate to reduce their profile using appropriate planting, colours, siting etc.

#### 17.11.2 Overhead lines

Concern is expressed by LUCC (Land Utility Compensation Consultants Ltd.) that the content of Section 11.7.2 is generic and without any statutory basis and does not take account of a number of material considerations which must be considered when dealing with development proximate to electricity lines. It is stated that neither the ESB nor the Council has the statutory power to impose clearance distance to electricity lines and pylons on privately owned land. This is solely a Ministerial function under the 1934 Electricity (Supply) (Amendment) (No2) Act. As the Council has no expertise in relation to determining the appropriate distances which building or development should maintain from electricity lines, the Draft CDP should not include any notional 'Clearance Distances' either as recommendations or requirements from ESB (or Eirgrid) where such statutory powers and procedures are held by the relevant Minister. LUCC recommends that Section 17.11.2 should be deleted in its entirety. The Council should simply include an advisory note in any grants of planning permission whereby notice of the intention to commence the development is given to ESB at least 2 months in advance as set out in Section 20 of the 1934 Act. If the Council is minded to retain some guidance within the Draft CDP, then LUCC submits that the Council includes reference in the Draft Plan to the content of Clause 7 of the ESB Policy towards Landowners for Overhead Lines which describes the possibility, inter alia, that ESB will raise an existing electricity line (to include undergrounding or overheard diversion of the line) to allow the full development of the land to take place unhindered. It is also suggested that the Council include a policy within the Draft CDP which requires the infrastructure provider, within any planning application for electricity line development, to clarify the nature and extent of the impacts which the electricity line will have on future uses of the land including use of the land for building and development purposes. A policy within the new CDP which requires the ESB or Eirgrid to identify the likely impacts of the proposed line on future uses of the land for quarrying, agriculture, forestry, and building & development will remove the requirement for generic 'clearance distances' which, if applied, would result in the waste of a valuable finite resource i.e. land. (102)

#### 17.11.3 Telecommunications and Supporting Infrastructure

An additional paragraph should be included as follows: *'Demonstrate compliance with the requirements of the DECLG Guidelines on Telecommunications Antennae and Support Structures (1996) as updated by Circular Letter of 2012 and any amendments to or revisions thereof'*. (50)

Merge 3<sup>rd</sup> para, 1<sup>st</sup> and 6<sup>th</sup> bullet point. (50)

Replace 7<sup>th</sup> bullet point to state: *'When antennae and their support structure are no longer being used and no new user had been identified they should demolished, removed and the site reinstated'*

at the operators expense. It shall also be an objection of the original operator to inform the Council if he intends to dispose of the side to another suitable operator'. (50)

#### 17.13 Retail Development

This submission welcomes the criteria for assessment in Section 17.13.1 and 17.13.2 (48)

Policy R37 and Section 17.13.4 could be considered onerous when compared with the requirements of the Retail Planning Guidelines (2012), and the Development Plan Guidelines (2007). These documents do not require any restrictions on comparison sales areas associated with large convenience stores and the proposed policies outlined in the Draft Plan could be considered contrary to the Development Management Guidelines as there is no evidence to suggest that the proposed policy will have the desired effect. Furthermore there is no method of proposed measurement for this policy and this is contrary to the Development Plan Guidelines. As such, it is requested that Policy R37 is removed and the Section 17.13.4 is amended as follows "Given the potential impacts of this on existing town centre comparison floorspace, and the move by a number of major convenience companies to franchise space to mainstream national and international High Street comparison operators, the Council will require a RIA/RIS to be submitted in support of any application for large convenience stores. ~~Comprehensive details of the nature of goods to be sold shall be provided.~~ *Such cases will be dealt with on a case by case basis and in certain cases the Planning Authority may restrict the inclusion concessions as part of the comparison floorspace through the attachment of conditions". (174)*

#### 17.13.6 Fuel Stations

One submission received relates to fuel stations. It requests that policy should incorporate reference to development in excess of 100sqm net retail sales area as being acceptable in principle, subject to normal planning and development considerations. The proposed policy is a clear departure from the Retail Planning Guidelines 2012 and Spatial Planning and National Roads Guidelines for Planning Authorities 2012 as the 100 sq m limit on net retail floorspace is not an absolute cap; retail development in excess of 100 sq m should be assessed under the sequential approach and as a retail development. In addition, guidelines state that such proposals must only be justified sequentially and not with reference to impact on town/village centres. Policy should be amended to recognise that the nature of the petrol service station market has evolved considerably their various forms and locations should be accepted. Policy should support the important local service function performed by urban stations and the sustainability of those established in residential neighbourhoods. The text which states that the 100 sqm limit may be relaxed where the floorspace will function as the only foodstore in a village should be extended to other urban locations where they fulfil a local neighbourhood function. Reports from ABP are referenced. Policy should recognise that non-fuel related business is becoming increasingly important to the viability of these businesses and is linked to customer expectations. Consumer expectations and requirements should be considered in determining appropriate policies for this type of retailing. The proposed policy for off-line facilities presents an ill-informed reliance on TII/NRA policy for on-line facilities, ignores the distinct difference between on-line and off-line facilities and does not provide enough support for the development of off-line facilities by the private sector. TII/NRA has no role in

determining how or where off-line MSA facilities should be delivered; their development is a matter for developers on the planning authority; TII/NRA standards do not apply to off-line MSA facilities although planning authorities may have regard to them. Better interpretation of the Spatial Planning and National Roads statement on proliferation would be that a proliferation at individual junctions is to be avoided but if transportation concerns can be addressed and there is a clear business case/need, new MSA proposals should be supported. NRA policy document targets provision of Type 1 Motorway Services every 100km but does not preclude them being less than 100km apart. (169)

#### 17.13.7 Fast Food Outlets / Take-Aways / Amusement Arcades / Turf Accountants

The submission from the Irish Heart Foundation (IHF) states that the Development Plan could be used to improve the public health of people living in Kildare and to ensure that children and young people are healthy and active. A specific public health objective should be integrated into the Development Plan. The environment around schools should support healthy lifestyles for young people. It is recommended that 'no-fry zones' should be introduced adjacent to schools. One of the criteria in Section 17.13.7 for assessments of fast food outlets is the 'proximity of such uses to other vulnerable uses e.g. residences, schools, open space'. This assessment process should be strengthened to specifically provide for an objective defining 'no-fry zones' adjacent to schools. Wicklow County Development Plan 2016-2022 is stated as a best practice example. An effective no-fry zone would be set at 1km around a school (a 10-minute walk). The submission also states that Planning Authorities can influence the built environment to improve health and reduce the extent to which it promotes obesity. During the drafting of the Development Plan, the IHF suggests that an audit of Local Authority licensing and catering arrangements in Kildare County be undertaken with the intention of developing formal recommendations on reducing the proximity of fast food outlets to schools and other places where children congregate. (136(a))

The submission from KFC highlights the economic benefits to the local economy where KFC outlets are opened with up to 50 jobs created for each typical drive through restaurant. KFC intends to invest significantly in the County over the lifetime of the plan. This submission highlights a number of concerns with the proposed policies;

- These are negative policies which seek to restrict the number of fast food outlets in an area rather than forward thinking locational strategies.
- Fast food outlets are 'open for consideration' in town centres under Section 1.8.2. By only permitting fast food outlets in such locations it will be difficult for operators to avoid selecting sites that may be in close proximity to existing fast food outlets thus conflicting with policy R60 and Section 17.13.7. New entrants to the market will therefore be in a competitive disadvantage and it introduces a high level of uncertainty into the site selection and investment process.
- By not defining what overconcentration of a use is in the Draft CDP, the planner is left to make a subjective decision and such an approach leads to inconsistencies.
- The 2<sup>nd</sup> bullet point of Section 17.13.7 seeks to safeguard the "vitality & viability" of shopping areas by removing uses such as fast food outlets. This is questioned in the submission as a fast food outlet can attract a significant footfall to these locations. It is

requested that that fast food outlets/restaurants be facilitated in such locations as they complement the core retail offer in town centres.

It is requested that R60 and the 1<sup>st</sup> and 2<sup>nd</sup> bullet point of Section 17.13.7 be removed as the proposed zoning objective and policies conflict so as to create a situation that could restrict granting permission for any fast food outlets anywhere in the county. Questions Policy R60 and the 1<sup>st</sup> bullet point of 17.3.7 as these require subjective assessments and can be considered to be anti-competitive. Bullet point 3 of 11.13.7 can lead to significant difficulties in practice and should be omitted in its entirety. There is concern about the definition of 'in the vicinity of schools, residences and open space' as this is open to interpretation by any party wishing to demonstrate a particular point. It is difficult for any fast food outlet to avoid being located proximate to a school, residence or open space in built up urban areas. Questions whether the above sections of the draft CDP comply with the Development Plan Guidelines for Planning Authorities (i.e. sufficient evidence base to require such objectives?)(172).

#### 17.14 Shopfronts, Advertising and Signage

TII would welcome the inclusion of the provisions of the TII Policy on the Provision of Tourist & Leisure Signage on National Roads (2011) and the DECLG's Spatial Planning and National Roads Guidelines into Section 17.14 of the Draft Plan in the interest of clarity. (57)

Council policy must be strongly opposed to gable ends of buildings in prominent positions being covered with advertising - and policy must be backed by the resources to enforce them. (171)

Section 17.14.1 and Section 17.14.2 should be reviewed and amended so as to allow for the appropriate development of commercial units, including the associated shopfronts and signage. Some of these policies could be considered to be onerous, anti-competitive and subjective. Such policies could lead to subjective decisions being made by the Planning Authority and such outcomes does not encourage investment by retailers or developers. Suggested Amendments: *"The twin elements of a fascia board (to carry names and advertising) and pilasters (to frame and delineate the shopfront boundary) should be provided, however, deviations from this will be considered on a case by case basis"*. (174)

Section 17.14.1 – Requests the removal of the need for a colour scheme to co-ordinate with adjoining buildings and shopfronts and questions the need for a policy to restrict the use of standardised brand names, logos and corporate designs. Requests removals of this policy. (174)

Section 17.14.2 indicates that Kildare County Council will restrict *"the use of inappropriate brand or corporate advertising"*. This is considered subjective in nature and should be removed from the draft plan. It is also considered that the restriction of the use of uPVC and Perspex is particularly onerous and should be omitted from this section. (174)

#### Section 17.15.5 Development in Areas of Archaeological Potential

It is submitted that 1<sup>st</sup> para, 1<sup>st</sup> and 2<sup>nd</sup> sentence should replace 'take full account of' with 'have regard to'. (50)

3<sup>rd</sup> para, 1<sup>st</sup> and 2<sup>nd</sup> pts should be merged and replaced with the following text: *'In cases where permitted works will impinge on known archaeological sites and monument, their settings and archaeological remains the developer will be required to employ a suitably qualified/licenced archaeologist, at the applicants expense to carry out licensed pre development testing, surveys or test/and or /monitoring trial excavations and geophysical surveys and submit a report in advance of development or where permission is granted for development that requires mitigation of impacts on archaeological heritage. Where necessary, the Council may impose conditions that will affect sites of archaeological potential to ensure that adequate measures are taken to identify and mitigate the impact of development, by requiring professional supervision. Ensure that a suitably qualified archaeologist carries out all work that require mitigation of impacts.'* (50)

## Chief Executive's Response

### 17.1.1 Enforcement

It is already stated in Section 17.1.1 that the Council will take enforcement action in cases of unauthorised development and development which is being carried out in breach of conditions specified in a planning permission. No Change recommended.

### 17.2.6 Soft Landscaping

The provisions of Section 17.2.6 are considered reasonable in terms of protecting the visual amenities of an area whilst facilitating development. No change recommended

### 17.4 Residential Development

In relation to the minimum house sizes, please see the Chief Executive's response to Submission 1 in Section 3.2 of this report which recommends reducing the minimum sizes in lines with Section 28 Guidelines.

In relation to relaxing private open space provision, it is undesirable to reduce levels of amenity as this would lead to substandard development.

The design and location of car parking within a residential scheme is guided by the provisions of Guidelines such as the Sustainable Residential Development in Urban Areas Guidelines and the Design Manual for Urban Roads and Streets. The wording of Section 17.4.10 is considered reasonable in the context of complying with these guidelines and no change is recommended in this regard.

The development of houses in side gardens is considered on a case by case basis in accordance with policies and objectives of the Plan, in addition to development management standards.

The provision of public open space within a residential scheme is of vital importance to the success and quality of a new residential environment. The current policy already recommends the use of



pocket parks and hard landscaping elements within schemes. To relax minimum standards in this instance would be undesirable. No change recommended.

The requirements for the planting of native trees are set out in Chapter 13 of the Plan. Swift boxes have been dealt with in the Natural Heritage section of the Plan.

The current policy in relation to 'Family Flat' in Section 17.4.9 states that 'only in exceptional cases will more than one bedroom be permitted'. There is flexibility built into the policy already to provide for situations where a second bedroom may be required. No change recommended.

#### 17.5 Childcare Facilities

The requirement for one childcare facility per 75 houses comes from the Childcare Facilities Guidelines 2001. While the Development Plan must be consistent with the provisions of these Guidelines a level of discretion can be provided in the preparation of Local Area Plans based on an assessment of local circumstances. No change recommended.

#### 17.7.6 Car Parking

The submissions received refer to car parking standards for dwellings, retail use, Kildare Village and nursing homes. In relation to dwellings in the urban centres, and in the interests of consistency for the county, a general standard of 2 spaces per unit is considered reasonable. However, there can be greater flexibility in local area plans as regards car parking standards in the main urban centres.

There is flexibility built into Section 17.7.6 of the Plan which already states that the maximum provision of parking should not be viewed as a target and that the circumstance of each particular development will be taken into consideration. It is considered inappropriate to provide exceptions for certain commercial operators as all proposals will be assessed based on the particulars of the development proposal and the site.

In relation to parking standards for nursing homes, and having regard to similar development management standards in other local authorities, it is considered reasonable to amend this to 1 space per 3 residents.

Three submissions were received in relation to Electric Vehicle Parking: two seeking the requirements to be reduced and one seeking greater detail to be included in the Plan promoting the provision of EV parking. The Electric Transport Programme (2008) contains a target of 10% of the national road transport fleet to be electrically powered by 2020. To facilitate the use of electrically operated cars and cycles in line with National Policy, all developments shall provide facilities for the charging of battery operated cars at a rate of up to 10% of the total car parking spaces. The Chief Executive does not recommend a reduction in the requirement to provide EV parking, however clarification on the reason for this requirement would be beneficial.

#### 17.7 Street Lighting and Cycle Parking

The act of installing street lighting is an operational matter and not one that can be commented on in this report.

Section 17.7.7 already states that the planning authority will allow a degree of flexibility in town and village centre locations where sites may be constrained. Furthermore, it is stated that where cycle parking would be better provided at communal, strategic locations around the town centre, a financial contribution in lieu of cycle parking will be considered. This is considered satisfactory. No change recommended

#### 17.11 Energy and Communications

Agreed.

##### 17.11. Overhead lines and Telecommunications and Supporting Infrastructure

See response to same submission in Chapter 8.

Section 17.11.3, states that proposals for telecommunications antennae and support structures will be assessed in accordance with the Guidelines. It is considered that the wording and layout adequately addresses obsolescence of structures. No change recommended.

#### 17.13 Retail Development

In relation to Policy R37, the Chief Executive considers that this policy as contained in the Draft Plan is important to be retained in order to protect the overall viability and attraction of Core Retail Areas of the county's main town centres. Furthermore, it should be noted that large scale retail developments will be required to comply with the criteria for assessing retail proposals as set out in Section 9.5.13 of the Draft Plan. No change recommended.

##### 17.13.6 Fuel Stations

The Draft Plan acknowledges that retail floor space in excess of 100sq.meters can be considered in conjunction with petrol filling stations. The policy can be strengthened to clarify that in the case of retail facilities associated with petrol filling stations that exceed 100sq.meters, the retail element of the proposal shall be assessed in the same way as would an application for any retail development (without petrol/diesel filling facilities) in the same location.

In relation to Motorway Services the policy is considered to be in accordance with government policy as set out in the Spatial Planning and National Road Guidelines for Planning Authorities. The policy can be strengthened to provide more clarity.

##### 17.13.7 Fast Food Outlets / Take-Aways / Amusement Arcades / Turf Accountants

The two submissions received in relation to fast-food policy represent 'for' and 'against' the fast food business. It is considered, on balance, that the draft policy is reasonable and robust in its current format, allowing proposals to be considered on a case by case basis. No change recommended.

#### 17.14 Shopfronts, Advertising and Signage

It is agreed that reference should be made to the TII policy on the Provision of Tourist & Leisure Signage on National Roads (2011) and the Spatial Planning and National Roads Guidelines into Section 17.14.

To protect the visual amenities of our towns and rural areas, it is considered that the existing policy in relation to advertising on shopfronts is reasonable and robust. No change recommended.

#### Section 17.15.5 Development in Areas of Archaeological Potential

'Have regard to' is the language used in the Planning and Development Acts. No change recommended.

### Chief Executive's Recommendation

#### **Ch 17: Material; Alteration No. 1**

Revise unit sizes as per Section 3.2 of this report.

#### **Ch 17: Material Alteration No. 2:**

Material Amendment: Amend Table 17.9 as follows:

Nursing Home	1 per 2 bedrooms-1 per 3 residents
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#### **Ch 17: Material Alteration No. 3:**

Material Amendment: Amend final paragraph in 17.7.6 Car Parking as follows:

Non-residential developments shall provide facilities for the charging of battery operated cars at a rate of up to 10% of the total car parking spaces in order to meet the targets of the Governments Electric Transport Programme and in response to 'Climate Change the Government's National Policy Position on Climate Action and Low Carbon Development'.

#### **Ch 17: Material Alteration No. 4:**

The Planning Authority will require utility boxes to be carefully integrated into the surrounding environment. Conditions may be placed on permissions in relation to external materials and screening for such utility boxes or any above ground installations.

#### **Ch 17: Material Alteration No. 5**

Replace paragraph 1 of Section 17.13.6 with the following:

The Council supports the development of on-line motorway service facilities in appropriate locations as guided by the TII (Transport Infrastructure Ireland and) in accordance with the guidance set out in the Spatial Planning and National Roads Guidelines for Planning Authorities, DECLG (2012). The Council will also support alternative services in the absence of TII services, in consultation with that body. The Council will consider proposals for off line service facilities at appropriate locations where on-line services are not planned. Proposals will be required to demonstrate that the facility is in

accordance with national guidance, is justified by reason of need (e.g. location and traffic volumes), that it would not impact on the safety, capacity or efficiency of the road network and would not impact negatively on the vibrancy or vitality of adjacent town or village centres. A proliferation of private off-line service area facilities at national road junctions will not be permitted.

#### Ch 17: Material Alteration No. 6

Replace bullet points 6 and 7 with the following:

- The floorspace of all associated retail facilities (shop / cafe / restaurant / takeaway) shall not exceed 100 sq.m net; where permission is sought for a floorspace in excess of 100 sq.m net, the sequential approach to retail development shall apply in accordance with the Retail Planning Guidelines, DELCG, (2012) i.e. the retail element of the proposal shall be assessed by the planning authority in the same way as would an application for retail development (without petrol/diesel filling facilities) in the same location.
- ~~Any associated shop shall remain secondary to the use as a petrol filling station and any application must clearly demonstrate that the retail element would not adversely affect the existing retail development in the relevant town or village centre. The same applies to any cafe / restaurant / take away proposal for the filling station/service area.~~
- ~~Small convenience type shops associated with the petrol station shall not exceed 100sq. Metres of net sales space, although this may be relaxed where the floorspace will function as the only foodstore in a village. Where there is an application to exceed this in other locations, this required to be supported with a Retail Impact Assessment / Retail Impact Statement which addresses the potential impact of the store on any town or village centre. Planning permission for the provision of such shops however shall be specifically applied for.~~

#### Ch 17: Material Alteration No.7:

It is recommended that new text be inserted into Section 17.14.5 as follows:

The Kildare County Council Signage Policy adopted in 2013, which has regard to the Transport Ireland Initiative Policy on the Provision of Tourist & Leisure Signage on National Roads (2011) and the Spatial Planning and National Roads Guidelines (2012) amongst other documentation, sets out the Council's approach to effectively manage signage. All applications for signage shall be considered having regard to... etc

## Submission 50

The submission from Keep Ireland Open reviews all sections of the plan and includes detailed comments on policies, objectives and areas that could be amended. A broad summary of the types of issues raised in the submission are outlined below on a chapter by chapter basis and members can refer to the submission in its entirety should additional clarity be sought.

### Main Issues Raised

#### Chapter 1 - Introduction

*The submission states that the introduction to the plan should address requirements / relationship to Planning and Development Act 2000, National and Regional Plans, Policies and Strategies and Guidelines, reference to two year review and a statement in accordance with Section 28 of the Planning and Development Act 2000. The Plan should include a separate statement which demonstrates that the plan is consistent with the protection and conservation of the environment in accordance with Sec 10(1D) of the Planning and Development Act 2000 (amended).*

#### Chapter 5 - Economic Development, Enterprise and Tourism

*The submission seeks a paragraph that names the key landscape / heritage / green infrastructure features in the County; tourism policy to require tourism development in existing towns and villages, unless location dependent and where it would not destroy the qualities that visitors come to enjoy – suggested text included in the submission. Submission requests that Section 5.9.4.22 from the current plan be reinstated, that applications for tourism / recreational development in rural areas included a justification and masterplan.*

*The submission seeks additional objectives to promote niche activities and improve and extend rural recreational facilities; to promote agri-tourism that protect and conserve the landscape and natural environment; reference to the Barrow Blueway to include objective to support the development of the amenities and recreational potential of Barrow (with stakeholders); more emphasis on the protection of the Royal and Grand Canals - additional policies and objectives for the Greenways for walking and cycling are required; and the submission requests the inclusion of a policy relating to the potential of the canal towpaths as walking and cycle routes.*

#### Chapter 6 - Movement and Transport

*Submission suggests that policies to support proposals that improve pedestrian routes and that improve and develop walking and cycle networks should be included; suggests text for reference to national Cycling Policy Framework and states that CDP should include objectives 3, 5, 6, 12 and 16 of NCPF.*

#### Chapter 8 – Energy and Communications

*The submission states that references to public rights of way and walking routes be repositioned and rephrased to states – to identify existing public rights of way and walking routes and prohibit development which would interfere with them and with access to the countryside.*

*The submission suggests that the plan explicitly states that overhead power lines and ancillary development can frequently detract from visual amenities. Submission suggests that plan requires a needs justification for electricity supply infrastructure; advocates for independent review of SID applications to demonstrate that most appropriate technology and method of construction is being used; a policy be included to require the co-location of new or replacement antennae; text on the location and co-location of telecommunications structures and equipment; on the undergrounding of cables, additional policy on monitoring installations / co-location / use of best available technology; policy on access roads; a requirement for developers to submit justification of location; policies on visual impact of satellite dishes, policies for telecommunications development in high amenity areas, landscapes of exception or high value, and high sensitivity (text proposed); suggested policy on visual and environment impact assessment and continued use of development after life of permission has expired.*

#### Chapter 10- Rural Development

*Submission seeks strengthened policy on forestry, agriculture, boglands, extraction industry to limit impacts of such development, the promotion of the value of these areas for tourism, recreation, heritage etc and highlights a need for land use strategies for these areas.*

*Submission seeks policy to acknowledge potential for eco-tourism, tourism, heritage in bog lands and paragraphs to articulate the resource value of boglands. The submission seeks policy on the use of boglands when extraction ceases, to address recommendations in the DoAHG's national Peatland Strategy and other guidance, to support the restoration of peatlands, policies to ensure historic walkways, which are designated under international and national legislation are conserved and managed.*

*Submissions seeks policy on nature and scale of forestry development permissible to limit impacts, additional paragraphs to recognise amenity, recreational and tourism potential of forestry and woodlands and revisions to planning regulations and government guidance that is not a matter for the CDP. The submission includes a number of proposed policies / policy amendments in relation to forestry development (scale and character ensuring that it does not obstruct existing public rights of way, walking routes or degrade recreational or tourist amenities and wildlife habitats, natural waters or areas of ecological importance); in relation to impact on landscape quality and ecology; in relation to access to forestry and woodlands areas for walking routes (to identify public rights of way and established walking routes before planting commences), mountain trails, nature trails, mountain bike trails, bridle paths, orienteering and other uses; to develop land use strategies that focus on tourism potential, environment, amenity and heritage values; to promote forestry of appropriate scale and develop design guidance and have regard to 'Forestry Development- Guide for Planning Authorities.*

*Submission seeks text in relation to the recreational use of agricultural land, particularly commonage and other rough grazing land. The submission includes a suggested policy on environmentally sustainable agricultural practices; to promote adoption of a national land use strategy.*

*Submission seeks text on the potential impact of extraction on environment and archaeology and landscapes of scenic, history and geological interest and on recreational and amenity value of*

landscape. The submission suggests amendments to policies such as E1, E4 and E5, including restrictions in designated tourism areas and high amenity areas, in the vicinity of recorded monuments and zones of archaeological potential. In other areas there is a request to prohibit extraction unless it is determined that it would not adversely affect amenities or the environment. Other policy in relation to detailed matters (e.g. planting and screening, referral of applications to certain bodies, phasing, the identification and protection of public rights of way and walking routes, engagement with groups during planning process, visual impact assessment, conditions of permission, powers in relation to EIS, licensing etc) is included.

#### Chapter 11 Social, Community and Cultural Development

Policies in Section 11.6 (Places of Worship and Burial Grounds) should be repositioned in Chapter 12 under 'Historic graveyards and Burial Grounds'. (50)

#### Chapter 12 Architectural and Archaeological Heritage

The submission seeks amendments to policies on archaeological heritage to reflect legislative requirements and to expand on the background information contained in the Draft Plan and to include details contained in government guidance and legislation on obligations with respect to archaeological heritage, its protection and management (through the planning process and in general). The submission also seeks a new section on burial grounds and includes suggested text. Issues raised in relation to public rights of way and policy on same is addressed under Chapter 14.

#### Chapter 13 Natural Heritage and Green Infrastructure

The submission seeks amendments to Chapter 13 to include a new section on general natural heritage and includes suggested text, reference to local natural heritage features, inclusion of the main objectives of the Kildare Heritage Plan and a policy in relation to its implementation, increased emphasis in the chapter on working with stakeholders in the management and protection of natural heritage, to take precautionary principles in relation to the management of natural heritage, and where removal is unavoidable to consider appropriate measures to replace like with like.

The submission seeks policy to recognise the role played by natural amenities and landscape as part of our heritage and its resource value.

The submission seeks text in relation to geology as an intrinsic component of natural heritage to be protected and promoted – text proposed and policy to work with stakeholders in the management of this resource. The submission seeks policy in relation to consultation with GSI, protection of public rights of way to geological and geomorphological features, geo-tourism.

Submission seeks amended definition of landscapes. The submission seeks new text and amendments to the Green Infrastructure section and policy in relation to the preparation of a Green Infrastructure Strategy, integration of GI within land use plans and projects, objectives in relation to GI linkages / protecting and enhancement of GI networks, providing access to GI features and corridors, accessing funding to invest in GI, increasing public ownership of GI corridors.

*The submission seeks text to describe inland waterways, their value, and opportunities they present for interconnecting routes, policy for the protection of waterway and canal corridors and an increase of proposed set back from 10m to 15m (suggested text included).*

*The submission seeks policy to protect, enhance and improve existing public rights of way and where possible provide additional access to inland waterways including lakeshores, river and canal banks, through the acquisition of land for public rights of way, through agreement with existing landowners; to identify and provide linkages along / between water corridors and develop riverside parks. The submission also seeks to promote amenity potential of watercourses, to encourage promote and use the potential of canal towpaths for designated walking and cycle routes, both as recreational and tourism amenities and the promotion of links with any designated walking cycling routes, existing or proposed, to consult with relevant statutory agencies in relation to development along water courses and to preserve a 10m strip along the banks of large drainage channels and 5m elsewhere.*

#### Chapter 14: Landscape, Recreation and Amenity

*Submission suggests that Chapter 14 is limited to just landscape issues, recreation should be addressed in Chapter 13 Natural Heritage & Green Infrastructure.*

*Submission suggests text to describe landscape in more detail and inclusion of references to related documents, such as the landscape strategy.*

*It is suggested that Section 14.4.2 (Impact of Development on Landscape) should be relocated.*

*The submission seeks amended / revised text in relation to scenic routes and protected views.*

*The submission suggests that landscape policies are included ahead of Areas of High Amenity, a new wording for policy LA2 in relation to the open countryside, natural beauty of the landscapes and the natural environment, new policy on visual impact and landscape assessment, policies on designating Landscape Conservation Areas in partnership with DECLG and Heritage Council, the safeguarding and protection of skylines and ridgelines, preparing state of landscape reports, implementation of recommendations of National Landscape Strategy 2015-2025, ensuring that proposed development does not conflict with policies / objectives of Landscape Assessment Guidelines for Planning Authorities (2000) and any updates, consideration of appropriate rural recreational & tourism related developments which would facilitate public access to landscapes particularly Upland landscapes; liaison and cooperation with adjoining Councils, requirements for sub-threshold EIS, due regard to Historic Landscape Characterisation studies, and ensuring that Heritage Landscapes demonstrate effort to reduce visual impact.*

*The submission proposes new / amended policy on upland character areas – text included in submission, a policy on the designation of the Barrow Valley and Royal and Grand Canals as SAAs.*

*The submission in relation to Countryside and Recreation suggests a number of amendments, including policy on public rights of way, and public access to natural heritage by creating meaningful network of access routes as opportunities and need arises.*



*The submission suggests text additions in relation to walking and cycling routes including text in relation to the funding, development, maintenance of such routes; development and implementation of a walking and cycling strategy; integration with historic and other themed trails (including pilgrim paths); signage; car parking or lay by's for walkers / cyclists; bike rental; guided walks and tours; funding sources; development of bridle paths; routes along the Liffey Valley; register of walking routes; and speed limits along routes.*

*The submission assesses the issues of public rights of way. This has been addressed under public rights of way above.*

#### Chapter 17 Development Management Standards

*Submission seeks additional content on taking of enforcement action, compliance with Guidelines on Telecommunications Antennae and Support Structures, amended and rearranged text and new content on end of life approach for antenna and support structures.*

*The submission seeks amended text in relation to development in areas of Archaeological Potential.*

*The submission seeks content in relation to the Planning Regulations 2001 Art 9(l)(a)(x) in relation to the fencing or enclosure (in particular using wire and barbed wire fencing) of land open, noise generating development that conflicts with enjoyment of areas used for recreation, the adoption of bye laws to ban use of motor bikes, quads (except for agricultural purposes) and motorised para gliders in privately owned areas of rough grazing and commonage, the impact of golf courses on public rights of way or walking routes.*

*Other general comments are included in the submission in relation to the placing of text, policies and objectives within the document.*

### **Chief Executives Response**

Submission number 50 has been reviewed in detail and all of the issues and points raised have been considered. It is considered that the wording used in the Draft Plan is consistent with the requirements of the Planning and Development Act 2000 (as amended) and other relevant legislation and guidance that relates to the preparation of a County Development Plan. This is particularly reinforced having regard to the submission from the Minister, which does not indicate that statutory obligations have not been met in the draft plan.

### **Chief Executives Recommendation**

Proposed alterations in respect of each chapter in the foregoing sections of this report address issues outlined in submission number 50. No further alterations are proposed.

## Appendix III Record of Protected Structures

**Submissions relevant to this section are** 19, 20, 22, 23, 25, 27, 28, 29, 31, 32, 33, 36, 37, 38, 39, 40, 41, 43, 46, 56, 71, 72, 82, 88, 89, 91, 100, 105, 167, 170, 171, 180, 185, 195.

A number of submissions sought to add or delete structures from the Record of Protected Structures. John Cronin & Associates were engaged to review these submissions and the Appraisal Report is available to review separately.

### **15 William Street, Athy (AY153)**

Submission requests that RPS status only apply to front elevation. The submission states that the interior of the property is significantly. (37)

#### Response:

The conservation report recommends that the entire building is retained on the RPS as it continues to have substantial historical, architectural and social interest despite minor alterations to basement level layout in recent decades.

### **Donaghcumper House and Demesne**

Donaghcumper House and Demesne is not included in the RPS. This should be reinstated as B11-54. (71)

#### Response:

Donaghcumper House is included in the RPS.

### **Castletown Demesne**

Castletown Demesne is not included in the RPS. This should be reinstated as B11-13. (71).

#### Response:

Castletown Demesne is included in the RPS.

### **Ivy Cottage, Ballymore Eustace**

Submissions requests that Ivy Cottage and adjoining structure is added to the RPS due to social and historic interest. (56)

#### Response:

The conservation report states that the building (and associated structures) is of vernacular quality and is one of number of buildings that add to the traditional and diffuse village character and form of Ballymore Eustace. The appraisal recommends that buildings within a village context such as this should be protected through the designation of an ACA which would seek to guide appropriate development within the streetscape and form of the village. While the building has been unoccupied for the past year, any proposals for the demolition of the site or part-redevelopment of same would require planning permission. It is recommended that this building is not added to the RPS.

### **Crookstown Mill and Millrace, Crookstown**

Submission requests that the mill race from Crookstown Mill be added to the RPS to protect the future of Crookstown Mill. Submission 185 requests that KCC repair the weir at Crookstown Bridge to allow preservation of the Mill Race and weir for the future preservation of Crookstown Mill. (180)

#### **Response:**

The conservation report states that the protected structure status of the mill building should clearly remain in place but it would be impractical and unnecessary to add the mill race as a protected structure within the new CDP. There is a strong case for arguing that the mill race is a component of the attendant grounds of the protected structure. The mill race should not be added to the RPS.

### **Gort na Greine House and Monastery, Friary Road Naas**

Submission requests that Gort na Greine House and Monastery and their curtilages be added to the RPS for Naas in order to ensure buildings of local significance and special architectural interest are retained and to protect them from inappropriate development or demolition. (72)

#### **Response:**

The conservation report states that, in time, it may be worth considering extending the ACA to include site of the Monastery, as its main contribution to historic character of the area is its general form and exterior fabric along with its mature grounds. Protected status appears unnecessary given the unremarkable interior, loss of original window frames and lack of other notable architectural, historical, archaeological, artistic, cultural, scientific, technical or social significance. It is recommended that the building be removed from the RPS.

The conservation report states that the current inclusion of the site of Gort na Greine within the designated ACA is a sufficient designation for this site. The building is, at most, little more than of local significance. While it retains much of its original internal fabric in excellent condition, none of such fabric is of exceptional quality. However, the immediate wooded setting is attractive. The building should not be added to the RPS.

### **Firmount House, Clane.**

A number of submissions request that the proposal to include Firmount House, Clane on the RPS is reconsidered for reasons including the following:

- The house has previously been under public ownership and was not listed when purchased in 2010.
- It is unfair and unreasonable to expect people to pay for lengthy delays and surveys for a house that was not listed when it was purchased.
- Listing a house during the planning process is unethical at the very least and is unreasonable to list it once it changes into private ownership.

- The house has very few original features and the garden has no features whatsoever and the current owners are using their life savings to do the renovations and can only do enough to keep the house standing.
- The creation of a local amenity, jobs and the restoration of the house takes precedence rather than listing as the current owner are working to conserve what remains.
- The house was left derelict and in poor condition for many years. The current owners of the property bought it without it being a listed property seeing the possibility of restoring it and bringing it back to life, and a benefit to the local community.
- Should the property be listed on RPS the current owners will not be able to afford to restore it and this will have no benefit to the community.
- It was previously owned by Dept. of Defence who made changes to the building which did nothing to improve the aesthetic appeal, some of which have ruined original fixtures.
- This would render the project too costly to develop.
- This will ruin any chance for restoration which will be a detriment to the community.
- The house will provide a meeting place for families and entertainment for the community.
- The current owners feel strongly about the property that they bought and thankfully wish to share it.
- The Council had years to list the house when it was in government ownership (i.e. from the time the Dept. of Defence put it up for sale in 2010 to when it was bought in 2012). Kildare Co Co or the Heritage Council could have proposed a listing but they didn't. (41)

Response:

The conservation report states that this building is of architectural heritage as well as historical and social significance and appears to have been overlooked by the NIAH survey of the county. The building clearly had undergone significant and inappropriate interventions in the mid- and late 20<sup>th</sup> century but now it is undergoing a systematic and very sympathetic restoration. The refurbishment works are being conducted with regard to conservation best practice, with the benefit of planning permission (Planning Ref: 15/1145) and the building will, on completion of works, be returned to having a sustainable and sympathetic use. The owner of the property has made a strong case for why the adding of the building to the Record of Protected Structures would be counter-productive in the short term. On balance, we are in agreement with the property owner but believe the issue of the addition of the building to the RPS should be re-visited when the current phase of development work is completed. The building is under no threat. In conclusion, the building should not be added to the RPS at this time but the issue should be revisited when the current phase of refurbishment works have been completed.

**Athy Lodge, Athy (RPS AY100) (NIAH REF 11505150)**

One submission requests to have Athy Lodge (RPS AY100) (NIAH REF 11505150) removed from the RPS. The submission states that the property has fallen into considerable disrepair over the past number of years and that the cost of maintaining the property is now extensive. (36)

Response:

The conservation report recommends retaining within the RPS due to significant architectural and historic interest, and retain within Emily Square ACA.

**89 Woodstock Street, Athy**

Submission seeks to have 89 Woodstock Street removed from the RPS. The submission is prepared by John Greene (Architect & Historic Building Consultant) who notes that the subject property since the building was first assessed by the NIAH has been included in the Athy Architectural Conservation Area (ACA). It is considered that the exterior of the building is more than adequately protected being within the ACA and the interior retains only very few of its internal features. The submission considers that the building which is of architectural merit but retains only very few internal features of note is best protected within the ACA and is not of such importance to be retained on the RPS list. A building survey report and photographs carried out in May 2016 have been included with the submission.

Response:

The conservation report recommends retaining on the RPS as it continues to have substantial historical, architectural and social interest despite minor alterations to basement level layout in recent decades.

**34 South Main Street, Naas**

Requests that the No.34 South Main Street, Naas (RPS No. NS19-182) be not included in the list of protected structures in the CDP.

The following reasons are given;

- The building is not in its original or authentic state.
- A regency style parapet was added to the facade of the building probably in the early 20<sup>th</sup> Century.
- The valley is in poor condition and requires replacement. This will require replacement of the wooden window heads.
- This may require the removal of the parapet.
- The building is not architecturally authentic and does not have any architectural or historical merit to justify its preservation in its present state.
- The original building was merely one room deep and an addition was later made to the rear and which is not of architectural merit.
- To preserve the building would impose unjustified costs which would render the building uneconomical.
- The shopfront facade was altered with planning permission in the 1980s.

Response:

The ACA designation is sufficient to protect the principal architectural interest - the street-front

elevation that contributes to the wider streetscape. It is recommended that the building be removed from the Record of Protected Structures as the building will remain in the Naas ACA.

### **Railway Bridges AY 066 and AY 068**

The submission supports the removal of Railway Bridge from the RPS. It will facilitate the upgrade of the railway line. (195)

Response:

The submission is noted.

### **Miscellaneous**

Submission states that the numbering system for Protected Structures is confusing and that Protected Structure B11-16 should be spelled *Conolly Folly*. (71)

At present only 11 protected structures are detailed on the Draft CDP for Ballymore Eustace. There are more than 32 Protected Structures missing from the Draft Plan which need to be included. The submission includes a list of such structures as per the NIAH website (88).

There are irregularities in the listing of Castletown and Donaghcumper demesnes in Protected Structures (89)

Donaghcumper demesne is listed in the 2011-2017 CDP (No. B11-54 on page 224). It has been omitted from the current draft RPS but is not included as a proposed deletion in Table A3.6

The demesne should be restored to the RPS; B11-54, page 10 should read '[Donaghcumper House & Demesne](#)' (89)

The same occurred with Castletown Demesne in the 2011 listing, it was not a proposed deletion but was omitted from the RPS. It had been listed on page 130 of the 2006 CDP. (89)

Castletown Demesne should be restored to the RPS; B11-13 (page 9) should read [Castletown House and Demesne](#). (89)

RPS: Reference B11-54 should be amended to state: '[Donaghcumper House and Demesne](#)' and include the NIAH reference '[KD-50-N-981333](#)'. (91)

RPS: Reference B11-108 should be amended to state: 'Castletown House *and demesne*, Main Street, Celbridge, Co. Kildare' and altering the description to '[Demesne walls/gates/railings](#)'. (91)

The numbering system in RPS is confusing: Adjacent structures appear on different pages (e.g. Castletown House references are scattered). (91)

The inclusion of a map of protected structures and monuments as per Appendix I & II would be of benefit. (130)

Response:

Issues raised are noted.

### Chief Executives Recommendation

#### **Appendix: Proposed Alteration 1:**

Insert Record of Protected Structures from Athy Town Development Plan 2012-2018 in its entirety.  
A number of structures were omitted from the Draft plan in error.

#### **Appendix: Proposed Alteration 2:**

Omit Firmount House PPS-B14-77 from Proposed Protected Structures (PPS) – Additions

## Volume 2: Environs Plans

Submissions relevant to this section: 13, 233, 57, 142, 148, 149, 158, 59, 232, 131.

Sub No.	Description	Chief Executive Response & Recommendation
<b>Blessington Environs</b>		
233	<p><b>Blessington Environs</b></p> <ul style="list-style-type: none"> <li>It is requested that the density of 12 units per hectare for sites zoned 'C: New Residential/Infill is increased. Remove specific reference to the restricted number of units related to this zoning. This density is much lower than that recommended by Government guidance.</li> <li>It is highlighted that infrastructural constraints due to the existing wastewater service deficiencies should be addressed and prioritised in order to ensure delivery of residential units in the county.</li> </ul>	<p><b>Response:</b></p> <ul style="list-style-type: none"> <li>It should be noted that Blessington is designated as a Moderate Sustainable Growth Town in the current RPGs. Having regard to the role of a Moderate Sustainable Growth Town, it is considered appropriate to revise wording in Volume 2 Section 1.9.1 to delete reference to 'Low Density Residential' and to replace with 'New Residential'.</li> <li>Kildare Co. Co. will continue to work with both Irish Water &amp; Wicklow Co. Co. on future upgrade works required to facilitate the delivery of residential development in this urban centre.</li> </ul> <p><b>Recommendation:</b> Volume 2, Section 1.9.1: Delete C: <del>Low Density Residential</del> and replace with <b>C: New Residential</b></p>
<b>Kilcock Environs</b>		
57	<p><b>Kilcock Environs</b></p> <p>Submission from TII objecting to the zoning of KE1 'Integrated Leisure'. Given the reliance of car based transport, the zoning is considered premature until the impact on the adjacent national road junction and associated M4 mainline has been established. TII recommends the omission of this zoning objective pending the clarification that a strategic transport assessment would provide.</p>	<p><b>Response:</b></p> <p>The submission from TII is noted. The subject site houses a Protected Structure and is zoned KE 1 'Integrated Leisure' in the Draft Plan, in the current County Development Plan and in the 2005-2011 County Development Plan.</p> <p>Planning permission was granted (pl. ref. 04/2973 and ABP 09.213919 for the development of for an integrated leisure/tourism and business/high technology park development which will consist of 126 bedroom hotel with conference, spa and gym facilities, 2 storeys in height.</p>



		<p>Extension of duration was granted (pl. Ref 11/175) for a further 5 year period. This permission is due to expire in 06.09.2016. No development has taken place during the period.</p> <p>Having regard to the current zoning and planning history on the site no amendment is proposed. Traffic Impact can be assessed as part of any future planning application.</p> <p><b>Recommendation:</b> No change recommended.</p>
142	<p><b>Kilcock Environs</b></p> <ul style="list-style-type: none"> <li>• The Comer Group recently acquired the subject lands at Courtown Bridge, Kilcock.</li> <li>• Stated to be 1.5km from the town centre. (142)</li> <li>• The submission seeks 3 amendments be made in the Draft CDP             <ol style="list-style-type: none"> <li>1. Courthouse House and the majority of its lands to be zoned for an Integrated Leisure Use</li> <li>2. The portion of the site nearest the M4 Motorway be zoned for Higher Density Residential Use and Employment Generating activities</li> <li>3. Lands to the west of the main house are zoned for general residential development</li> </ol> </li> <li>• In 2005, Planning Permission was granted (04/2973) for an integrated leisure/tourism and business/high tech development on the site. This included;             <ul style="list-style-type: none"> <li>- 126 bedroom hotel with conference, spa and gym facilities</li> <li>- 72 tourist houses &amp; 18 tourist apartments</li> <li>- 18 hole golf course &amp; clubhouse</li> <li>- 85 bed nursing home</li> </ul> </li> </ul>	<p><b>Response:</b></p> <p>The subject site is currently zoned KE 1 'Integrated Leisure' in the Draft Plan. - Planning permission was granted (pl. ref. 04/2973 and ABP 09.213919 for the development of for an integrated leisure/tourism and business/high technology park development which will consist of 126 bedroom hotel with conference, spa and gym facilities, 2 storeys in height.</p> <p>- Extension of duration was granted (pl. Ref 11/175) for a further 5 year period. This permission is due to expire in 06.09.2016. No development has taken place during the period.</p> <p>The site is remote from Kilcock and it is not considered appropriate to extend the boundary of Kilcock for housing development associated with same to this location.</p> <p><b>Recommendation:</b> No change recommended.</p>

	<ul style="list-style-type: none"> <li>- Business/high tech park</li> <li>- 50 two storey dwellings</li> <li>- A new distributor road</li> <li>• The above permission was then extended in 2011 for 5 years under (11/175)</li> <li>• The Kilcock LAP 2015-2021 identifies a target of 1,061 units for the plan period and also identifies the sites that have the potential to bring these units forward. (142)</li> <li>• The northern portion of the subject lands are zoned 'Q' in the Kilcock LAP for Enterprise and Employment uses, in addition to an 'F' Open Space and Amenity land use zoning. (142)</li> <li>• The remainder of the landholding to the south of these lands are zoned KE1: Integrated Leisure in the Draft CDP (Kilcock Environs). (142)</li> <li>• The submission highlights that the planning permission granted under (042973 and 11/175 agreed in principle that these lands were suitable for development and that the volume of that proposed was appropriate. The submission states that the approval is in place yet the proposed zoning is at odds with that permitted on the site. (142)</li> <li>• Requests that this zoning anomaly be amended and that a Masterplan exercise is conducted to examine the appropriate form of development on the site. (142)</li> <li>• In light of the housing crises, the submission puts forward that the lands have the benefit of a site of large scale in single ownership which will benefit from economies of scale that can deliver towards the housing targets for Kilcock, in comparison to some of the 15 sites identified in the Kilcock LAP to deliver its</li> </ul>	
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	<p>housing allocation. (142)</p> <ul style="list-style-type: none"> <li>A map has been included which requests the Estate to be zoned as follows;</li> </ul>	
62	<p><b>Kilcock Environs</b></p> <ul style="list-style-type: none"> <li>Request to change the zoning of 10.3 acres of land at Courtown Little, Kilcock from KE1 'Integrated Leisure' under the current CDP back to being unzoned lands.</li> <li>The Courtown Demesne landholding has been sold and partly divided. The subject lands are physically separate from the main landholding and are now under separate ownership. Therefore it is important under the new Plan that the subject lands no longer be reflected in the development boundary for Courtown Demesne. Instead the subject lands should revert back to unzoned lands.</li> </ul>	<p><b>Response:</b></p> <p>This request needs to be considered in conjunction with Submission No. 142 above.</p> <p>Having reviewed the content of the submission and also the planning history of the overall landholding, including the current permission for an integrated leisure/tourism and business/high technology park under planning permission Ref. 11/2971 (Extension of duration granted under 11/175), and Planning Ref. 11/0413 where a single dwelling unit was refused on the subject site, with the submission outlining the circumstances where the Courtown Demesne landholding has been sold and partly divided, there appears to be conflicting information currently submitted as to the landownership of this particular site. Submission No. 142 above (The Comer Group) includes this subject site as part of their overall landholding. Given the uncertain information submitted, it is not considered appropriate in this instance to amend the zoning as suggested.</p> <p><b>Recommendation:</b></p> <p>No change recommended</p>
<b>Naas Environs: Newhall</b>		
148	<p><b>Naas Environs: Newhall</b></p> <ul style="list-style-type: none"> <li>It is requested that the existing zoning is retained and incorporated into the Draft Plan and also consider zoning the remainder of their lands at Newhall, Ladytown between the R445 and the Rathangan Road for NE1 Industrial/Warehousing land uses, given their strategic location within the County and the increased importance given at national and regional level to facilitating economic growth and employment development.</li> </ul>	<p><b>Response:</b></p> <ul style="list-style-type: none"> <li>As set out in Section 1.9 Environs Plan of the Draft Plan, the CDP 2017-2023 will replace the Naas and Athy Town Development Plans when adopted and Local Area Plans will be prepared for Naas and Athy. The Environs Plans for Naas North, South, West these as set out in the CDP 2011-2017 will be subsumed into the Naas Local Area Plan.</li> <li>The issue of site specific flood risk assessment at Newhall is a matter for the Naas LAP.</li> </ul>

<ul style="list-style-type: none"> <li>• Extend the NE1 zoning to include the omitted section in the south eastern corner of the landholding as the lands are not required for the Newhall Interchange works.</li> <li>• It is also requested that the text of Section 1.9 of Volume 2 be amended as follows;</li> </ul> <p><i>This section zones lands that are currently located outside a specific Local Area Plan boundary, and areas not currently covered by a Local Area Plan as an interim solution until such time as the LAP is prepared. Each Plan has an associated zoning objective and is dealt with in a land use zoning matrix as set out in Tables 1.9.1 – 1.9.3.</i></p> <p><i>Following the implementation of the Local Government Reform Act 2014, the development plan incorporates the areas formerly within the administrative areas of Naas and Athy Town Councils. The County Development Plan 2017-2023 will replace the Naas and Athy Town Development Plans when adopted, with the land use zoning maps in place until such time as the Local Area Plans are prepared for Naas and Athy. The Environs Plan for Naas South and West as set out under the Kildare County Development Plan 2011-2017 will be subsumed into an Athy Local Area Plan. Until such time as the LAP is prepared they will be incorporated into Section 1.9 of Volume 2 of the 2017-2023 CDP.</i></p> <p><i>The Kill Environs Plan is now incorporated into the Kill Small Town Plan (refer to Section 1.5 in this chapter), while the Naas Environs North Plan – (covering the Johnstown Garden Centre site north of the N7) has been incorporated into the Johnstown</i></p>	<p><b>Recommendation:</b> No change recommended</p>
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	<p><i>Village Plan (see Volume 2 Section 2.5.7). The Environs Plans for Blessington, Kilcock and the industrial lands at Ladytown, Naas, have been retained in this Plan. Also included are the environs plans for Naas South and West which will be in effect until such time as the Naas Local Area Plan is adopted.</i></p> <ul style="list-style-type: none"> <li>In relation to flood risk, at present the subject lands are subject to a specific objective for a site specific flood risk assessment. The submission is seeking removal of this objective as the subject lands are not subject to an identified flood risk in the Draft Eastern CFRAM map for the area, nor is there a risk identified in the OPW National Flood Hazard Mapping system.</li> </ul>	
149	<p><b>Naas Environs: Newhall</b></p> <p>Requesting that the current zoning of the site for NE1 (Industry/Warehousing) use is carried forward (as an interim measure) in the new Kildare CDP 2017-2023 to avoid a vacuum in planning policy in relation to the lands until such time as the Naas LAP is adopted. The current situation will effectively result in the subject site being unzoned following the adoption of the County Plan until the adoption of the Naas LAP .</p> <p>It is requested that the text of Section 1.9 of Volume 2 be amended as follows;</p> <ul style="list-style-type: none"> <li><i>This section zones lands that are currently located outside a specific Local Area Plan boundary, and areas not currently covered by a Local Area Plan as an interim solution until such time as the LAP is prepared. Each Plan has an associated zoning objective and is dealt with in a</i></li> </ul>	<p><b>Response:</b> See response to Submission No. 148</p> <p><b>Recommendation:</b> No change recommended</p>


	<p><i>land use zoning matrix as set out in Tables 1.9.1 – 1.9.3.</i></p> <ul style="list-style-type: none"><li>• <i>Following the implementation of the Local Government Reform Act 2014, the development plan incorporates the areas formerly within the administrative areas of Naas and Athy Town Councils. The County Development Plan 2017-2023 will replace the Naas and Athy Town Development Plans when adopted, with the land use zoning maps in place until such time as the Local Area Plans are prepared for Naas and Athy. The Environs Plan for Naas South and West as set out under the Kildare County Development Plan 2011-2017 will be subsumed into an Athy Local Area Plan. Until such time as the LAP is prepared they will be incorporated into Section 1.9 of Volume 2 of the 2017-2023 CDP.</i></li><li>• <i>The Kill Environs Plan is now incorporated into the Kill Small Town Plan (refer to Section 1.5 in this chapter), while the Naas Environs North Plan – (covering the Johnstown Garden Centre site north of the N7) has been incorporated into the Johnstown Village Plan (see Volume 2 Section 2.5.7). The Environs Plans for Blessington, Kilcock and the industrial lands at Ladytown, Naas, have been retained in this Plan. Also included are the environs plans for Naas South and West which will be in effect until such time as the Naas Local Area Plan is adopted.</i></li></ul>	
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Naas Environs: Killashee & Pipers Hill		
158	<p><b>Naas Environs: Killashee</b> This submission relates to c. 121 ha of lands at Killashee.</p> <ul style="list-style-type: none"> <li>• The submission sets out the background to the lands, ownership, planning history etc. The lands in question associated with the Killashee Hotel are zoned a mixture of 'NE 5: Integrated Leisure Development', 'NE 6: Nursing Home', 'NE8: Hotel and Leisure' and 'NE9: Agriculture' in the current 2011-2017 Kildare County Plan (Naas South Environs), 'NE6: Community and Educational', 'NE7: Small, Medium Enterprise/Industry' in the current 2011-2017 Kildare County Plan (Naas Environs).</li> <li>• The submission states that the status of the Naas South Environs Plan in the Draft Kildare County Development Plan is unclear. The submission states that in order to provide clarity and legal certainty it is requested that the entire landholding outlined Map be zoned 'Integrated Leisure Development' with a specific objective 'to facilitate the development of an integrated tourism, leisure and sports facility that will provide state of the art leisure and sports facilities for the town of Naas, enhance the tourism offering of the existing hotel, provide a unique equestrian based residential development and offer training and educational opportunities for the people of Naas and County Kildare.'</li> </ul>	<p><b>Response for Submissions 158 &amp; 175</b> See Response to Submission No. 148.</p> <p>The consideration of zoning and possible re-zoning of lands at Killashee will be dealt with in the Naas LAP.</p> <p><b>Recommendation:</b> No change recommended</p>

<p>175</p>	<p><b>Naas Environs: Pipers Hill</b></p> <ul style="list-style-type: none"> <li>• Relates to lands at Pipers Hill, Naas with which cover an area of c.8.1ha and are zoned 'NE4: Low Density Residential' in the current Kildare County Development Plan (Naas Environs).</li> <li>• Planning permission has previously been granted for a residential development on the lands under Planning Ref. 05/437 and extended in 2012 under Planning Ref. 2012, which has an expiry date in April 2017.</li> <li>• A new planning application for a residential scheme as lodged in June 2016 and is currently being considered by the Planning Authority (Ref 16/635).</li> <li>• The submission considers the status of the current Naas South Environs Plan in the draft CDP to be unclear having regard to the statements contained in Par 1.1 and 1.9 of Vol 2 (Small Towns and Environs Plans)</li> <li>• It leads to an unsatisfactory arrangement whereby the status of the current Naas South Environs Plan, currently part of the 2011 CDP is ambiguous. There is no provision under the Planning &amp; Development Act 2000, as amended, for portions of an existing development plan to be 'carried over' and it is not entirely clear from the above wording whether that is the intention of the current draft plan.</li> <li>• In order to provide clarity and legal certainty that the lands continue to be zoned, we therefore hereby request that the lands be specifically zoned 'Low Density Residential' as per the existing zoning, in the 2017 CDP. They may then be subsumed into a new Naas Local Area Plan in due course. (175) (Zoning)</li> </ul>	<p><b>Response for Submissions 158 &amp; 175</b> See Response to Submission No. 148.</p> <p>The consideration of zoning and possible re-zoning of lands at Pipers Hill will be dealt with in the Naas LAP.</p> <p><b>Recommendation:</b> No change recommended</p>
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Naas Environs: Ladytown (Toughers)								
59	<p><b>Naas Environs: Ladytown (Toughers)</b></p> <ul style="list-style-type: none"> <li>• Seeks change in zoning objective uses permitted on a section of the Ladytown Business Park from NE1 'Industry and Warehousing' to NE2' Integrated Leisure and Film Development'.</li> <li>• This submission objects to the proposal in the Draft Plan rezone lands comprising 6.15 ha to 'NE1: Industry and Warehousing'. The site is currently unzoned and it is submitted that rezoning the site NE 1 would be wholly inappropriate for the following reasons: <ul style="list-style-type: none"> <li>- The permission for a hotel development on the lands which has been largely completed. (59)</li> <li>- The recently lodge application for a change of use of part of the hotel to a film studio/film school and another part to a nursing home. (59)</li> <li>- It should be noted that a hotel is not an acceptable use under the NE 1 zoning matrix and would cause untold difficulties in terms of any future planning applications to modify the hotel.</li> </ul> </li> </ul>	<p><b>Response:</b></p> <p>Having regard to permitted use and to appropriately existing and future development at this location, the new zoning proposal for NE2: 'Integrated Leisure and Film Development' on a section of the Business Park is considered appropriate.</p> <p>It is proposed to include a site specific zoning objective (see map below) relating to the subject site only to allow for the development of a hotel, Film Studio and Nursing Home on the subject site.</p> <p><b>Recommendation:</b></p> <p>Revise Volume 2: Section 1.9.3 NE 1: Industry/Warehousing</p> <p>Insert Specific Zoning Objective NE 1 referring to the subject site as follows:</p> <p><b>Table 1.9.2</b></p> <table border="1" style="margin-left: auto; margin-right: auto;"> <tbody> <tr> <td>Hotel</td> <td style="text-align: center;"><del>N</del>-O</td> </tr> <tr> <td>Nursing Home</td> <td style="text-align: center;"><del>N</del>-O</td> </tr> <tr> <td>Film Studio</td> <td style="text-align: center;">O</td> </tr> </tbody> </table>	Hotel	<del>N</del> -O	Nursing Home	<del>N</del> -O	Film Studio	O
Hotel	<del>N</del> -O							
Nursing Home	<del>N</del> -O							
Film Studio	O							

		
13	<p><b>Naas Environs: Ladytown (Toughers)</b> Request for 20 acres of land at Ladytown/Toughers located opposite the existing Ladytown Business Park development to be zoned as 'Q' (Enterprise &amp; Employment) land use zoning objective. This is a ready-to-go proposal which could deliver potentially 350 jobs.</p> <p>It is envisaged to be a campus style environment where purpose built corporate headquarters can be located.</p>	<p><b>Response:</b> In compliance with its status in the Regional Planning Guidelines for the Greater Dublin Area 2010 – 2022, Naas has been afforded the most significant settlement status in Kildare being the only Large Growth Town 1 in the county, and also being a Primary Economic Growth Town linked with Newbridge and supported by Kilcullen in the Hinterland area. The Draft Plan has allocated significant growth for Naas and Newbridge both in terms of population growth/new housing allocation and expanding its economic profile.</p> <p>To zone additional lands for economic development outside of these towns would be contrary to the proper planning and sustainable development of the area and would compromise the roles in employment and provision of goods and services of both Naas and Newbridge as a Large Growth Town 1 and Primary Economic Growth Town respectively. In addition the zoning of new lands at Ladytown would further increase an already heavily car reliant area.</p> <p><b>Recommendation:</b> No change recommended</p>

<b>Naas Environs: Craddockstown</b>		
232	<p><b>Craddockstown</b></p> <p>This submission relates to the provision of lands for residential development at Craddockstown Naas, the subject lands form part of the existing Craddockstown Golf Club and measures c. 7ha.</p> <p>The submission states that the provision of residentially zoned lands to the north east of the golf course would provide an opportunity for the club and the availability of lands to the south and south west also facilitate this.</p>	<p><b>Response:</b></p> <p>Proposed zoning which will not form part of the CDP. This is a matter to be considered in the forthcoming Local Area Plan for Naas Town &amp; Environs, due to commence preparation in Q 4 of 2016.</p> <p><b>Recommendation:</b></p> <p>No change recommended</p>
<b>Miscellaneous</b>		
131	<p><b>Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs</b></p> <p>The submission notes that Volume 2 of the draft Plan contains land use plans consisting of small towns and environs plans, and village plans and rural settlements.</p> <p>The DoAHRGA notes that some of the objectives that relate to recreation on waterways which could impact on biodiversity, however, as these plans will have to comply with the protective policies and objectives in volume 1 this should not be an issue.</p>	<p><b>Response:</b></p> <p>Noted.</p> <p><b>Recommendation:</b></p> <p>No change recommended</p>

## 18. Small Towns

Submissions relevant to this section: 8, 11, 24, 57, 68, 76, 84, 129, 160, 162, 169, 192

Sub. No.	Submission	Chief Executive's Response and Recommendation
<b>Athgarvan</b>		
84	<p>Request zoning of lands c. 0.164ha to be zoned for low density residential development</p> <p>- The infill site has 44m of road frontage, would be ideally suited to a sitting of small residential unit and services are available on the adjoining site to the north.</p>	<p><b>Response:</b></p> <p>The subject site is zoned B: Existing Residential/Infill in the Draft Plan. The land use zoning objective for this use is <i>'to protect and improve existing residential amenity, to provide for appropriate infill residential development and to provide for new and improved ancillary services.'</i></p> <p>This zoning would adequately provide for further residential development at a scale and density that is considered appropriate for the subject site while having regard to the amenity and character of the surrounding area. Therefore it is not considered appropriate to rezone the site as requested.</p> <p><b>Recommendation:</b></p> <p>No change recommended.</p>
<b>Derrinturn</b>		
160	<p>Request zoning of lands for C: New Residential, comprising c. 3.35ha located to the rear of Ballyshannon Manor to the South West of Derrinturn.</p> <p>- Site is located in the centre of the village; within 400m walking radius of village centre services; site is adjacent to existing residential development; infrastructure to service the site is already in place; site is closer to the village centre than other lands which are zoned in the Draft Plan.</p>	<p><b>Response:</b></p> <p>In the context of the updated Table 3.3 and 3.4 of the Draft Plan, the core strategy estimates a population target of 1,940 by 2023. The settlement strategy for the county allocates a housing target of 195 units to Derrinturn to 2023. There is capacity for c. 279 units. There is no additional capacity for residential development in the village of Derrinturn, therefore it would be inappropriate to zone additional lands.</p> <p><b>Recommendation:</b></p> <p>No change recommended.</p>

<b>Kill</b>	
57	<p><b>Kill</b></p> <p>It is submitted by TII that all proposals on the specific zoning objective 'KIE: Equine Based Leisure, Tourism and Enterprise' should be the subject of Traffic and Transport Assessment to determine impact on the adjacent Kill Junction and M7 mainline. TII submits that development proposals not associated with the established use on site should be resisted.</p>
	<p><b>Response:</b></p> <p>The land use zoning objective KIE: Equine Based Leisure, Tourism and Enterprise is:  <i>'To develop equine based industry at Goffs. This zoning objective is to facilitate the expansion of an existing equine based development at Kill. This zone is solely for equine based leisure tourism and enterprise. Any development must be equine based and fully integrated within this primary focus of activities on the site.'</i></p> <p>This specific land use zoning objective assigned to this site with a long standing established use is considered appropriate and should remain. Therefore development proposals not associated with the equine based industry on site will not be in accordance with this zoning objective. Having regard to the concern raised by TII regarding the potential impact on the Kill Junction and M7, it is recommended to revise Table 1.8.1 Land Use Zoning objectives to incorporate the requirement for a Traffic and Transport Assessment.</p> <p><b>Recommendation:</b>                  Revise Table 1.8.1 Land Use Zoning Objectives as follows:</p> <p><b>'KIE: Equine Based Leisure, Tourism and Enterprise</b></p> <p><i>To develop equine based industry at Goffs                  This zoning objective is to facilitate the expansion of an existing equine based development at Kill. This zone is solely for equine based leisure tourism and enterprise. Any development must be equine based and fully integrated within this primary focus of activities on the site. <b>Any application for development shall be accompanied by a Traffic and Transport Assessment carried out by the applicant to determine impact on the Kill Junction and M7 mainline.'</b></i></p>

<p>11, 8</p>	<p><b>Kill</b></p> <p>Request that the subject sites measuring 0.64 ha and 1.95 ha are zoned 'D'- General Development or 'H' – Industrial and Warehousing or another appropriate employment generating use.</p> <p>The submission details the history of land acquisition by Kildare County Council of the family landholding since the 1950's. The result of these land acquisitions which accommodated the route of the now M7 roadway, was to 'shrink' the landholding in question and to create two small parcels of land separate from the main farm.</p> <p>The shape and size of these sites are deemed unsuitable for agricultural use.</p>	<p><b>Response:</b></p> <p>The subject sites are physically removed from the village and are located outside the development boundary of the Kill Plan being located to the north of the interchange.</p> <p>It should also be noted that Section 2.5 of the recently published Spatial Planning and National Roads- Guidelines for Planning Authorities (DoECLG 2012) issued under Section 28 of the Planning and Development Act 2000 (as amended), outline how to approach development plan policy and development management on or near access to national roads and interchanges. It states that <i>"lands adjoining National Roads to which speed limits greater than 60kmh apply: The policy of the planning authority will be to avoid the creation of any additional access point from new development or the generation of increased traffic from existing accesses to national roads to which speed limits greater than 60kmh apply. This provision applies to all categories of development, including individual houses in rural areas, regardless of the housing circumstances of the applicant."</i></p> <p>Furthermore Table 17.8 of the draft plan states that buildings lines from National Primary Roadways should be 91m along with Section 19.6.4, Such a setback would have a significant impact on the overall development potential of these lands. The development of these lands could also prejudice any potential works that may be required at this interchange into the future.</p> <p>On the basis of the foregoing the proposed rezoning of the subject sites from I: Agriculture to D: General Development or H: Industrial and Warehousing would be contrary to the proper planning and sustainable</p>
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		<p>development of the area and the recently published by the DoECLG guidelines in relation to spatial planning and national roads.</p> <p><b>Recommendation:</b> No change recommended.</p>
24	<p><b>Kill</b> Requesting that the boundary of Kill Small Town Plan is extended to encompass the former sand and gravel quarry sites and to zone these sites H: Industrial and Warehousing.</p> <p>- The subject sites would provide employment opportunities for the allocation of an additional 599 residential unit during the plan period and would be in accordance with Section 5.3.2 of the Draft Plan; is readily accessible from the local road network and is service by main water and electricity.</p> <p>- It is noted that the Draft Plan proposed to extend the boundary across the N7 to encompass the site of Goffs to facilitate equine based enterprise thereby demonstrating that the Planning Authority has no objection to the extension of the Kill boundary and does not represent the 'facts on the ground'.</p> <p>- The site represents a logical extension of the town boundary as it is located between the site of a haulage company and the Balcas and Alcrete site. Historically the lands formed part of the Kill sand and gravel quarries and should be considered a browfield site.</p>	<p><b>Response:</b> The subject site is significantly physically removed from the village and is located outside the development boundary of the Kill Plan. Sufficient employment lands are zoned to cater for economic development appropriate to the scale of Kill village and o further extend the boundary of the Kill Small Town Plan would be contrary to Section 1.5.7 where a guiding principle of the future development of Kill is '<i>to consolidate development within the town centre, followed by the sequential development of land/sites in a logical progressions from the town centre to the edge of the development boundary.</i>'</p> <p><b>Recommendation:</b> No change recommended.</p>
129	<p><b>Kill</b> Request that the site of the former Ambassador Hotel comprising c. 0.42ha is rezoned from F: Open Space and Amenity to c: New Residential.</p>	<p><b>Response:</b> The subject site is currently zoned F: Open Space and Amenity in the Kildare CDP 2011-2017 and is located adjacent to existing open space and amenity lands. Sufficient social and physical infrastructure is required to cater for and support the community to ensure the development of a</p>

	<p>The draft plan has not zoned sufficient lands to achieve the housing target for Kill as set out in the Core Strategy. . The Open Space zoning is an anomaly; the site was never in use as open space and has no recreational and amenity value.</p>	<p>sustainable urban settlement.</p> <p>The existing and future population of Kill is set out in revised Table 3.4 of the settlement strategy indicates that there is a capacity surplus of 180 units in the draft plan therefore no further lands should be zoned for residential development.</p> <p><b>Recommendation:</b> No change recommended.</p>
<p>162</p>	<p><b>Kill</b></p> <p>Request to amend the KIE 1 Zoning category to allow for an appropriate range of tourism and leisure facilities which are compatible with the existing equine use on Goffs Lands at Kill in Kildare. It is not possible for the entirety of the lands to be utilised for bloodstock/equine.</p> <p>Policies in the draft CDP promote additional facilities and services throughout the County in connection with the promotion of tourism. Policy KL3 also encourages the development of <i>tourism and economic activity based on the existing high quality bloodstock and equestrian industry/amenities</i>. The restrictions of the zoning objective conflicts with these policies and objectives.</p> <p>KIE should be amended to read:</p> <p style="padding-left: 40px;">This zoning objective is to facilitate <b>leisure and tourism use and to allow for the consolidation and potential expansion of an existing equine-compatible development at Kill related to Bloodstock sales. The existing use of the site will be supported and encouraged and tourism development on surplus lands compatible with the existing bloodstock sales business will be considered.</b></p>	<p><b>Response:</b></p> <p>The land use zoning objective KIE: Equine Based Leisure, Tourism and Enterprise is: <i>'To develop equine based industry at Goffs. This zoning objective is to facilitate the expansion of an existing equine based development at Kill. This zone is solely for equine based leisure tourism and enterprise. Any development must be equine based and fully integrated within this primary focus of activities on the site.'</i></p> <p>This specific land use zoning objective assigned to this site with a long standing established use is considered appropriate and should remain. Therefore development proposals not associated with the equine based industry on site will not be in accordance with this zoning objective. Having regard to the concern raised by TII regarding the potential impact on the Kill Junction and M7, it is recommended to revise Table 1.8.1 Land Use Zoning objectives to incorporate the requirement for a Traffic and Transport Assessment.</p> <p><b>Recommendation:</b></p> <p>Revise Table 1.8.1 Land Use Zoning Objectives as follows:</p>




	<p>Table 18.5 should be amended as follows:</p> <ul style="list-style-type: none"> <li>- Restaurant use should be permissible in principle,</li> <li>- Shop (comparison) should be open for consideration to allow a gift shop on site</li> <li>- A 'craft shop' use should be permissible in principle</li> <li>- Nursing home use should be permissible in principle</li> <li>- Garden centre use should be permissible in principle.</li> <li>- Petrol filling station use should be permissible in principle, to reflect extant permission</li> </ul> <ul style="list-style-type: none"> <li>• The triangular portion of land to the south-east corner of the KIE zoning objective Kill should be removed as this land accommodates the ESSO petrol filling station.</li> </ul>	<p><b>'KIE: Equine Based Leisure, Tourism and Enterprise</b></p> <p>To develop equine based industry at Goffs  <i>This zoning objective is to facilitate the expansion of an existing equine based development at Kill. This zone is solely for equine based leisure tourism and enterprise. Any development must be equine based and fully integrated within this primary focus of activities on the site. Any application for development shall be accompanied by a Traffic and Transport Assessment carried out by the applicant to determine impact on the Kill Junction and M7 mainline.'</i></p> <p><b>Recommendation:</b>          No change recommended.</p> <p>There is an established use of a filling station on the subject site. Given the location of the site immediately adjacent to the M7 Motorway, it would not be considered appropriate to zone the site for retail purposes, therefore the site should remain within the boundary of Kill Small Town Plan as per the Draft Plan.</p> <p><b>Recommendation:</b>          No change recommended.</p>
169	<p><b>Kill</b></p> <p>Request that the zoning of the service station at Beaufort, Kill be amended from 'KIE - Equine Based Industry' to 'T - General Development' to reflect established uses and extant planning permission on site for a hotel and service station. It is separate ownership from Goffs adjacent.</p>	<p><b>Response:</b></p> <p>Extant planning permission on the subject site for the development of a service station and hotel under Planning Ref 08/656 and Extension of Duration Ref 14/91. Permission is granted up to 10.02.19.</p> <p>While the permitted development on the subject site is acknowledged, the location of the site immediately adjacent to the M7 Motorway would not lend itself to the zoning of the site specifically to accommodate 'General Development'. Therefore the site should remain within the boundary of Kill Village KIE zoning objective.</p>

		<p><b>Recommendation:</b> No change recommended.</p>
203	<p><b>Kill</b></p> <ul style="list-style-type: none"> <li>Request for lands comprising c 60acres located to the southeast of Kill be zoned for a mix of low-medium density residential land use (land use objective C), and open space &amp; amenity uses (land use objective F) (map included with submission)</li> <li>The subject lands have been in the ownership of the developer for many years and were previously zoned in the 2002 Kill Development Plan.</li> <li>The lands were subject to previous planning applications for residential development but archaeology on the lands.</li> <li>The lands present a logical extension of the development at Rochford Abbey, would provide an access to a Motte &amp; Bailey public open space area, and would also provide for a major public open space or park to be provided for the benefit of all the village residents.</li> <li>The submission asks the Council to consider this proposal favourably and to ask the DoECLG, DAHRRG and the OPW to reconsider the preservation order on these lands and adjust the boundaries of same.</li> <li>The preservation of archaeology on these lands can be maintained while also catering for housing to be delivered.</li> </ul>	<p><b>Response:</b> Part of the subject site is currently zoned F: Open Space and Amenity in the Kildare CDP 2011-2017 and in the Draft Plan.</p> <p>The existing and future population of Kill is set out in revised Table 3.4 of the settlement strategy indicates that there is a capacity surplus of 180 units in the draft plan. The subject site is removed from the town centre and does not have an extant permission. Furthermore four RMP sites lie within the site and part of the site is designated as a Preservation Order Boundary and a Zone of Archaeological Potential.</p> <p>In order to ensure compliance with the core strategy of the draft plan, no further lands should be zoned for residential development.</p> <p><b>Recommendation:</b> No change recommended.</p>
<b>Prosperous</b>		
76	<p><b>Prosperous</b></p> <p>It is suggested that 0.46ha of land within the Prosperous town plan boundary be zoned for residential purposes (low density housing). The</p>	<p><b>Response:</b> In the context of the updated Table 3.3 and 3.4 of the Draft Plan, the core strategy estimates a population target of 2,432by 2023 for Prosperous. The</p>

	<p>land is not affected by flooding, is close to the village centre and near schools, shops etc.</p>	<p>settlement strategy for the county allocates a housing target of 325 units to Prosperous to 20023. There is capacity for c.142 units. There is no additional requirements for residential development in the village of Prosperous, therefore it would be inappropriate at this stage to zone additional lands.</p> <p><b>Recommendation:</b> No change recommended.</p>
<p>68</p>	<p><b>Prosperous</b></p> <ul style="list-style-type: none"> <li>• Policies PR 10 and PR 14: It is submitted that a lack of enforcement means that speed has not been reduced on the R403 from Clane to Allenwood. The traffic calming measures are completely ignored by most drivers particularly passing Mc Carthy's Hardware. In addition, there is a right hand turn at Dagwells with a double white line which traffic regularly ignores.</li> <li>• More effective traffic calming measure such as narrowing of roads, speed bumps or islands at gateways into the village particularly on R403.</li> <li>• Policy PR 17: It is submitted that this footpath should be completed to the end of Little Scholar's Creche as far as the Bus Eireann stop to increase pedestrian safety. In addition this footpath would pass the access to Ballinafagh Bog which would encourage its use as a recreational amenity and could be developed as a looped walk with some work from KCC.</li> </ul>	<p><b>Response:</b></p> <ul style="list-style-type: none"> <li>• It is considered that policies PR 10 and PR 14 adequately support and specify road improvements that are identified within the village. These works shall be carried out having regard to the principles set out in the Design Manual for Urban Design and Streets 2013.</li> <li>• The issue of enforcement is not a matter for the development plan.</li> <li>• The extension of the footpath from the end of Little Scholar's to the bus stop would represent and logical extension of the pedestrian network within the village.</li> </ul> <p><b>Recommendation:</b></p> <p>Revise policy PR 17 as follows: <b>PR 17:</b> <i>To complete footpaths at the following locations:</i></p> <ul style="list-style-type: none"> <li>• <i>From Mc Cormacks Garage, past Little Scholar's Creche to the Bus Eireann Bus Stop.</i></li> </ul>

<b>Rathangan</b>		
192	<p><b>Rathangan</b></p> <p>This submission refers to the zoning of lands (and applicable densities) to the east of Rathangan Village.</p> <p>The submission raises concerns regarding the designated densities of the subject site. The submission refers to extracts of the Draft Plan specifically Section 4.3.1 which relates to the application of residential densities and suggests that given the current housing demand in the county that the densities should remain as per the current CDP 2011-2017.</p>	<p><b>Response:</b></p> <p>Given the location of the subject site on the edge of Rathangan at the urban rural transition area it is considered that a lower density of approximately 10 units per hectare is the most appropriate density for this site. Furthermore the Small Town Plan strives to provide for a variety of residential developments within the urban area.</p> <p>Rathangan has adequate lands zoned at appropriate densities for residential densities and currently has a surplus capacity of 194 units therefore the lower density applied to the subject site is considered appropriate in this instance.</p> <p><b>Recommendation:</b></p> <p>No change recommended.</p>
52	<p><b>Rathangan</b></p> <p>Request to rezone land (0.5ha) in Rathangan from 'Industrial' to 'Residential'. (52)</p> <ul style="list-style-type: none"> <li>• The lands are currently occupied by the family home of Joan Flanagan and it is her intention to provide a second house on the lands for her son/daughter, subject to planning permission. (52)</li> <li>• The Planning Authority has recently approved Planning Permission for the development of a house on the landholding (Ref. 16/263) whilst refusing a previous application for a second house due to the existing industrial zoning. (52)</li> <li>• It is now sought to amend the zoning to deal with this issue for the family. (52)</li> </ul>	<p><b>Response:</b></p> <p>Given the restricted nature of the site, the established use on the site and precedent set by the decision to grant planning permission for a replacement dwelling on the subject site (pl. ref 16/263), it is considered appropriate to revise the zoning objective from H: Industry and Warehousing to B: Existing Residential/Infill.</p> <p><b>Recommendation:</b></p> <p>Revise Map V2-1.7A to rezone subject site from H: Light Industry and Warehousing to B: Existing Residential/Infill.</p>

		
53	<p><b>Rathangan</b></p> <ul style="list-style-type: none"> <li>• Request to rezone land (2.75ha) for residential purposes / nursing home purposes.</li> <li>• The site is accessed off a private access road which can easily be upgraded and will not result in sprawling development along the approach roads into Rathangan Town.</li> <li>• The lands were approved for a nursing home in 2005 (Ref. 05/1169) but were not developed due to the oncoming recession. It is expected that funds will now be available to complete the development of the lands.</li> <li>• It is also sought to have the lands zoned for residential purposes as the submission considers a low density housing development would also suit the site. This would offer an alternative to one off housing sites which are in demand on the approach roads to Rathangan.</li> </ul>	<p><b>Response:</b></p> <ul style="list-style-type: none"> <li>• Rathangan has adequate lands zoned in the Draft Plan and has a surplus capacity of 194 units therefore it is not appropriate to zone additional lands for residential development.</li> <li>• The provision of a Nursing Home is a desirable use within Rathangan, however as set out in Section 4.7 of the Draft Plan, <i>'Nursing Homes and other residential facilities for older people should be appropriately located close to public transport, community facilities, retail and other amenities.'</i></li> <li>• In addition Policy SN 2 seeks <i>'to support the provision of accommodation for older people in established residential and mixed use areas that offer a choice and mix of accommodation types to older people for independent a, semi independent living and assisted living.'</i></li> <li>• The subject site is significantly removed from the town centre area, residential development and community facilities and would not represent sequential and sustainable development of the town.</li> </ul>

		<p><b>Recommendation:</b> No change recommended.</p>
54	<p><b>Rathangan</b></p> <ul style="list-style-type: none"> <li>• Request to rezone land (6.2ha) for residential purposes</li> <li>• The lands are adjacent to the recently completed housing development of Prestonbrook and are well served by the existing sewage and mains water services which were all upgraded in the past 10 years.</li> <li>• The site is accessed from the existing road network serving Prestonbrook Housing Development.</li> <li>• The development of the lands would be in keeping with the sequential form of development, given its ideal location which would not result in sprawling of development on approach roads to Rathangan.</li> </ul>	<p><b>Response:</b> Rathangan has adequate lands zoned in the Draft Plan and has a surplus capacity of 194 units therefore it is not appropriate to zone additional lands for residential development.</p> <p><b>Recommendation:</b> No change recommended.</p>
107	<p><b>Rathangan</b></p> <ul style="list-style-type: none"> <li>• Request to have site (size not stated) in a central location in Rathangan to be rezoned from 'Open Space &amp; Amenity' to a mixed use development zoning.</li> <li>• It is stated that the current open space &amp; amenity zoning is not consistent with adjoining land uses zonings, the existing lands are inaccessible to the public and will require engagement from the owner to deliver the use of the lands for open space &amp; amenity. This brings considerable problems to the owner in relation to insurances, health &amp; safety etc. The owner wishes to engage with the planning authority to determine a use of the lands more compatible with town centres use which would include considerable open space and</li> </ul>	<p><b>Response:</b> Rathangan has adequate lands zoned in the Draft Plan and has a surplus capacity of 194 units therefore it is not appropriate to zone additional lands for residential development.</p> <p>The Drummonds lands extend to 6ha and are located to the east of the town centre and comprise three remnants of the workings of the Mill and a number of protected structures. These lands have been identified for F: Open Space and Amenity in the Rathangan Small Town Plan since Variation No. 1 of the Kildare CDP 2011-2017.</p> <p>It is envisaged that the subject site would be developed to fulfil an open space and amenity role in a central location within the town and linked to the wider green infrastructure of the area such as the River Slate and</p>

	<p>amenity use.</p> <ul style="list-style-type: none"> <li>• The site is within 200m of the village centre, has access to public services, has unrestricted access to a public road, a mixed use development would potentially unlock restricted land to the public for use as a community centre, boathouse, linear parks.</li> <li>• The proposal would also encourage the provision of town centre housing. A nursing home element will complement the housing and recreational uses.</li> </ul>	<p>Grand Canal.</p> <p>A number of landuses are 'permitted in principle' under zoning objective 'F: Open Space and Amenity' , such as community, recreational and sports buildings, cultural uses, park and playing fields other uses such as crèche/playschool are 'open for consideration'. The provision of a nursing home is 'not permitted' under this zoning objective.</p> <p><b>Recommendation:</b> No change recommended.</p>
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## Volume 2 - Village Plans

Submissions relevant to this section; 5, 18, 35, 42, 45, 49, 56, 69, 78, 83, 85, 106, 109, 113, 114, 115, 125, 132, 134, 135, 137, 138, 140, 141, 144, 150, 170, 180, 186, 188, 189, 205, 211, 213, 216, 218, 222, 228, 229 and 234.

Sub No.	Description	Chief Executive Response & Recommendation
<b>Ballymore Eustace</b>		
5	Requested to zone a linear riparian section of the River Liffey to 'F: Open Space and Amenity' in order to facilitate a walking route which is considered crucial in linking the existing walk in Ballymore Eustace to the already permitted & existing trails through the wastewater treatment plant and the ESB lands at Golden Falls.	<p><b>Response:</b> Whilst noting the positive points put forward in the submission on the provision of local and regional walking route developments in the area, it is not considered appropriate in this instance to extend the F 'Open Space &amp; Amenity' zoning and consequently the village plan boundary. It is considered that the walking routes outlined on Map V2-2.4B and also objective AR2 <i>"To maintain, upgrade and extend where necessary the walking routes illustrated with the appropriate symbol on Map V2-2.4B"</i> allows sufficient flexibility for the Council to consider future extensions to the walking route network in Ballymore Eustace without the need for further zoned land which would extend the village plan boundary.</p> <p><b>Recommendation:</b> No change recommended.</p>
134	<ol style="list-style-type: none"> <li>1. Questions the zoning of a large portion of residential lands to the south of the village which contravenes the objective to promote growth from the village core first. Alternative lands closer to the village centre should be considered to meet the required residential zonings.</li> <li>2. There is a lack of pedestrian infrastructure linking residential areas to the south of the Liffey with the village centre.</li> <li>3. Concern raised that centrally located lands would be zoned "I – Agricultural" instead of being put to better</li> </ol>	<p><b>Response:</b> Individual responses listed below</p> <ol style="list-style-type: none"> <li>1. Comments noted. A new residential zoning is proposed closer to the village centre as a material alteration. See response to Submission No. 18 below for details.</li> <li>2. There are a number of transportation objectives already in the draft village plan recognising the need for improvements for pedestrian infrastructure in the village and also the need to widen and improve Ballymore Bridge (refer to objectives T3, T5 and T6).</li> <li>3. The land use zoning objectives map for Ballymore Eustace is</li> </ol>

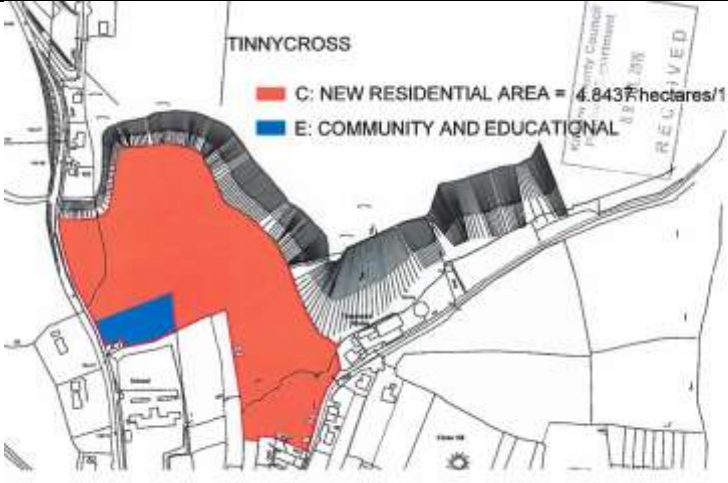


	<p>economic use” .</p>	<p>reflective of its position as a ‘Village’ in the county settlement hierarchy. The Planning Authority does not consider there a need or planning justification for further additional land-uses to be considered on the “I –Agricultural” zoned lands during the 6 year period of the Draft Plan 2017-2023. This matter can be reviewed in future CDP reviews.</p> <p><b>Recommendation:</b> One change proposed to provide residential zoning closer to the village centre. See response to Submission No. 18 below for details.</p>
<p><b>35</b></p>	<ol style="list-style-type: none"> <li>1. Disappointment expressed on the amount of times objective T3 <i>“To widen and improve Ballymore Bridge and specifically to improve pedestrian facilities in this area”</i> has appeared in the CDP without action being done.</li> <li>2. Suggested objective to construct a footpath from Barrack Street to St. John’s Church.</li> <li>3. The Council should reinstate the laneway from the Bandhall to Bishopshill Road.</li> <li>4. The R445 does not run from Ballymore Eustace to Naas. This should be corrected as it appears a typing error.</li> <li>5. Request that the “Pudding Lane” walking route be included on the village objectives map.</li> <li>6. Request to omit walking route marked C to D in the submission as it passes through the new owners house garden. The new ownr proposes to reinstate the Mill House.</li> <li>7. Request to insert a new walking route along the River Liffey marked C to E in the submission to connect up with an existing walk.</li> <li>8. Questions why the village boundary does not extend to the east side of the River Liffey given the plan principle</li> </ol>	<p><b>Response:</b> Individual responses listed below;</p> <ol style="list-style-type: none"> <li>1. The improvement works to Ballymore Bridge have been identified in the Draft Plan as a specific local transportation objective for the village. While it is a requirement of the Council to secure the delivery policies and objectives contained in the Development Plan, these will be subject to overall funding constraints. The advancement of this objective will be lead at Municipal District level.</li> <li>2. It is considered that Objective T6 can be expanded on to include such items “To improve the quality and width, where appropriate, of all footpaths in the village and improve access for people with disabilities. <b>In addition the Council will also investigate the need for further improvements to pedestrian infrastructure in the village”.</b></li> <li>3. Not agreed. This not a matter for the CDP review.</li> <li>4. This anomaly is noted. It is proposed to amend the first sentence in ‘Section 2.5.3.8 Transportation’ as follows; “The following regional roads serve Ballymore Eustace: the <b>R445 R411</b> to Naas, the R411 to the N81 National Primary Route in County Wicklow and the R413 to Brannockstown.”</li> <li>5. Not agreed. It is considered that Objective AR2 facilitates the</li> </ol>

	<p>to protect and enhance the River Liffey in terms of its recreational and ecological potential and value is important.</p> <ol style="list-style-type: none"> <li>9. Concerns raised in relation to ongoing water quality and pollution of the River Liffey at Ballymore Eustace.</li> <li>10. Questions whether KCC owns the site marked C2 New Residential on the zoning objectives map and what plans are envisaged for this area in terms of housing.</li> <li>11. Indicates that the Tree Preservation Order marked on the objectives Map need to be reviewed.</li> <li>12. The site named 'Goofy Land' on the objectives map is known locally as The Strand.</li> </ol>	<p>extension of existing walking routes in the village without the need for further identification of routes in the village plan.</p> <ol style="list-style-type: none"> <li>6. Agreed – This section of the walking route on the village objectives map is to be omitted as a material alteration.</li> <li>7. Not agreed. See response to Submission 5 (same general issue).</li> <li>8. It is not considered that there is a requirement to extend the village boundary to allow the potential development of amenities along the River Liffey beyond the village boundary.</li> <li>9. Whilst these concerns are noted, the matter is outside the scope of the CDP to resolve. Such matters shall be dealt with through environmental monitoring and consultation with KCC Environment Section and other external agencies.</li> <li>10. Land Ownership is not a material matter for consideration in a CDP review.</li> <li>11. The Tree Preservation Order remains in place for Ballymore Eustace (being one of 4 TPOs in the county). The Council is satisfied that the TPO remains appropriate.</li> <li>12. This is noted and will be amended accordingly on the village objectives map.</li> </ol> <p><b>Recommendation:</b> To carry out the following material alterations;</p> <ol style="list-style-type: none"> <li>1. To amend Objective T6 as follows; "To improve the quality and width, where appropriate, of all footpaths in the village and improve access for people with disabilities. <b>In addition the Council will also investigate the need for further improvements to pedestrian infrastructure in the village</b>".</li> <li>2. It is proposed to amend the first sentence in 'Section 2.5.3.8 Transportation' as follows;</li> </ol> <p>"The following regional roads serve Ballymore Eustace: the <b>R445 R411</b> to Naas, the R411 to the N81 National Primary Route in County Wicklow and the R413 to Brannockstown."</p>
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		<p>The following map alterations are also proposed;</p> <ol style="list-style-type: none"> <li>1. To delete the section of the walking route proposed that is marked C-D in the submission on the Village Objectives map.</li> <li>2. To delete any references to 'Goofy Land' on the land use zoning objectives map, and objectives map for Ballymore Eustace.</li> </ol>
42	<p>Submission highlights the declining population trend in Ballymore Eustace since 2004 which is impacting on the operation of the local school. The lack of housing options in the village is also of concern in terms of population numbers.</p>	<p><b>Response:</b> The points made in the submission in relation to local population trends are noted. The Draft Plan contains 6 key principles for the future development of the village, including that the growth rate shall cater for local demand at an appropriate scale. The Draft Plan has zoned sufficient new residential zoned land in the village to accommodate its housing allocation over the period of the new CDP in a plan led and evidence based manner in accordance with the county Core Strategy. It is the aim of the Council that villages such as Ballymore Eustace grow in a sustainable manner that is sympathetic to the local settlement characteristics.</p> <p><b>Recommendation:</b> No change recommended.</p>
49	<ol style="list-style-type: none"> <li>1. Comments made in relation to the locational context.</li> <li>2. Various comments made in relation to the expansion of land use zonings in the village, such as small scale employment uses at the restored Keenan's sand &amp; gravel pit.</li> <li>3. The location of Dublin City Council's Waterworks, the Golden Falls hydroelectric station and the River Liffey should not hinder the expansion of the village's amenity and recreational offer.</li> <li>4. Section 2.5.3.5 'Public Utilities – Wastewater &amp; Water Supply' should be highlighted on the land use zoning map because such plants are seen as restrictors to building</li> </ol>	<p><b>Response:</b> Individual responses listed below;</p> <ol style="list-style-type: none"> <li>1. Location comments noted, it is however considered that the description in Section 2.5.3.2 is appropriate.</li> <li>2. Not agreed. The Draft Plan is considered to have zoned a sufficient quantity of varying land uses to accommodate the future growth of the village over the period of the new CDP.</li> <li>3. The Draft Plan it is not considered to be hindered by such items. Amenity &amp; Recreation Objectives AR1, AR2 and AR3 allow flexibility in this regard.</li> <li>4. Not agreed. The land use zoning objectives map takes into account such locations.</li> <li>5. This is already covered under Objective T3.</li> </ol>

	<p>developments and are either within 800m circumference or adjacent to the village boundary.</p> <ol style="list-style-type: none"> <li>5. Upgrade works to the Liffey Bridge should be sought.</li> <li>6. Disagrees with the statement in Section 2.5.3.9 that the village has a good infrastructure of social and community facilities.</li> <li>7. Objectives T2 and T3 could possibly be considered together in conjunction with rezoning of the lands behind the handball alley to combination of residential and amenity.</li> <li>8. There is a shortfall of recreational facilities in the village. The Liffey Walk should be maintained, upgraded and extended.</li> <li>9. A number of new zoning proposals are suggested.</li> </ol>	<ol style="list-style-type: none"> <li>6. No change recommended. It is considered that this statement and list of facilities includes a comprehensive outline of available services and facilities in the village.</li> <li>7. Not agreed. Objectives T2 and T3 are considered separate upgrade objectives to local road infrastructure. Sufficient land has been zoned for residential and amenity uses in the Draft Plan.</li> <li>8. The comments on recreational facilities is noted. It is considered that amenity and recreational and amenity objectives AR1, AR2 and AR3 adequately seek the provision of enhanced amenity and walkway facilities in the village.</li> <li>9. The Chief Executive is satisfied that a sufficient amount of zoned land is provided in the Draft Plan for a variety of land uses including residential and employment uses. There is no justification for further provision of same given the 'village' status of this centre. There is flexibility built into the objectives of the plan to allow for further expansion of walking routes, where they arise, without the need for further zonings or specified walking routes objectives.</li> </ol> <p><b>Recommendation:</b> No change recommended.</p>
<p><b>18</b></p>	<p>Request for 12 acres of land to be zoned 'C' New Residential, with the lands being within the 400m walking band of the village centre, to the northwest edge of the village, adjoining the local school site and being accessible by the Truce Road.</p>	

		 <p><b>Response:</b> The Chief Executive agrees with this proposal. It is considered that the proposed site offers a more optimal location from a sequential viewpoint for the future expansion of the village adjacent to the local school site and within 400m walking band of the village centre, with access available from the R411 within the village speed limit area. This proposal is to replace the C2 residential zoned lands to the south of the village which is primarily outside the 800m walking band of the site.</p> <p><b>Recommendation:</b> It is proposed to zone the subject site identified in the Submission as (C) New Residential. This is to replace the C2 New Residential zoned land (5.1ha) to the south of the village.</p>
<p><b>115</b></p>	<p>1. General submission indicating that the village needs an injection of both residential and business development. The area of land zoned A and B in the village centre are ideal for small pockets of either housing, enterprise or recreational uses. The submission does not agree with</p>	<p><b>Response:</b> Individual responses listed below;</p> <ol style="list-style-type: none"> <li>1. New Residential zone land is proposed closer to the village centre. See response to Submission No. 18 for details.</li> <li>2. The indicative residential density for village settlements is outlined in Table 4.2 of the Written Statement (Volume 1) of the Draft Plan.</li> </ol>

	<p>the C2 zoned lands to the south of the village which has experienced significant development in the past along with the inadequacy of the Liffey Bridge for pedestrian safety, with no public transport services on this side of the village and no community facilities and shops. It is considered that lands closer to the village centre zoned agricultural in the Draft Plan would be better suited for this purpose.</p> <p>2. Residential density should be clarified in the plan. A suggested density of 6-8 houses per hectare as being suitable for Ballymore Eustace.</p>	<p><b>Recommendation:</b> No change recommended.</p>
<p><b>170</b></p>	<p>Request that the zoning objective for a piece of land at the east of the village behind the Band Hall and bounding St. John's Church be kept at Agricultural.</p>	<p><b>Response:</b> Agreed. This land is zoned 'I – Agricultural' in the Draft Plan.</p> <p><b>Recommendation:</b> No change recommended.</p>
<p><b>189</b></p>	<ol style="list-style-type: none"> <li>1. Requests that residential density in the village be a maximum of 8 units per acre in the village centre.</li> <li>2. There are a number of infill sites within the village that should be utilised for housing, business or recreational opportunities.</li> <li>3. Future housing should be directed to the top of the village, closer to the main access roads and not in the Broadless area.</li> <li>4. Improve pedestrian access on the Liffey Bridge.</li> <li>5. KCC should approach landowners in the area and negotiate a site for a playground and park.</li> <li>6. Suggested that the river walk continues further out the Coughlanstown Road and in the event that the C1 lands are developed, that this would be a condition of planning.</li> </ol>	<p><b>Response:</b> Individual responses listed below;</p> <ol style="list-style-type: none"> <li>1. The indicative residential density for village settlements is outlined in Table 4.2 of the Written Statement (Volume 1) of the Draft Plan. Appropriate densities will be determined by the Planning Authority on a site by site basis during the development management process</li> <li>2. It is agreed that infill sites can accommodate a variety of uses particular in the village centre area. Again individual proposals will be considered on a case by case basis.</li> <li>3. A new residential zoning is proposed closer to the village centre, see response to Submission No. 18.</li> <li>4. Concerns noted. Objective T3 in the Draft Plan addresses this.</li> <li>5. Not a matter within the scope of the CDP process.</li> <li>6. Indicative walking routes are identified in the Draft Plan objectives map for Ballymore Eustace which includes the above</li> </ol>

	<p>7. The Draft Plan references a Garda Station and Credit Union – neither of which are operating in the village.</p>	<p>route. Specific planning conditions are a matter for the development management process.</p> <p>7. Update noted. The list of facilities in Section 2.5.3.9 can be amended to omit reference to the Garda Station and Credit Union.</p> <p><b>Recommendation:</b> To amend section 2.5.3.9 to delete reference to the bullet point of – <del>Garda Station and Credit Union</del></p>
211	<p>Request for lands zoned 'Agriculture' in the Draft Plan be amended to allow for low density residential development.</p>	<p><b>Response:</b> Not agreed. The proposed lands are considered more sequentially remote from the village centre than the current residential zoned sites in the Draft Plan.</p> <p><b>Recommendation:</b> No change recommended.</p>
222	<p>Request for 4.24 acres of land in the village to be zoned to accommodate low density residential development.</p>	<p><b>Response:</b> Not agreed. Although within the 400m walking band, it is considered that the site to the north of the existing school offers the most optimal location for new residential development in terms of access and the number of units that can be accommodated. The addition of this zoning proposal would exceed the 25% growth rate limit for the village as per policy VRS 2 in Section 2.4 of Volume 2 and be contrary to the overall Core Strategy allocation for villages.</p> <p><b>Recommendation:</b> No change recommended.</p>
150	<p>1. Request for Ballymore-Eustace be re-categorised from a 'Village' to a 'Small Town' in the settlement hierarchy. 2. Submission seeks to zone land in their ownership</p>	<p><b>Response:</b> Individual responses listed below;</p> <p>1. Not agreed. The Settlement Hierarchy contained in the Draft Plan is considered to accurately reflect the status of Ballymore Eustace as a 'Village' settlement in the context of both regional and</p>

	(19ha) to the south of the village for a residential use (Phase 2 Residential)	<p>county planning frameworks.</p> <p>2. Not agreed. The Draft Plan has zoned sufficient land to cater for the lifetime of the CDP 2017-2023. There is no justification to zone additional Phase 2 residential lands. The lands in question are also sequentially distant from the village core area.</p> <p><b>Recommendation:</b> No change recommended.</p>
56	Requests that land zoned in the Draft Plan as 'Agricultural' located behind the Band Hall and bounding St. John's Church remain zoned as agricultural.	<p><b>Response:</b> Comments noted. No change required.</p> <p><b>Recommendation:</b> No change recommended.</p>
205	Request for lands zoned (I) Agricultural in the Draft Plan amended to a (C) Residential zoning (1.9ha).	<p><b>Response:</b> Not agreed. The zoning of the subject lands would be contrary to the housing allocation identified for Ballymore Eustace under the county Core Strategy and Policy VRS 2 for villages in Section 2.4 of Volume 2 which limits growth levels to 25% for such centres, and is at a sequentially less optimum location to the site under consideration under Submission No. 18 above as replacement for the C2 zoned land to the south of the village.</p> <p><b>Recommendation:</b> No change recommended.</p>

Johnstown		
Sub No.	Description	Chief Executive Response & Recommendation
137	1. Opposed to the growth proposed for Johnstown village. The area is currently lacking in basic infrastructure such as playing fields, in addition to the closure of employers such as Londis and Playbarn. Other vacant properties in the village are also highlighted including the Old Garden Centre.	<p><b>Response:</b> Individual responses listed below;</p> <p>1. Concerns noted. The housing allocation provided for Johnstown is reflective of its village status in the settlement hierarchy. The Plan provides for local needs and demands of the village in terms of expected growth. The plan acknowledges the shortfall of formal</p>



	<ol style="list-style-type: none"> <li>2. The Draft Plan should be amended to reflect the closure of the Londis Distribution Centre.</li> <li>3. Requests that any improvements in pedestrian and cycling facilities (Objective RD1) be carried out with the agreement of residents of Johnstown.</li> <li>4. In relation to objectives T4 &amp; T5, there is no need to widen the footpaths anymore and again should only be carried out with the agreement of the residents.</li> <li>5. The zone of archaeological potential is not been identified on the land use zoning objectives map.</li> <li>6. Requests that an Architectural Conservation Area be defined for the village.</li> </ol>	<p>recreation areas in the village, with the site of the former Johnstown Garden Centre zoned to facilitate new recreational and amenity uses.</p> <ol style="list-style-type: none"> <li>2. Whilst the comments made are noted, it is considered appropriate to retain the enterprise and employment zoning on this site.</li> <li>3. Comments noted. The implementation of local improvements works to pedestrian and cycle infrastructure is a matter to be managed at municipal district level.</li> <li>4. Same response as item 3 above.</li> <li>5. Noted. The anomaly highlighted is noted. Having reviewed same it is confirmed that there is no zone of archaeological potential in place for Johnstown village. There are however 3 no. Recorded Monuments sites. It is recommended that the text and map for Johnstown be updated to reflect same.</li> <li>6. Comment Noted. Objective NH3 specifically addresses this issue.</li> </ol> <p><b>Recommendation:</b></p> <ol style="list-style-type: none"> <li>1. To amend the text in relation to Heritage Objectives in the Johnstown village plan as follows;          "Johnstown has a rich archaeological and architectural heritage due to its historic origins. It has a number of structures on the RPS. It is an objective of this Plan to define an Architectural Conservation Area around Main Street. <b>There are a number of recorded monuments in the village which are outlined below.</b> <del>There is also one recorded monument KD019-014 at the eastern end of the village.</del> All of these are illustrated on Map V2-2.8 and listed in the RPS and RMP. There is also an abundance of mature trees throughout the village that should be protected."  <b>The recorded monuments in Johnstown include;</b>  <b>KD019-059 (Standing Stone)</b>  <b>KD019-060 (Enclosure)</b></li> </ol> <p><b>In addition there are 4 features scheduled for inclusion in the next revision of the RMP as follows;</b>  <b>KD019-014001 (Church)</b></p>
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		<p>KD019-014002 (Graveyard)                  KD019-014003 (Graveslab)                  KD019-014004 (Font)</p> <p>2. To amend Objective NH1 as follows;                  "To require archaeological <b>assessment</b> investigation prior to any development taking place for development <b>in close proximity to recorded monuments</b> within the zone of archaeological potential".</p> <p>3. To amend the Land Use Zoning Objectives Map (Map V2-2.8) to include the recorded monument sites listed above.</p>
188	Submission objects to the extension of the village boundary to the north side of the N7 which includes the site known as The Johnstown Garden Centre due to the precedent it sets.	<p><b>Response:</b> Concerns noted. The proposed Q1 'Enterprise and Employment' zoning of this specific garden centre site reflects the established land use on site. The Draft Plan is clear that any intensification of uses on this site will need to be carefully considered in order to protect the vibrancy of Johnstown Village Centre.</p> <p><b>Recommendation:</b>                  No change recommended.</p>
218	Request for 3 blocks of land in Johnstown be zoned respectively as Recreation & Amenity, Residential and White Lands for future developments.	<p><b>Response:</b> Not agreed. The proposed additional residential zonings do not accord with the housing allocations for Johnstown village as set out in the Core Strategy of the CDP and Policy VRS 2 in Section 2.4 of Volume 2 which limits the growth rate for villages to 25%. There is no planning justification for this additional lands with the sites identified for new residential development in the Draft Plan being in a more optimal sequential location to the village core.</p> <p><b>Recommendation:</b>                  No change recommended.</p>

135	Concern raised in relation to objective T5 in the Draft Plan to review on-street car parking arrangements. The submission is also not in favour of any further widening of footpaths in the village as per Objective T4.	<p><b>Response:</b> Concerns noted. It is considered that Objectives T4 and T5 are acceptable. Objective T4 seeks to improve the quality and width, where appropriate, of all footpaths in the village and improve access for people with disabilities. Objective T5 indicates that the Council will review the on-street parking arrangement in the village and make improvements as required. This objective does not make a specific reference to the removal of on street car parking spaces as suggested. The merits of each individual project can be considered at municipal district level.</p> <p><b>Recommendation:</b> No change recommended.</p>
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Caragh		
Sub No.	Description	Chief Executive Response & Recommendation
83	Request to zone 3.4ha of land at Gingerstown, Caragh for (C) New Residential.	<p><b>Response:</b> Not agreed. The proposed additional residential zoning does not accord with the housing allocations for Caragh village as set out in the core strategy of the CDP and Policy VRS 2 in Section 2.4 of Volume 2 which limits the growth rate for villages to 25%. The lands zoned for New Residential in the Draft Plan are considered at a more optimal location in terms of location and accessibility.</p> <p><b>Recommendation:</b> No change recommended.</p>
137	Requests that 2.75ha of land be rezoned for residential purposes. The submission also offers 0.5ha of land to the community for a graveyard extension or public open space.	<p><b>Response:</b> Not agreed. The proposed additional residential zoning does not accord with the housing allocations for Caragh village as set out in the core strategy of the CDP and Policy VRS 2 in Section 2.4 of Volume 2 which limits the growth rate for villages to 25%. The lands zoned for New Residential in the Draft Plan are considered at a more optimal location in terms of location and accessibility.</p> <p><b>Recommendation:</b></p>

		No change recommended.
144	<ol style="list-style-type: none"> <li>Under Section 2.5.4.11, should the wording in Objective RD2 “shall have regard to the typology of the land” read as topography instead?</li> <li>Questions whether a hotel/hostel is appropriate as a permitted in principle use under the zoning matrix table (Table 2.6) for New Residential (C) zoned land. Suggested that it be open for consideration.</li> </ol>	<p><b>Response:</b> Individual responses listed below;</p> <ol style="list-style-type: none"> <li>Anomaly noted. It is recommended that the wording of this sentence be amended as follows;</li> </ol> <p>To amend Objective RD2 of Section 2.5.4.11 in the Caragh Village Plan to “Any development proposal for lands zoned C2 shall have regard to the <del>typology</del> topography of the land and seek to minimise the visual impact through high quality design and landscaping”.</p> <ol style="list-style-type: none"> <li>Agreed. It is recommended that ‘Table 2.6 Villages’ be amended so that the category ‘Guest House/Hotel/Hostel’ be changed from <del>Y – Permitted in Principle</del> to O - Open for Consideration under ‘C’ New Residential zoned land.</li> </ol> <p><b>Recommendation:</b></p> <ol style="list-style-type: none"> <li>To amend Objective RD2 of Section 2.5.4.11 in the Caragh Village Plan to “Any development proposal for lands zoned C2 shall have regard to the <del>typology</del> topography of the land and seek to minimise the visual impact through high quality design and landscaping”.</li> <li>To amend ‘Table 2.6 Villages’ so that the category ‘Guest House/Hotel/Hostel’ be changed from <del>Y – Permitted in Principle</del> to O - Open for Consideration under ‘C’ New Residential zoned land.</li> </ol>
234	Welcomes the proposed zoning changes to their land from ‘Village Centre’ to ‘New Residential’.	<p><b>Response:</b> Comments noted. No changes required.</p> <p><b>Recommendation:</b> No change recommended.</p>

<b>134</b>	<ol style="list-style-type: none"> <li>1. Any works on the R409 road from Caragh village to Naas should allow provision for a cycle and footpath connecting Caragh to existing infrastructure at the Old Naas Mart site.</li> <li>2. A traffic study of the R409 and L2030 roads entering the village of Caragh should be commissioned to assess the ongoing impact of closing the Liffey Bridge to HGV traffic.</li> <li>3. There should be an objective to provide a new bridge crossing over the River Liffey and to pedestrianise the existing bridge subject to available funding.</li> <li>4. An objective to work with the community to provide a playground was agreed at CDP meetings with Councillors but has not been included in the Draft Plan. This should be added.</li> <li>5. Some concerns raised on the quantity of residential zoned lands in Caragh being low compared to under villages.</li> </ol>	<p><b>Response:</b> Individual responses listed below;</p> <ol style="list-style-type: none"> <li>1. Comment noted. This is considered a specific local infrastructure issue which can be considered at municipal district level rather than being within the scope of the CDP review. Objectives T2 and T3 in the Draft Plan consider such matters within the context of the development boundary of the village.</li> <li>2. Comment noted. This is a matter which can be considered at municipal district level.</li> <li>3. Suggested objective noted, however the River Liffey is not within the development boundary of the Caragh Village Plan. This issue can be considered at municipal district level.</li> <li>4. Comment noted. It can however be confirmed that Objective CE2 of the Draft Plan includes an objective 'to work with the community to provide a children's playground over the lifetime of this plan'. No change is required.</li> <li>5. The Chief Executive is satisfied that a sufficient quantum of new residential zoned land has been provided for in Caragh to allow for its housing allocation and growth as a village settlement in the county Core Strategy.</li> </ol> <p><b>Recommendation:</b> No change recommended.</p>
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<b>Johnstownbridge</b>		
<b>Sub No.</b>	<b>Description</b>	<b>Chief Executive Response &amp; Recommendation</b>
<b>78</b>	Requests that 0.4ha of land be zoned for residential/village centre use.	<b>Response:</b> Not agreed. The proposed additional residential zoning does not accord with the housing allocations for Johnstownbridge village as set out in the Core Strategy of the CDP and Policy VRS 2 in Section 2.4 of Volume 2 which limits the growth rate for villages to 25%. The lands zoned for New Residential in the Draft Plan are considered at a more optimal location in terms of location and accessibility.

		<p><b>Recommendation:</b> No change recommended.</p>
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Crookstown		
Sub No.	Description	Chief Executive Response & Recommendation
85	Requests for 0.23ha (0.56 acres) of land in Crookstown village to be zoned for new residential or enterprise & employment uses.	<p><b>Response:</b> Not agreed. The proposed additional residential zoning does not accord with the housing allocations for Crookstown village as set out in the Core Strategy of the CDP and Policy VRS 2 in Section 2.4 of Volume 2 which limits the growth rate for villages to 25%.</p> <p>Given the restricted site size and the likely small-scale nature of any application for a single dwelling unit or business use on this site, a proposal can be considered on its own merits and in the context of the policies and objectives for such development in the Draft Plan as part of the development management process.</p> <p><b>Recommendation:</b> No change recommended.</p>

Balitore		
Sub No.	Description	Chief Executive Response & Recommendation
180	The field adjacent to Crookstown Mill be zoned for agricultural use only to protect the mill vista.	<p><b>Response:</b> Comment noted. It is however considered that there is sufficient protection in Chapter 12 'Architectural and Archaeological Heritage' for this protected structure and its setting under the policies &amp; objectives of this chapter.</p> <p><b>Recommendation:</b> No change recommended.</p>

Kildangan		
Sub No.	Description	Chief Executive Response & Recommendation
141	Concern raised with the proposed change in zoning of a site zone 'A' Village Centre in the current plan to 'C' New Residential in the Draft Plan. There is concern that further housing provision is being allowed where the existing village amenities are already insufficient and will not meet the recreational or commercial needs of the expanded population.	<p><b>Response:</b> Concerns noted. The Chief Executive notes that the whilst the primary zoning objective for 'New Residential' lands is to provide for residential development, the zoning matrix table (Table 2.6) does allow for a variety of other commercial and community uses to be considered under such a zoning.</p> <p><b>Recommendation:</b> No change recommended.</p>
132	<ol style="list-style-type: none"> <li>1. Same concerns as that raised under Sub. 141 above.</li> <li>2. Concerns raised for pedestrian safety in relation to Kildangan Bridge. Consideration should be given to rerouting heavy vehicles and machinery in the interest of public safety.</li> </ol>	<p><b>Response:</b> Individual responses listed below;</p> <ol style="list-style-type: none"> <li>1. See response to Submission No. 141 above.</li> <li>2. Concerns noted. It is considered that the Transportation Objectives, in particular T3, T4 and T5 generally address this issue. Specific issues in relation Kildangan Bridge would need to be considered at Municipal District level.</li> </ol> <p><b>Recommendation:</b> No change recommended.</p>
69	<ol style="list-style-type: none"> <li>1. Concerns raised in relation to the safety of the Railway Bridge and the lack of a safe pedestrian route that links Bridgeside Cottages with The Paddocks estate and ultimately linking the R417 Athy to Monasterevin Road.</li> <li>2. The submission notes transportation objectives T4, T5 and T6 which should be delivered with immediate effect.</li> <li>3. Consideration should be given to prohibit the use of the bridge by HGVs pending remedial work to make the bridge safe for pedestrians. The provision of traffic calming in the village in general should be considered.</li> <li>4. Urgent improvements should be made to street lighting,</li> </ol>	<p><b>Response:</b> Individual responses listed below;</p> <ol style="list-style-type: none"> <li>1. Concerns noted. Same response as Sub. 132 above in relation to Kildangan Bridge.</li> <li>2. Comment noted.</li> <li>3. The issue of prohibiting HGV movements through the village is not a matter for the CDP. Such an issue can be discussed at Municipal District level.</li> <li>4. It is considered that objective T3, T4 and T5 generally address this issue. Again, such local issues need to be addressed at Municipal District level.</li> <li>5. Concerns noted. The Draft Plan includes Objective AR1 which seeks to address this deficiency.</li> </ol>

	<p>completion of a footpath to the GAA pitch and a further speed ramp between the GAA grounds and the entrance to The Courtyard development.</p> <p>5. The deficiency in passive recreational areas needs to be addressed urgently.</p>	<p><b>Recommendation:</b> No change recommended.</p>
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<b>Robertstown</b>		
<b>Sub No.</b>	<b>Description</b>	<b>Chief Executive Response &amp; Recommendation</b>
138	<ol style="list-style-type: none"> <li>1. Seeks a community centre to accommodate facilities to support young children, teenagers, jobseekers, the older villagers are needed.</li> <li>2. There is a need for playground facilities, childcare facilities, teenage space and place for parent/child groups.</li> <li>3. Lack of public transport – need to review bus scheduling.</li> <li>4. There is a need to improve facilities for local sporting groups without home grounds.</li> <li>5. Improved parking facilities to serve the local school.</li> <li>6. Seeks an eco park/nature trail to promote biodiversity.</li> <li>7. Seeks tourism attraction to link historic buildings, the waterways, the barge, local flora and fauna.</li> <li>8. Bike Path and walk trek opportunities to be encouraged to use the village and facilities.</li> <li>9. There is need to expand the village boundaries to include the school and lands surrounding it. It is suggested to rezone the area alongside the Mylerstown Canal (currently zoned Agricultural) to either (E) Community and Educational use or for (F) Open Space. This land has been gifted to the community and it is hoped to use this as the site for a Community Centre, sporting facilities, tourist information and eco park.</li> </ol>	<p><b>Response:</b> Individual responses listed below;</p> <ol style="list-style-type: none"> <li>1. Agreed. Specific objective CE1 specifically already addresses this issue 'to secure the development of a community centre in the Village'.</li> <li>2. Objective CE2 addresses the need to secure the development of playground facilities in the village. The other items are considered part of the community centre proposal.</li> <li>3. Bus scheduling issues are not part of the CDP proposes, and are not a function of the local authority to determine same.</li> <li>4. Concerns noted. The matter of improvement of facilities for local sporting groups is an ongoing issue which can be addressed at Municipal District level.</li> <li>5. This is specific local issue which can be addressed at Municipal District level.</li> <li>6. There are a number of objectives in the Amenity &amp; Recreation section of the Draft Village Plan which address walking and cycle routes within the village.</li> <li>7. Noted. This is not a matter for the CDP to address.</li> <li>8. Noted. Same answer as Item 6 above.</li> <li>9. Agreed. It is proposed to amend the land use zoning map for Robertstown Village so that the I 'Agricultural' zoned land beside Mylerstown Canal be amended to F 'Open Space and Amenity'.</li> </ol> <p><b>Recommendation:</b></p>



		<ul style="list-style-type: none"> <li>To amend the land use zoning map for Robertstown Village so that the I 'Agricultural' zoned land beside Mylerstown Canal be amended to F 'Open Space and Amenity'.</li> <li>' To amend Table 2.6 'Villages – Land Use Zoning Matrix Table' in relation to the zoning objectives for the following;</li> </ul> <p>(F) Open Space &amp; Amenity – To indicate that Tourist related Facilities will be a 'Permitted in Principle' use, instead of 'Not Permitted'.</p> <p><b>Table 2.6 is proposed to be amended as follows;</b></p> <table border="1" data-bbox="1182 592 2047 791"> <thead> <tr> <th>Land Use</th> <th>A</th> <th>B</th> <th>C</th> <th>E</th> <th>F</th> <th>I</th> <th>Q</th> <th>Q1</th> <th>U</th> </tr> </thead> <tbody> <tr> <td>Tourist Related Facilities</td> <td>Y</td> <td>O</td> <td>O</td> <td>O</td> <td><del>N</del> Y</td> <td>N</td> <td>O</td> <td>N</td> <td>N</td> </tr> </tbody> </table>	Land Use	A	B	C	E	F	I	Q	Q1	U	Tourist Related Facilities	Y	O	O	O	<del>N</del> Y	N	O	N	N
Land Use	A	B	C	E	F	I	Q	Q1	U													
Tourist Related Facilities	Y	O	O	O	<del>N</del> Y	N	O	N	N													
<p><b>140</b></p>	<p>Concerns raised on the amenities for the growing population of the village. It is essential that amenities for the community be made available (playground, community hall, religious meeting rooms, football pitch, car park for school, athletic running track facilities, public bins, cycle tracks, pedestrian paths and walkways).</p>	<p><b>Response:</b> The concerns raised in relation to community facilities in the village are noted. A number of the issues raised in the submission are covered by objectives in the draft plan, including the provision of improved walking and cycling routes and securing the development of a playground and community centre for local use.</p> <p><b>Recommendation:</b> No change recommended.</p>																				
<p><b>113</b></p>	<ol style="list-style-type: none"> <li>The need for a community facility</li> <li>The need for a playground or play area.</li> <li>The lack of public transport increase the need for local services.</li> <li>A tourism hub could be developed given its location on the banks of the Grand Canal.</li> <li>The village boundary should be extended to include the school and lands surrounding it.</li> </ol>	<p><b>Response:</b> Individual responses listed below;</p> <ol style="list-style-type: none"> <li>Objective already included in draft plan.</li> <li>Objective already included in draft plan.</li> <li>Noted.</li> <li>Comment noted. This would need to be considered in the context of the county tourism strategy.</li> <li>The land use zoning map includes the local school in its development boundaries.</li> </ol>																				

	<p>6. There is a serious need to provide adequate social housing.</p>	<p>6. The provision of social housing is broad matter of the County Housing Strategy and KCC Housing Department.</p> <p><b>Recommendation:</b> No change recommended.</p>
<p><b>114</b></p>	<ol style="list-style-type: none"> <li>1. There is a need for a community centre.</li> <li>2. There is a need for facilities for children, particularly a playground or play area.</li> <li>3. Need for sports facilities as there are local groups who do not have their own grounds (e.g. athletics and soccer club).</li> <li>4. The village boundary should be extended to include the school.</li> <li>5. Additional parking areas are required at the school to alleviate congestion.</li> </ol>	<p><b>Response:</b> Individual responses listed below;</p> <ol style="list-style-type: none"> <li>1. Objective already included in draft plan.</li> <li>2. Objective already included in draft plan.</li> <li>3. See recommendation on Sub. No. 138 above. The Draft Plan has zoned land for (F) Open Space and Amenity, with additional land (F) Open Space and Amenity lands being proposed as part of a Material Alteration.</li> <li>4. The land use zoning map includes the local school in its development boundaries.</li> <li>5. Noted. This is a local issue which may be addressed at municipal district level.</li> </ol> <p><b>Recommendation:</b> No change recommended.</p>
<p><b>125</b></p>	<ol style="list-style-type: none"> <li>1. Highlights the tourism potential of Robertstown which should be exploiting through creating a greenway, eco-park/nature trail.</li> <li>2. The village needs community facilities to support teenagers, jobseekers, aging population, office support and training.</li> <li>3. The village boundary needs to be expanded to include the school and lands surrounding it.</li> <li>4. Additional litter bins are required.</li> <li>5. Improved parking facilities outside the national school is essential.</li> </ol>	<p><b>Response:</b> Individual responses listed below;</p> <ol style="list-style-type: none"> <li>1. Comments noted. There are a number of objectives in the draft village plan in relation to the provision of walking and cycle routes within the village boundary.</li> <li>2. Objective already included in the draft plan for a community centre (Objective CE1)</li> <li>3. That land use zoning map includes the local school and land surrounding same in the development boundary.</li> <li>4. Noted. This is a matter for discussion at municipal district level.</li> <li>5. Concerns noted. The matter of improvement of facilities for local sporting groups is an ongoing issue which can be addressed at Municipal District level.</li> </ol>


		<p><b>Recommendation:</b> No change recommended.</p>
186	<p>Submission highlights that in excess of 18 acres of land opposite the old Robertstown Hotel and stretching to opposite the primary school are close to coming into the ownership of Kildare Co Co freehold and Robertstown Community Amenities Association leasehold. This land is currently zoned for agricultural use. It is requested that this be changed to a land use which allows the development of a community facility on this land as per Objectives CE1 and CE2.</p>	<p><b>Response:</b> Comments noted. See response to Submission 138 where a material alteration is proposed on the same issue.</p> <p><b>Recommendation:</b> No change recommended.</p>

Cooleragh		
Sub No.	Description	Chief Executive Response & Recommendation
229	<p>Request to have 3ha of land zoned for residential use, as an alternative option to the 2.8ha identified as (C) New Residential in Cooleragh and to limit demand for one off housing in the area.</p>	<p><b>Response:</b> Not agreed. The proposed additional residential zoning does not accord with the housing allocation for Cooleragh village as set out in the core strategy of the CDP and Policy VRS 2 in Section 2.4 of Volume 2 which limits the growth rate for villages to 25%. It is considered that sufficient zoned land has been identified in the Draft Plan to satisfy the housing requirement in the village during the lifetime of the plan.</p> <p><b>Recommendation:</b> No change recommended.</p>
228	<p>Request to provide a playground in Coil Dubh/Cooleragh</p>	<p><b>Response:</b> Agreed.</p> <p><b>Recommendation:</b> To include the following objective in the Amenity &amp; Recreation Objectives of the draft village plan</p>

		AM 2: To investigate the feasibility of providing a playground facility in Coill Dubh/Cooleragh village.
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Kilmeague		
Sub No.	Description	Chief Executive Response & Recommendation
213	Request to have 3.5ha of land zoned for residential use in the Draft Plan for Kilmeague.	<p><b>Response:</b> Not agreed. The proposed additional residential zoning does not accord with the housing allocation for Kilmeague village as set out in the core strategy of the CDP and Policy VRS 2 in Section 2.4 of Volume 2 which limits the growth rate for villages to 25%. The lands zoned for New Residential in the Draft Plan are considered at a more sequentially optimal location.</p> <p><b>Recommendation:</b> No change recommended.</p>

Allenwood		
Sub No.	Description	Chief Executive Response & Recommendation
216	Request to have 6.5ha of land reverted back to a residential zoning in the Draft Plan. The lands are currently zoned (C) New Residential in the 2011 CDP and are zoned (I) Agriculture in the Draft Plan. There is an extant permission in place at the site for 68 dwellings & a crèche under planning ref. 08/1152 and ABP Ref. PL 09.234864 with a 10 year permission in place.	<p><b>Response:</b> Agreed. Given that there is an extant 10 year planning permission in place for residential development at the site, with these figures forming part of the county core strategy housing figures, it is considered that the residential zoning should be reinstated at this site as per the current 2011 CDP Allenwood village plan zoning objectives map.</p>

		 <p><b>Recommendation:</b> To zone the subject site C: New Residential.</p>
<p><b>45</b></p>	<p>Request to have lands currently zoned (B) 'Existing Residential/Infill' in the 2011 CDP and proposed to be zoned (I) Agriculture in Draft Plan, reverted back to a residential zoning objective. It is indicated that the applicant is in the process of submitting a planning application on these lands for a proposed housing development and therefore wish to request that these lands remain zoned as residential in the new CDP 2017-2023.</p>	<p><b>Response:</b> Not agreed. The proposed additional residential zoning does not accord with the housing allocation for Allenwood village as set out in the core strategy of the CDP.</p> <p><b>Recommendation:</b> No change recommended.</p>
<p><b>109</b></p>	<p>Request to have a site (site not stated) in Allenwood zoned for residential development.</p>	<p><b>Response:</b> Not agreed. The proposed additional residential zoning does not accord with the housing allocations for Allenwood village as set out in the core strategy of the CDP and Policy VRS 2 in Section 2.4 of Volume 2 which limits the growth rate for villages to 25%. Given the relatively small area of the site, any development proposal for a single residential unit on</p>

		<p>the site can be considered on its own individual merits as per the policies and objectives of the Draft Plan for rural housing development.</p> <p><b>Recommendation:</b> No change recommended.</p>
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<b>Suncroft</b>		
<b>Sub No.</b>	<b>Description</b>	<b>Chief Executive Response &amp; Recommendation</b>
106	Request to have a site (size not stated) to the south of Suncroft village zoned for the purpose of a mixed use development, namely individual rural serviced sites with purposely designed age friendly houses (to be restricted for over 55 year old occupants)	<p><b>Response:</b> Not agreed. The proposed additional zoning does not accord with the housing allocation for Suncroft village as set out in the core strategy of the CDP and Policy VRS 2 in Section 2.4 of Volume 2 which limits the growth rate for villages to 25%. Furthermore, the proposed lands are remote from the village core area being on the southern periphery of the village which would be not in accordance with Objective OP3 in Chapter 11 (Social, Community &amp; Cultural Development) of Volume 1 where such accommodation for the elderly should be located close to community and social facilities.</p> <p><b>Recommendation:</b> No change recommended.</p>

**Proposed Chief Executive's Change to Volume 2, Section 2 – Village Plans and Rural Settlements**

'To amend Table 2.6 'Villages – Land Use Zoning Matrix Table' in relation to the zoning objectives for the following;

- (I) Agricultural: To indicate that a petrol station is not a 'Permitted in Principle' use, and instead will be 'Open for Consideration'.

**Table 2.6 is proposed to be amended as follows;**

Land Use	A	B	C	E	F	I	Q	Q1	U
Petrol Station	N	N	O	N	N	∓ O	Y	N	N

## Volume 2: Rural Settlements

Submissions relevant to this section: 34, 210, 9, 191, 55,196-202, 221, 215, 231, 111, 15, 75

<b>Allen</b>		
<b>34</b>	<p><b>Allen</b></p> <ul style="list-style-type: none"> <li>Request that the subject site comprising 0.0659ha be included in the settlement expansion area.</li> <li>The settlement expansion will contribute to the existing development or in future be considered as ancillary to the existing rural development of the area.</li> </ul>	<p><b>Response</b></p> <p>The selection of sites for settlement expansion is based on the development of the settlement in a sequential and sustainable manner and takes cognisance of existing valid planning permissions, which not yet been completed.</p> <p>The Core Strategy allocates the rural settlements a population growth of 1.3% over the plan period. The development objective for each individual rural settlement is to accommodate a population growth level of up to 20%.</p> <p>The current population of Allen is estimated as 62 persons. Currently there is 5ha of land designated in the Draft Plan for 'Settlement Expansion'. These lands would cater for in excess of 20% growth in Allen and to designate additional lands for residential development would be contrary to the core strategy set out in the draft plan. Therefore it is not considered appropriate to designate additional lands for settlement expansion in this instance.</p> <p><b>Recommendation:</b> No change recommended.</p>
<b>Ardclough</b>		
<b>210</b>	<p><b>Ardclough</b></p> <ul style="list-style-type: none"> <li>Request that the 2005 Settlement Boundary for Ardclough be reinstated in the new CDP. This includes an additional area of 3.4ha of the subject lands with a map submitted of the requested amendment to the settlement boundary.</li> </ul>	<p><b>Response</b></p> <p>The selection of sites for settlement expansion is based on the development of the settlement in a sequential and sustainable manner and takes cognisance of existing valid planning permissions, which not yet been implemented. The Core Strategy allocates the rural settlements a population growth of 1.3% over the plan period.</p>



<ul style="list-style-type: none"> <li>• The 2005 CDP settlement map for Ardclough included the full extent of the lands with the 2005 planning permission (Ref 04/256 and PL 09.210457) within the defined development boundary. While this boundary was modified in the 2011 CDP it still maintained an area for expansion on the south side of the Canal at Lyons.</li> <li>• Concerns raised that the settlement strategy for Ardclough as set out in Vol 2 of the draft CDP would act as a constraint on the growth potential of the facility.</li> <li>• Concern that the settlement boundary specifically excludes a significant element of the land area included in the extant planning permission granted by the PA and ABP in 2005 (Ref 04/256 and PL 09.210457). The entire western element of the permission, and which has yet to be completed, lies outside the proposed boundary of the rural settlement. (210)</li> <li>• This permission still has two year lifespan remaining and could be implemented regardless of the current settlement boundary, however given that the permission was secured in 2005, the submission highlights that the Group propose to review and revise the permitted development to reflect current and expected market conditions. The current settlement boundary map in the Draft CDP may impact negatively on this. (210).</li> <li>• The current settlement expansion boundary appears at variance with point no. 3 on settlement expansion statement on Volume 2 Section 2 – Page 109, which states that the designation of sites for settlement</li> </ul>	<p>The development objective for each individual rural settlement is to accommodate a population growth level of up to 20%.</p> <p>The current population of Ardclough is estimated as 153 persons. Currently there is 6.6ha of land designated in the Draft Plan for 'Settlement Expansion'. These lands would cater for in excess of 20% growth in Ardclough and to designate additional lands for settlement expansion would be contrary to the core strategy set out in the draft plan including ECD 23, ECP 26 and in particular.</p> <p>While the extant planning permission on the subject site under pl. references 04/256, 10/610 and 13/470 is acknowledged for 43 tourist accommodation units etc that does not expire until 14/06/2018, it is considered that sufficient policies are contained in Chapter 5 Economic Development and Tourism to support the ongoing operation of The Cliff at Lyons , namely policy ECD 23, ECD 26 and in particular:</p> <p><i>'ECD 27: It is the policy of the Council to support the development of new tourist facilities or upgrading/extension of existing tourist facilities at tourist sites in accordance with proper planning and sustainable development principles.'</i></p> <p><i>'ECD 28: It is the policy of the Council to facilitate the development of tourism infrastructure such as accommodation, restaurants, car and coach parking and toilet facilities in the designated hubs throughout the county. '</i></p>
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	<p>expansion takes cognisance of all existing valid planning permissions which have not been built out to date.</p>	<p><b>Recommendation:</b> No change recommended.</p>
<p>9</p>	<p><b>Ardclough</b></p> <p>Request that the subject site is identified as 'Settlement Expansion' for the following reasons:</p> <ul style="list-style-type: none"> <li>- Ardclough is the only rural settlement in Co. Kildare located within the Metropolitan Area and deserves special attention in terms of planning.</li> <li>- The capacity of approximately 100 P.E. within the existing treatment facilities in the village.</li> <li>- In order to realise the 20% increase in population as envisaged under the Draft CDP.</li> <li>- The provision of a village green on the subject lands as part of any development along with a small village scheme providing a retail element.</li> <li>- Proximity of the site to the primary school would be ideal to accommodate approximately 15 dwellings/serviced sites.</li> <li>- Very strong case for the provision of a nursing home on the subject site in order to cater for an ageing population and to provide a strong employment generator within this Metropolitan located village.</li> </ul>	<p><b>Response:</b></p> <p>The selection of sites for settlement expansion is based on the development of the settlement in a sequential and sustainable manner and takes cognisance of existing valid planning permissions, which not yet been completed.</p> <p>The Core Strategy allocates the rural settlements a population growth of 1.3% over the plan period. The development objective for each individual rural settlement is to accommodate a population growth level of up to 20%.</p> <p>The current population of Ardclough is estimated as 153 persons. Currently there is 6.6ha of land designated in the Draft Plan for 'Settlement Expansion'. These lands would cater for in excess of 20% growth in Ardclough and to designate additional lands for settlement expansion would be contrary to the core strategy set out in the draft plan.</p> <p>While it is acknowledged that Ardclough is the only rural settlement located in the Metropolitan Area, it is important to maintain a sustainable level of growth within the settlement over the plan period and subsequent plan periods.</p> <p>In terms of the provision a nursing home on the subject site, Section 4.7 of the Draft Plan seeks to ensure that, <i>'Nursing Homes and other residential facilities for older people should be appropriately located close to public transport, community facilities, retail and other amenities.'</i></p> <p>In addition Policy SN 2 seeks <i>'to support the provision of accommodation for older people in established residential and mixed use areas that offer a choice and mix of accommodation types to older people for independent a, semi independent living and</i></p>

		<p><i>assisted living.'</i></p> <p>The subject site is removed from an established village and supporting facilities, would represent a car reliant land use in rural settlement location and would not represent sequential and sustainable development of the village/settlement.</p> <p><b>Recommendation:</b> No change recommended.</p>
<b>Calverstown</b>		
<p><b>191</b></p>	<p><b>Calverstown</b></p> <ul style="list-style-type: none"> <li>Request that lands comprising c.2.16 ha located 200m from the village centre are included within the settlement boundary and designated as "Settlement Expansion" lands.</li> <li>The submission notes that over the lifetime of the Draft Kildare County Development Plan 2017-2023, the population of Calverstown is predicted to increase by 20%, which equates to an additional 130 no. person which will result in a minimum requirement for an additional 54 no. new dwellings to cater for the increase in population. The submission calculates that based on a residential density of 15 units per hectare, this will require almost 4 hectares of land excluding headroom. The submission further notes that lands that are currently designated as 'Settlement Expansion' (8.5 hectares) within the Rural Settlement Boundary of Calverstown are, in part, at risk from localised flooding</li> </ul>	<p><b>Response:</b></p> <p>The selection of sites for settlement expansion is based on the development of the settlement in a sequential and sustainable manner and takes cognisance of existing valid planning permissions, which have not yet been implemented. The Core Strategy allocates the rural settlements a population growth of 1.3% over the plan period. The development objective for each individual rural settlement is to accommodate a population growth level of up to 20%.</p> <p>The current population of Calverstown is estimated as 459 persons. Currently there is 8.5ha of land designated in the Draft Plan for 'Settlement Expansion'. These lands would cater for in excess of 20% growth in Calverstown and to designate additional lands for residential development would be contrary to the core strategy set out in the draft plan. Therefore it is not considered appropriate to designate additional lands for settlement expansion in this instance.</p> <p><b>Recommendation:</b> No change recommended.</p>

	<p>from the village stream and therefore, are considered unsuitable for residential development. The submission considers that in applying the sequential test to identifying more suitable development lands, the lands identified in the map represent the most logical and suitable alternative.</p>	
<p><b>Maganey/Levitstown</b></p>		
<p>55</p>	<p><b>Maganey/Levitstown</b></p> <p>Request to include 0.8ha of land outlined in the submission in the settlement expansion area of Maganey to accommodate the development of approx. 4 dwellings on serviced sites which abuts the settlement perimeter of Maganey for members of the local community to relieve pressure for one off development in the rural area.</p>	<p><b>Response:</b></p> <p>The selection of sites for settlement expansion is based on the development of the settlement in a sequential and sustainable manner and takes cognisance of existing valid planning permissions, which not yet been completed. The Core Strategy allocates the rural settlements a population growth of 1.3% over the plan period. The development objective for each individual rural settlement is to accommodate a population growth level of up to 20%.</p> <p>The current population of Maganey/Levitstown is estimated as 69 persons. Currently there is 2.6 ha of land designated in the Draft Plan for 'Settlement Expansion'. These lands would cater for in excess of 20% growth in Maganey Levitstown and to designate additional lands for residential development would be contrary to the core strategy set out in the draft plan. In addition, the subject site would further exacerbate the linear pattern of development that is evident in Maganey.</p> <p>Therefore it is not considered appropriate to designate additional lands for settlement expansion in this instance.</p> <p><b>Recommendation:</b> No change recommended.</p>

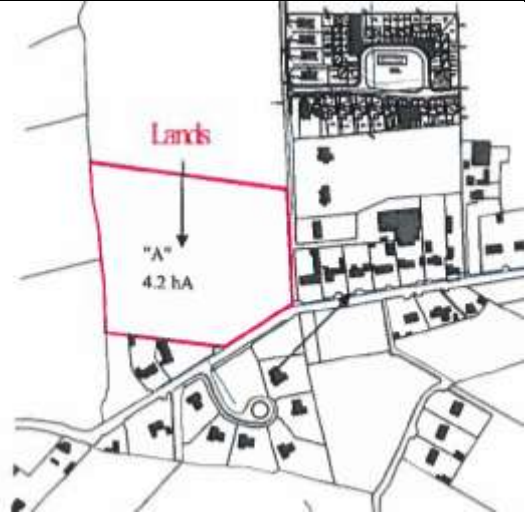
<b>Milltown</b>		
<b>196-202</b>	<p><b>Milltown</b></p> <ul style="list-style-type: none"> <li>• No development has occurred on the lands zoned under the current CDP and the Council should now rethink the development strategy for the village. It is suggested to expand the settlement boundary of the village.</li> <li>• Highlights the locational context of Milltown being approximately 3km from Newbridge with a range of local facilities available. Landowners in Milltown and others within the community have come together to present their views on what direction the village should be steered in the new CDP.</li> </ul> <p>The following points are raised:                      -Improving Community Services e.g. non denominational community centre facility, tourist information centre, increased school grounds, set down areas outside the school, GAA facilities, cemetery expansion, medical centre etc to develop and promote Milltown as a day trip tourist destination.</p> <ul style="list-style-type: none"> <li>• Provision of new residential units &amp; ancillary services                      Existing residential, commercial &amp; educational developments have all developed Milltown in recent years, however there is an underlying lack of residential development, resulting in younger members of the community with little option but to leave for surrounding towns.</li> <li>• Upgrading Services &amp; Transportation Infrastructure</li> </ul>	<p><b>Response:</b></p> <p>The selection of sites for settlement expansion is based on the development of the settlement in a sequential and sustainable and compact manner that takes cognisance of existing valid planning permissions, which not yet been completed. The Core Strategy allocates the rural settlements a population growth of 1.3% over the plan period. The development objective for each individual rural settlement is to accommodate a population growth level of up to 20%.</p> <p>The current population of Milltown is estimated as 177 persons. Currently there is 2.0 ha of land designated in the Draft Plan for 'Settlement Expansion'. These lands would cater for in excess of 20% growth in Milltown and to designate additional lands for residential development would be contrary to the core strategy set out in the draft plan.</p> <p>Therefore it is not considered appropriate to expand the village boundary and designate additional lands for settlement expansion in this instance.</p> <p>It should be noted that there are a number of objectives in the Amenity &amp; Recreation section of the Draft Village Plan which address walking and cycle routes within the village. The concerns raised in relation to the provision of community facilities in the village are noted. A number of the issues raised in the submission are covered by objectives contained in Chapters 5, 11, 13 and 14 of the draft plan, including the provision and promotion of improved walking &amp; cycling routes and community facilities.</p> <p>Milltown needs to be considered as part of a wider tourism strategy for County Kildare. Chapter 5 contains policies to support such an approach, in particular, objective EO 43 states that it is the objective of the Council to <i>'implement a tourism development strategy in the county and identify the particular role and competence</i></p>

	<p>Foul Drainage: Milltown is serviced by a number of private &amp; local authority septic tanks. The new CDP should include a policy on the long term plan for sewerage disposal.</p> <p>Roads: The development of a cycle path link to Newbridge would ensure that new and existing residents in the village will grow less dependent on private transport. The existing Kildare Road from Wheelam Cross to the village centre will also require realignment and upgrading.</p> <ul style="list-style-type: none"> <li>• The Development Plan should in principle address control measures for the large volume of traffic through the village.</li> <li>• Any further development of the village should include a designated recycling collection area to support the existing waste collection service in the village.</li> <li>• The main road through the village is served by public transport. A number of specially designed bus stops should be incorporated into any development of the village. (196-202)</li> </ul>	<p><i>of all partner agencies.'</i></p> <p><b>Recommendation:</b> No change recommended.</p>
<p><b>221</b></p>	<p><b>Milltown</b></p> <ul style="list-style-type: none"> <li>• Requests that lands comprising 2.328ha in Clongownagh, Milltown are zoned for low density residential development.</li> <li>• This site is located on a well serviced road, close to existing residential development and would form a logical extension to the development of Milltown. The site could</li> </ul>	<p><b>Response:</b></p> <p>The selection of sites for settlement expansion is based on the development of the settlement in a sequential and sustainable manner and takes cognisance of existing valid planning permissions, which not yet been completed. The Core Strategy allocates the rural settlements a population growth of 1.3% over the plan period. The development objective for each individual rural settlement is to accommodate a population growth level of up to 20%.</p>

	<p>accommodate some of the 177 additional houses proposed for Milltown in the Draft Plan.</p>	<p>The current population of Milltown is estimated as 177 persons. Currently there is 2.0 ha of land designated in the Draft Plan for 'Settlement Expansion'. These lands would cater for in excess of 20% growth in Milltown and to designate additional lands for residential development would be contrary to the core strategy set out in the draft plan.</p> <p>Therefore it is not considered appropriate to designate additional lands for settlement expansion in this instance.</p> <p><b>Recommendation:</b> No change recommended.</p>
<p><b>Rathcoffey</b></p>		
<p>215</p>	<p><b>Rathcoffey</b></p> <ul style="list-style-type: none"> <li>• Objects to the omission of lands from the boundary of the rural settlement of Rathcoffey. Request to designate the subject site for low density residential development</li> <li>• Agricultural use of lands will no longer be viable due to incompatible neighbouring uses and will cause nuisance to residential uses.</li> <li>• There is a serious deficit in wastewater services in Rathcoffey and the owner of is willing to provide land to enable a solution.</li> <li>• The density envisaged in the rural settlement plan for Rathcoffey is not appropriate, the lands otherwise included in the development boundary do not allow for choice in the area and will not deter one-off rural housing and will not facilitate the population growth projected.</li> </ul>	<p><b>Response:</b></p> <p>The selection of sites for settlement expansion is based on the development of the settlement in a sequential and sustainable manner and takes cognisance of existing valid planning permissions, which not yet been completed. The Core Strategy allocates the rural settlements a population growth of 1.3% over the plan period. The development objective for each individual rural settlement is to accommodate a population growth level of up to 20%.</p> <p>The current population of Rathcoffey is estimated as 170 persons. Currently there is 4.6 ha of land designated in the Draft Plan for 'Settlement Expansion'. These lands would cater for in excess of 20% growth in Rathcoffey and to designate additional lands for residential development would be contrary to the core strategy set out in the draft plan.</p> <p>Therefore it is not considered appropriate to designate additional lands for settlement expansion in this instance.</p>

		<p><b>Recommendation</b> No change recommended.</p>
<b>Staplestown</b>		
231	<p><b>Staplestown</b></p> <ul style="list-style-type: none"> <li>Request the provision of lands comprising 4.2 ha for residential development to the west of Staplestown Village.</li> <li>The subject lands have the benefit of a ten year planning permission ref 08/567 for 40 no. dwelling units. The submission also states that due to the unprecedented economic downturn the landowner was not in a position to implement the permission.</li> <li>The subject lands should be included in the dCDP for settlement expansion and suggests that this is in-keeping with the Council and Governments objectives to channel one-off houses into existing settlements.</li> </ul>	<p><b>Response:</b></p> <p>The selection of sites for settlement expansion is based on the development of the settlement in a sequential and sustainable manner and takes cognisance of existing valid planning permissions, which not yet been completed. The Core Strategy allocates the rural settlements a population growth of 1.3% over the plan period. The development objective for each individual rural settlement is to accommodate a population growth level of up to 20%.</p> <p>The current population of Staplestown is estimated as 98 persons. Currently there is 4.4ha of land designated in the Draft Plan for 'Settlement Expansion'. These lands would cater for in excess of 20% growth in Staplestown. However, the extant planning permission on the subject site is acknowledged and the site should be designated to reflect same.</p> <p><b>Recommendation:</b></p> <p>Designate subject site as '<i>SE 3: Settlement Expansion</i>' in the Rural Settlement of Staplestown to reflect the extant planning permission.</p>



		 <p>The map shows a site plan with a red-outlined area labeled 'A' and 'Lands' with an arrow pointing to it. Below the label, it says '4.2 ha'. The map shows various buildings, roads, and a river or stream.</p>
<p><b>Twomile House</b></p>		
<p><b>111</b></p>	<p><b>Twomile House</b></p> <ul style="list-style-type: none"> <li>Request to have site located to the east of Twomile House Rural Settlement included in the rural settlement boundary for the purpose of providing low density residential development consistent with the existing pattern of development and providing an alternative to older people by developing 'age friendly' units.</li> <li>The site is within 200m of the village centre, has access to public services, has unrestricted access to a public road, is a natural extension to the village and is consistent with the spatial arrangement of Twomile House.</li> </ul>	<p><b>Response:</b></p> <p>The selection of sites for settlement expansion is based on the development of the settlement in a sequential and sustainable manner and takes cognisance of existing valid planning permissions, which not yet been completed. The Core Strategy allocates the rural settlements a population growth of 1.3% over the plan period. The development objective for each individual rural settlement is to accommodate a population growth level of up to 20%.</p> <p>The current population of Twomile House is estimated as 263 persons. Currently there is 4 ha of land designated in the Draft Plan for 'Settlement Expansion'. These lands would cater for in excess of 20% growth in Twomile House and to designate additional lands for residential development would be contrary to the core strategy set out in the draft plan.</p>

		<p>Therefore it is not considered appropriate to designate additional lands for settlement expansion in this instance.</p> <p><b>Recommendation:</b> No change recommended.</p>
15	<p><b>Twomile House</b></p> <ul style="list-style-type: none"> <li>Request for designation of lands comprising 2.25ha as 'Settlement Expansion' located to the south of the village centre of Twomile House.</li> <li>20% allocation of growth should be in addition to the 13 dwellings proposed under pl ref. 16/645 in order to allow sufficient flexibility for increased growth in the village for the 6 year period of the Plan.</li> </ul>	<p><b>Response:</b></p> <p>The selection of sites for settlement expansion is based on the development of the settlement in a sequential and sustainable manner and takes cognisance of existing valid planning permissions, which not yet been completed. The Core Strategy allocates the rural settlements a population growth of 1.3% over the plan period. The development objective for each individual rural settlement is to accommodate a population growth level of up to 20%.</p> <p>The current population of Twomile House is estimated as 263 persons. Currently there is 4 ha of land designated in the Draft Plan for 'Settlement Expansion'. These lands would cater for in excess of 20% growth in Twomile House and to designate additional lands for residential development would be contrary to the core strategy set out in the draft plan.</p> <p>Therefore it is not considered appropriate to designate additional lands for settlement expansion in this instance.</p> <p><b>Recommendation:</b> No change recommended.</p>
<b>Rural Node : Ballyshannon</b>		
75	<p><b>Ballyshannon</b></p> <ul style="list-style-type: none"> <li>Request that lands located at Ballyshannon Demesne, Kilcullen be designated as a rural settlement on its own</li> </ul>	<p><b>Response:</b></p> <p>Ballyshannon is designated in the Draft Plan as a Rural Node. Rural Nodes comprise</p>

	<p>or as part of Calverstown. Part of these lands were included in the Ballyshannon settlement in the 2005-2011 Development Plan.</p>	<p>largely unserved areas with limited social and community infrastructure. It is anticipated that each rural node can cater for 10%-15% population growth over the plan period to cater for limited development at a sustainable scale for immediate local need through development clusters. Rural Nodes can serve as an alternative to housing in the open countryside.</p> <p>Particular care must be taken that rural nodes do not compete with villages and settlements in the services they provide or the role and function they play within the rural area. Having regard to the foregoing and the limited social and community infrastructure and residential development in Ballyshannon, coupled with its proximity to higher order settlements of Kilcullen, Calverstown and Suncroft; it is considered appropriate that Ballyshannon remains designated as Rural Node in the Settlement hierarchy of the draft Plan.</p> <p><b>Recommendation:</b> No change recommended.</p>
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## Local Area Plans

Submissions relevant to this section; 5, 16, 80, 112, 127, 143, 152, 163, 190

Celbridge		
Sub No.	Description	Chief Executive Response & Recommendation
5	<p>Proposal to zone lands for residential development in close proximity to the train station at Hazelhatch/Celbridge.</p> <p>A specific policy is requested in the new CDP that will inform the preparation of the new Celbridge LAP which will seek to zone lands for new residential development and associated land uses adjacent to key transport nodes (Hazelhatch and Celbridge Train Station).</p>	<p><b>Response:</b> This is not a matter relevant to the Draft CDP. Celbridge Local Area Plan is currently undergoing review. Specific matters in relation to proposed new zoning relevant to this urban centre should be made during the public consultation period of the LAP review.</p> <p><b>Recommendation:</b> No change recommended.</p>
190	<p>Submission questions what specific considerations have been made, if any, for ongoing issues in respect of traffic, roads, parking, pedestrian and vehicular safety, in addition to the continued expansion of commercial development within the quarry area of Celbridge.</p>	<p><b>Response:</b> Whilst the issues raised in the submission are noted, it is considered that the matters raised are specific local issues relevant to the current review of the Celbridge Local Area Plan. The draft LAP will be subject to public consultation where such specific issues can be raised.</p> <p><b>Recommendation:</b> No change recommended.</p>
143	<p>Submission relates to 26.8ha of land at Donaghcumper Demesne situated to the east of Celbridge town.</p> <p>Supportive comments made to the preparation of a new LAP for Celbridge and the incorporation of Castletown Demesne within the boundary of the new Celbridge Local Area Plan. Policies and objectives within the new LAP should enable the town centre to capitalise on its comparative advantage with respect to Castletown House and also on its architectural and natural heritage by focusing on facilitating the development of tourism and heritage products appropriate to the character of that area</p>	<p><b>Response:</b> Supportive comments noted.</p> <p>As outlined in earlier responses, the new Celbridge Local Area Plan (Including Castletown Demesne) is currently undergoing review. Submissions will be invited during the public consultation period for this plan review.</p> <p><b>Recommendation:</b> No change recommended.</p>

	and its setting.	
<b>204</b>	Request for lands located in Mooretown, Celbridge (4.04ha) to be zoned for residential use in the proposed Celbridge Local Area Plan.	<p><b>Response:</b> This is not a matter relevant to the Draft CDP. The Celbridge Local Area Plan is currently undergoing review. Specific matters in relation to proposed new zoning proposals relevant to this urban centre should be made during the public consultation period of the LAP review.</p> <p><b>Recommendation:</b> No change recommended.</p>
<b>Maynooth</b>		
<b>16</b>	Request for lands to be zoned adjacent to Maynooth Business Campus for industrial and commercial development. The lands can be co-located with the existing business campus and adjacent to major roads infrastructure (i.e. M4 Motorway).	<p><b>Response:</b> This is not a matter relevant to the Draft CDP.</p> <p>A Local Area Plan is in place for Maynooth, covering the period 2013-2019 which includes land use zoning objectives for the town. Specific zoning requests such as this current proposal should be made during the next review of the Maynooth LAP.</p> <p><b>Recommendation:</b> No change recommended.</p>
<b>Leixlip</b>		
<b>110</b>	Request to change the zoning of land zoned "Agricultural" in the Leixlip Local Area Plan 2010 to lands for use as – Tourist related Facility, Guest House/Hotel Use, Nursing Home Use and Restaurant Use at Parsonstown, Leixlip.	<p><b>Response:</b> This is not a matter relevant to the Draft CDP. A Local Area Plan is in place for Leixlip, with the Plan currently undergoing review. Specific matters in relation to proposed new zoning proposals relevant to this urban centre should be made during the public consultation period of the LAP review.</p> <p><b>Recommendation:</b> No change recommended.</p>
<b>110</b>	Request to change the zoning of land zoned "Agricultural" in the Leixlip Local Area Plan 2010 to lands zoned for use as – Tourist Related Facility, Guest House/Hotel Use, Nursing Home Use and Restaurant Use at Parsonstown, Leixlip, Co. Kildare.	<p><b>Response:</b> This is not a matter relevant to the Draft CDP. A Local Area Plan is in place for Leixlip, with the Plan currently undergoing review. Specific matters in relation to proposed new zoning proposals relevant to this urban centre should be made during the public</p>

	<ul style="list-style-type: none"> <li>• The site presently has an “Agricultural” land use zoning objective, although it is located adjacent to the Hewlett Packard facility. (110)</li>   <li>• Some of the advantages of the site are listed as;             <ul style="list-style-type: none"> <li>- Lands have considerable recreational use for equine and water based uses consistent with the adjacent canoe club &amp; reservoir of the River Liffey.</li> <li>- The site has historic buildings capable of re-use and conversion to tourist related uses.</li> <li>- Proximity of lands to Dublin with excellent transport linkages.</li> <li>- Site can be used as a base for touring Mid &amp; South Kildare.</li> <li>- The proposed Galway Greenway will pass just north of the lands.</li> <li>- Supported by tourism related objectives listed in the current Kildare CDP (ECD 26, EO 37, and EO 40). (Sub 110)</li> </ul> </li> </ul>	<p>consultation period of the LAP review.</p> <p><b>Recommendation:</b> No change recommended.</p>
<b>Newbridge</b>		
<p><b>152</b></p>	<p>Request for lands to be zoned for residential development at Morristownbillar, Newbridge.</p> <p>The submission states that the proposed population and unit targets in the Draft Plan falls short of the requirement to plan for the development plan period plus a further 3 years growth.</p>	<p><b>Response:</b> This is not a matter relevant to the Draft CDP.</p> <p>It is considered that Housing Allocation figures contained in the Core Strategy for County Kildare provide a satisfactory allocation for 3 years additional growth. (See CE Response to similar topic raised on 3 years additional growth requirement in Chapter 3 Settlement Strategy).</p>

	<p>The CDP should clearly state that it will be a priority objective to provide a variation to the Newbridge Local Area Plan in order to provide for additional residential zoned lands.</p> <p>The submission highlights that there is a shortfall of residential zoned land in Newbridge, and that 11.45ha of land situated at Morristownbillar, Newbridge and to the west of the New Residential zoned lands are ideally placed to be rezoned for residential use.</p>	<p>It is not considered that a variation to the current Newbridge LAP 2013-2019 is required on this issue.</p> <p>Specific zoning requests such as this current proposal should be made during the next review process of the Newbridge LAP.</p> <p><b>Recommendation:</b> No change recommended.</p>
<b>Clane</b>		
<b>112</b>	<p>Request to change lands currently zoned 'Open Space and Amenity' in the Clane LAP to lands to be zoned for Age Friendly Houses – Residential (to be restricted for over 55 year old occupants).</p>	<p><b>Response:</b> This is not a matter relevant to the Draft CDP. The Clane LAP is currently undergoing review. Specific matters in relation to proposed new zoning proposals relevant to this urban centre should be made during the public consultation period of the Draft LAP.</p> <p><b>Recommendation:</b> No change recommended.</p>
<b>Kilcock</b>		
<b>163</b>	<p>Request to zone existing permitted and adjacent lands at Clonsast/Laragh, Kilcock for specific use as a Car Recycling Depot. The zone will ensure the sustainability of permitted development for specific use of car recycling and end of life vehicles'.</p>	<p><b>Response:</b> Not agreed. The subject site is located in a rural area outside of any designated settlement. Any future development on the subject site should be assessed having regard to the policies for rural development contained in Chapter 10 (Rural Development) and the Development Management Standards contained Chapter 17 of the Draft Plan.</p> <p><b>Recommendation:</b> No change recommended.</p>
<b>127</b>	<p>Request to zone land for new residential development in Kilcock.</p>	<p><b>Response:</b> This is not a matter relevant to the Draft CDP.</p> <p>A Local Area Plan is in place for Kilcock, covering the period 2015-2021 which includes land use zoning objectives for the town. Specific zoning requests such as this current proposal should be made during the next</p>

		<p>review process of the Kilcock LAP.</p> <p><b>Recommendation:</b> No change recommended.</p>
<b>Kilcullen</b>		
<b>80</b>	Request to zone land for new residential development in Kilcullen (2.152ha) with an additional 0.267ha proposed for community/transport uses.	<p><b>Response:</b> This is not a matter relevant to the Draft CDP.</p> <p>A Local Area Plan is in place for Kilcullen, covering the period 2014-2020 which includes land use zoning objectives for the town. Specific zoning requests such as this current proposal should be made during the next review process of the Kilcullen LAP.</p> <p><b>Recommendation:</b> No change recommended.</p>
<b>Sallins</b>		
<b>108</b>	Request to include lands outlined at Sherlockstown, Sallins for the purposes of Residential Development, Age Friendly Housing (Over 55 Year old housing) and Community Building use.	<p><b>Response:</b> This is not a matter relevant to the Draft CDP.</p> <p>A Local Area Plan is in place for Sallins covering the period 2016-2022 which includes land use zoning objectives for the town. Specific zoning requests such as this current proposal should be made during the next review process of the Sallins LAP.</p> <p><b>Recommendation:</b> No change recommended.</p>
<b>179</b>	Request that the new CDP include for the extension of the Sallins Development Boundary to include the subject lands outlined in the submission for development.	<p><b>Response:</b> This is not a matter relevant to the Draft CDP.</p> <p>A Local Area Plan is in place for Sallins covering the period 2016-2022 which includes land use zoning objectives for the town. Specific development boundary extension/zoning requests such as this current proposal should be made during the next review process of the Sallins LAP.</p>



		<b>Recommendation:</b> No change recommended.
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## Miscellaneous Items

Submissions relevant to this section; 90, 99, 153.

Sub No.	Description	Chief Executive Response & Recommendation
99	<ol style="list-style-type: none"> <li>1. Did the officials of Kildare County Council receive any direction from senior politicians on behalf of Intel Ireland Ltd to engage the IDA to confiscate the Reid farm at Blakestown.</li> <li>2. The plan should include a policy to prevent political collusion in Planning.</li> <li>3. Planning application 12/435 should be annulled.</li> </ol>	<p><b>Response:</b> The matter raised in point no. 1 is not considered a matter relevant to the review of the County Development Plan.</p> <p>In relation to Point no. 2, Kildare County Council is required to abide by the legislative provisions of the Planning &amp; Development Act 2000 (as amended) in the preparation of the Kildare County Development Plan 2017-2023. The Council has prepared the review of this Plan in accordance with all legislative requirements for same.</p> <p>In relation to point no. 3, this is not a matter relevant to the review of the County Development Plan.</p> <p><b>Recommendation:</b> No change recommended.</p>
<b>To be confirmed</b>	<p>Request to have a policy included in Chapter 2 to make non-personal, non-sensitive data freely available under open conditions where practical. It is requested to include the following policy in Section 2.16.2:</p> <p><i>“To encourage and facilitate open access to non-personal, non-sensitive data where practical to facilitate maximum benefit to residents, students, businesses and tourists of Kildare”.</i></p>	<p><b>Response:</b> Not agreed. The matter highlighted in this request is governed under separate legislation to planning (Freedom of Information Act) and is not considered appropriate as part of the County Development Plan review.</p> <p><b>Recommendation:</b> No change recommended.</p>

<p><b>153</b></p>	<ul style="list-style-type: none"> <li>• This submission requests that the Planning Authority consider including policies, objectives and land use zonings to accommodate employment generating uses on lands at to the south of the N7, between Junction 5 Steelstown and Junction 6 Castlewarden Interchange, and comprise of a total area of c. 144.5 hectares (357 acres). The submission notes the majority of the lands are located in County Kildare, with the northernmost section located in South Dublin, see Figure 1 below for the location of County boundary. This submission relates to the lands in County Kildare only. (153)</li> <li>• The submission states that the lands are in agricultural use at present, but states that they have extensive frontage to the N7, with potential for easy access to both Junction 5 and 6 on the N7. (153)</li> <li>• The submission states that in order to capitalise on the strategic location of the subject lands on the M7 Economic/Transport Corridor it is requested that the Council include a site specific enterprise/employment zoning objective for the subject lands in the new County Development Plan. The submission further suggests that a similar approach to that taken at Togher Industrial Estate could be taken at the subject lands. (153)</li> </ul>	<p><b>Response:</b> Not agreed. The subject lands are located outside of a designated settlement and it is the policy of the Draft Plan to direct economic growth into identified economic growth centres.</p> <p>It should be noted that Proposed Alteration No. 4, Section 4.2 of this report in response to Submission received from the Department of Housing, Planning, Community &amp; Local Government (Submission No. 1) recommends to include a new economic policy as follows:</p> <p>ED16: 'To carry out a strategic assessment of employment lands in the County to inform the Regional Spatial and Economic Strategy, and in particular to assess the need for new employment sites in the economic growth centres of County Kildare'.</p> <p><b>Recommendation:</b> No change recommended.</p>
<p><b>90</b></p>	<p>In relation to Naas, it is requested to remove the village centre zoning in Millenium Park. This will have a huge benefit to the town.</p>	<p><b>Response:</b> This is a matter not relevant to the CDP review, this is a matter for the review forthcoming Naas LAP.</p> <p><b>Recommendation:</b> No change recommended.</p>

## **Volume 3 Strategic Environmental Assessment and Appropriate Assessment**

### **SFRA**

The Strategic Flood Risk Assessment (SFRA) will be amended to take account of issues raised in the submissions of the Department of Housing, Planning, Community and Local Government and the Office of Public Works. An amended SFRA will be circulated to members by mid September 2016 and it is considered appropriate that the amended report will be the subject of a further period of public display in conjunction with material amendments.

Based on preliminary outputs amended zonings are proposed in Prosperous, Caragh, Kildangan, Timolin, Staplestown, and Nurney to avoid sensitive development in areas with an identified flood risk, in compliance with the Flood Risk Management Guidelines, DECLG (2009). Full hydraulic modelling will be carried out in respect of these sites prior to consideration of the Chief Executive's Report and Draft Plan by the Members. Section on Volume 2 refers.

#### **SFRA: Proposed Alteration 1:**

Prosperous - Omit New Residential Zoning on Flood Risk Lands shown on amended SFRA.

#### **SFRA: Proposed Alteration 2:**

Caragh - Omit Existing Residential Zoning on Flood Risk Lands shown on amended SFRA.

#### **SFRA: Proposed Alteration 3:**

Kildangan - Omit Settlement Expansion area on Flood Risk Lands shown on amended SFRA.

#### **SFRA: Proposed Alteration 4:**

Timolin - Omit Settlement Expansion area on Flood Risk Lands shown on amended SFRA.

#### **SFRA: Proposed Alteration 5:**

Staplestown - Omit Settlement Expansion area on Flood Risk Lands shown on amended SFRA.

**SFRA: Proposed Alteration 6:**

Nurney - Omit Settlement Expansion area on Flood Risk Lands shown on amended SFRA.

**SFRA: Proposed Alteration 7:**

Levittown - Omit Settlement Expansion area on Flood Risk Lands shown on amended SFRA.

**Response to Submission from Environmental Protection Agency Submission No. 70**

Ref	Submission Text	Response	Recommendation
<b>Specific Comments on the Draft Plan to be considered</b>			
1	We welcome that many of the issues raised in our SEA Scoping submission, dated the 28th May 2015, have been incorporated into the Plan and the SEA ER. There is also merit in providing a short summary of the submissions received and how the key issues raised have been considered in the Plan and associated SEA.	A summary of how SEA Scoping Submissions have been considered by the SEA process will be integrated into the SEA Statement to be prepared after the adoption of the Plan.	None.
2	We acknowledge the commitment in Chapter 1-Introduction-4.3 County Kildare Plans, Strategies and Studies; to prepare new local area plans (LAPs) for Naas and for Athy. The requirements of the SEA, Floods, Water Framework and Habitats Directives and associated relevant national regulations and guidelines, in particular, should be taken into account in preparing these LAPs. Where existing zoned undeveloped lands are identified as being at risk of significant flood risk (Flood Zone A or B), the Plan should promote that re-zoning or de-zoning to less vulnerable land use be considered, where relevant and appropriate.	The Plan has integrated into it relevant requirements relating to FRA, SEA and AA. The processes will be undertaken as relevant and appropriate for lower levels of decision-making.	None.

<b>Specific Comments on the SEA Environmental Report</b>			
3	We acknowledge that the Plan (and associated zoning) has been influenced by the comprehensive Strategic Flood Risk Assessment carried out.	Noted.	None.

4	<p>We note that the Plan has identified certain areas as being between “10%-20%” and “greater than 20%” above the reference level for Radon, as outlined in Section 4- Environmental Baseline-4.4 Population and Human Health. In light of this, the Plan should include a commitment to provide appropriate measures to mitigate for the harmful effects of radon in line with the relevant development management process.</p>	<p>Noted.</p> <p>This is a matter for Building Control. Section 17.4, Development Management Standards, of the Draft Plan adequately addresses this issue as follows:</p> <p><i>‘The planning authority will have regard to the provisions of the Buildings Regulations 1997-2014, in so far as they are relevant to the proper planning and sustainable development of the area.’</i></p>	None.
5	<p>Section 4.8 Material Assets acknowledges the need for adequate and appropriate critical service infrastructure, in order to ensure water quality is protected, The Plan should commit to protecting and improving water quality within the Plan area, in accordance with the requirements of the WFD, in collaboration with the relevant stakeholders. On-going monitoring of trends in water quality status should also be incorporated into the SEA monitoring programme. The EPA has recently launched <a href="http://www.catchments.ie">www.catchments.ie</a>, which promotes a catchment management approach to managing water resources in Ireland. It may be useful to consider monitoring the trend of water bodies over the lifetime of the Plan.</p>	<p>The Plan includes various provisions that contribute towards the protection of the status of waters in compliance with the requirements of the Water Framework Directive (e.g. WS 9, WS 10 and WS 11).</p> <p>The indicators contained within in the SEA Monitoring Programme allow for the on-going monitoring of trends in water quality status.</p>	None.
6	<p>We welcome the inclusion of Section 4.11 Overlay of Environmental Sensitivity Mapping and the accompanying map Figure 4.13 Overlay Mapping of Environmental Sensitivities. It would also be useful to include Figure 4.13 in the Non-Technical Summary.</p>	Noted.	To insert <b>Figure 4.13 Overlay Mapping of Environmental Sensitivities</b> into the Non-Technical Summary.
7	<p>In Section 8: Evaluation of Draft Plan Provisions, we acknowledge the Plan objectives relating to the various transport-related</p>	The Plan has integrated into it relevant requirements relating to	None.

	<p>development/improvement proposals such as distributor/link/arterial roads, rail/road/river/canal crossings, cycle paths etc. The Plan should also ensure that any proposed development including residential, industrial, energy related or infrastructural, is prepared and implemented in accordance with the relevant requirements of EIA, Habitats, Floods and Water Framework Directives. The Plan should consider the potential for likely significant effects, including cumulative effects, arising out of multiple developments over the lifetime of the Plan, and establish and implement appropriate mitigation measures to avoid significant adverse environmental effects.</p>	<p>European Directives including the EIA, Habitats, Floods and Water Framework Directives.</p> <p>The SEA has already considered the potential for likely significant effects, including cumulative effects, arising out of multiple developments over the lifetime of the Plan, and established appropriate mitigation measures to avoid significant adverse environmental effects (see SEA Environmental Report including Sections 4, 7, 8 and 9). The development management process will facilitate the implementation of these measures.</p>	
8	<p>We note the inclusion of Table 10.1 – Selected Indicators, Targets and Monitoring Sources. Where possible, the Plan should include the frequency of monitoring for each of the Strategic Environmental Objectives described.</p> <p>Linking the Plan and SEA related monitoring will assist in assessing how well the Plan is protecting environmental sensitivities and vulnerabilities over the lifetime of the Plan.</p>	<p>Where available, the Monitoring Programme included in the SEA Environmental Report identifies current frequency of monitoring results publication for selected indicators.</p>	None.
9	<p>In the Non-Technical Summary (NTS), there is merit in including a summary of the Strategic Flood Risk Assessment findings.</p>	<p>The Non-Technical Summary already includes information on SFRA but it is proposed to expand this to include more detail.</p>	<p>To expand upon the detail regarding the SFRA that was undertaken on the Plan in the SEA Environmental Report Non-Technical Summary.</p>

<p><b>10</b></p>	<p>Aspects relating to the key Mitigation and Monitoring Measures, such as Table 10.1 Selected Indicators, Targets and Monitoring Sources, would also be useful to highlight what is required to be implemented.</p>	<p>It is proposed to include additional text before Table 10.1.</p>	<p>To include the following text before Table 10.1:</p> <p>This shows the indicators and targets which have been selected for monitoring the likely significant environmental effects of implementing the Plan, if unmitigated.</p> <p>A stand-alone Monitoring Report on the significant environmental effects of implementing the Plan will be prepared by Kildare County Council in advance of the beginning of the review of the Plan.</p>
<p><b>11</b></p>	<p>In relation to Additional Plans/Programmes to consider, the following may also be important to consider:</p> <ul style="list-style-type: none"> <li>• Draft National Bioenergy Plan (DCENR, currently under preparation).</li> <li>• Renewable Electricity Policy and Development Framework (DCENR) recently commenced</li> <li>• National Mitigation Plan (DECLG) currently being prepared</li> <li>• National Alternative Fuels Infrastructure for the Transport Sector (DTTAS)</li> <li>• Food Wise 2025 (DAFM)</li> </ul>	<p>It is proposed to give reference to these documents in Appendix I “Relationship with Legislation and Other Plans and Programmes” to the SEA Environmental Report as plans/policies that have not yet been adopted. In the meantime, various provision have been integrated into the Draft Plan that contribute towards efforts to manage risks associated with climate change.</p>	<p>Insert reference to the following in Appendix I “Relationship with Legislation and Other Plans and Programmes” to the SEA Environmental Report as plans/policies that have not yet been adopted:</p> <ul style="list-style-type: none"> <li>• Draft National Bioenergy Plan (DCENR, currently under preparation).</li> <li>• Renewable Electricity Policy and Development Framework (DCENR) recently commenced</li> <li>• National Mitigation Plan (DECLG) currently being prepared</li> <li>• National Alternative Fuels Infrastructure for the Transport Sector (DTTAS)</li> <li>• Food Wise 2025 (DAFM)</li> </ul>



<b>Future Amendments to the Draft Plan</b>			
<b>12</b>	Where amendments to the Plan are proposed, these should be screened for likely significant effects in accordance with the criteria as set out in Schedule 2A of the SEA Regulations and should be subject to the same method of assessment applied in the “environmental assessment” of the Draft Plan.	Noted. Where amendments to the Plan are proposed, these will be screened as required by the legislation.	None.
<b>SEA Statement– “Information on the Decision”</b>			
<b>13</b>	<p>Following adoption of the Plan, an SEA Statement, should summarise the following:</p> <ul style="list-style-type: none"> <li>• How environmental considerations have been integrated into the Plan;</li> <li>• How the Environmental Report, submissions, observations and consultations have been taken into account during the preparation of the Plan;</li> <li>• The reasons for choosing the Plan adopted in the light of other reasonable alternatives dealt with; and,</li> <li>• The measures decided upon to monitor the significant environmental effects of implementation of the Plan.</li> </ul> <p>A copy of the SEA Statement with the above information should be sent to any environmental authority consulted during the SEA process. Should you have any queries or require further information in relation to the above please contact the undersigned</p>	Noted. Following adoption of the Plan, an SEA Statement will be prepared.	None.

### 1.2 Response to Submission from Department of Arts, Heritage and the Gaeltacht Submission No. 131

Ref	Submission Text	Response	Recommendation
1	<p>It is noted that a number of the towns, villages and rural settlements utilise the same WWTP and/or drinking water supply which in some cases may be outside the county. This issue needs to be assessed cumulatively and it is not clear that this has been adequately assessed in the SEA and NIS.</p>	<p>Both the SEA Environmental Report and AA NIR assess this issue and it is proposed to add to this.</p>	<p>To amend the following text from the AA NIR (Section 3.2.4 Changes in Key Indicators of Conservation) and to add this text to Section 8 of the SEA Environmental Report (Section 8.6.6 Chapter 7: Infrastructure Development):</p> <p>Existing and new development within the County will need to continue to be supplied by adequate and appropriate levels of water services infrastructure.</p> <p>Much of the water supplied to County Kildare is supplied from outside of County Kildare – primarily from regional plants at Ballymore, Eustace (Dublin City Council) and Leixlip (Fingal County Council). Intensification of existing water abstractions or the development of new water abstractions has the potential, if unmitigated, to impact upon the environment including European sites.</p> <p>Various towns within County Kildare utilise the same waste water treatment plants; Leixlip, serves Kilcock, Maynooth, Celbridge, Leixlip and Straffan and Osberstown serves Naas, Newbridge, Kilcullen, Athgarvan, Prosperous, Sallins, Clane and Kill, for example. As is the case with other applications within the County, applications within such settlements are required to be assessed against the provisions within the County Development Plan providing for the protection of European Sites and associated assessments.</p> <p>Irish Water, being the Water Services body for the State and County Kildare, is responsible for the delivery, integration and implementation of water and wastewater projects and infrastructural improvements. Various provisions in the County Development Plan commit the Council to work in</p>

Ref	Submission Text	Response	Recommendation
			<p>conjunction with Irish Water in order to facilitate their provision of necessary water services infrastructure.</p> <p>Irish Water is required to fulfil its responsibilities in compliance with relevant legislation including the Habitats Directive and transposing Regulations and to comply with the provisions of the County Development Plan as relevant and appropriate. Irish Water has prepared a “Water Services Strategic Plan” and associated “Capital Investment Plan 2014-2016”, which have been subjected to their own environmental assessment processes as relevant and appropriate. In combination with the provisions of these higher-level documents, the County Development Plan will contribute towards sustainable development and the appropriate protection and management of the environment, including Natura 2000 sites.</p> <p>The key indicators of conservation value for the majority of European sites in County Kildare are surface water quality and quantity. Impacts on European sites may occur where there are hydrological connections between the sites and development areas. Implementation of the Draft Plan may result in alterations to the hydrological regime or physical environment of sites through water abstraction, drainage, and discharges to watercourses, coastal waters or groundwater resources. Of particular importance will be the provision of water supplies and the disposal of wastewater.</p> <p>Development located in proximity to groundwater dependent habitats may interfere with the hydro geological regime that supports groundwater-dependent qualifying interests. Developments that may be carried out as part of the Draft Plan could potentially interfere with the hydrogeological regime of those sites listed in Table 3.4, therefore</p>

Ref	Submission Text	Response	Recommendation
			<p>potentially reducing the habitat quality of those sites.</p> <p>Meeting additional potable water demands and wastewater treatment demands arising from the proposed increase in population has the potential to adversely affect, in the case of abstractions from and effluent discharges to surface waters, the ecological status of surface waters and, in the case of groundwater abstractions, the quantitative status of groundwaters. Such demands would occur in combination with those in adjoining counties. Irish Water's plan and programme making is subject to SEA and AA at national, regional, county and local levels. Adverse effects on the ecological status of surface waters and on the quantitative status of groundwaters would have the potential to impact upon protected species and habitats.</p> <p>The provision of potable water supplies has the potential to result in adverse effects on environmental components including European Sites. Potential adverse effects on European sites could occur as a result construction works (transportation or treatment) and new or intensified abstractions of water that could reduce the flow of waters that support surface or ground water dependent habitats and species. Where there are multiple abstractions, these have the potential to cumulatively contribute towards such adverse effects. Such potential effects include direct habitat loss (including loss of wetlands), habitat damage (e.g. damage to wetlands), reductions in water quality, disturbance to species including sensitive aquatic species.</p> <p>The provision of wastewater treatment has the potential to result in adverse effects on environmental components including European Sites. Potential adverse effects on European sites could occur as a result construction works (transportation or treatment) and new or increased effluent discharges that could reduce deteriorate the quality of waters that support surface or ground water dependent habitats and species.</p>

Ref	Submission Text	Response	Recommendation
			<p>Where there are multiple effluent discharges, these have the potential to cumulatively contribute towards such adverse effects. Such potential effects include direct habitat loss, reductions in water quality, disturbance to species including sensitive aquatic species.</p> <p>Potential adverse effects will be mitigated by the various provisions that have been integrated into Plan, including those detailed at Section 4 of this report. Projects will be subjected their own consent procedures with associated Appropriate Assessment requirements as relevant and appropriate.</p>
2	<p>Figure 4.2 shows SPAs and SACs within the county and within a buffer of 5, 10 and 15 km. It should be noted that in any assessment made that it may be necessary to look at impacts, including cumulative impacts beyond 15 km. Such instances could occur for example when a river catchment, or an aquifer, or bird flight paths, are involved.</p>	<p>It is proposed to add additional text to Section 4.2 of the SEA Environmental Report where Figure 4.2 is initially mentioned.</p>	<p>To amend the SEA Environmental Report as follows: Section 4.3.4 Candidate Special Areas of Conservation</p> <p>Figure 4.2 maps SACs (and SPAs) both within the County, and within 15km of the County. The distance of 15km is currently recommended in the DoE document Appropriate Assessment of Plans and Projects - Guidance for Planning Authorities, however, sites beyond this distance should also be considered where there are hydrological linkages or other pathways that extend beyond 15 km thereby ensuring that all potentially affected European sites are considered. Potential effects identified by this assessment relate to those that could occur both within and beyond this distance as a result of, for example, water pollution. More detail on the potential impacts on European Sites is provided in the Stage 2 Appropriate Assessment that accompanies the Plan and this SEA Environmental Report.</p>
3	<p>Table 5.1 contains the SEOs, indicators and targets used in the SEA. It is not clear what a "wildlife</p>	<p>A definition of Wildlife Sites is provided in the Planning and Development Act 2010. Listed species in this context comprises</p>	<p>To update SEO B3 (included on Tables 5.1 and 10.1) as follows: B3: To avoid significant impacts on relevant habitats, species,</p>

Ref	Submission Text	Response	Recommendation
	<p>site" is in SEO B3. This needs to be defined as it is not presently in the glossary. It should also be noted by the Local Authority that the indicator for B1 uses the article 17 report and that this report is only produced every 6 years.</p>	<p>the species listed in the Wildlife Acts 1976-2010. SEO B3 can be updated to clarify this.</p> <p>It is acknowledged that the Article 17 Report is only produced every 6 years and this is already identified in Section 10 of the SEA Environmental Report. Regarding the monitoring of B1 sources cited for this indicator in the SEA Environmental Report include the following in addition to the Article 17 Report:</p> <ul style="list-style-type: none"> <li>• Internal monitoring of likely significant environmental effects of grants of permission (grant by grant).</li> <li>• Department of Arts, Heritage and the Gaeltacht's National Monitoring Report for the Birds Directive under Article 12</li> </ul>	<p>environmental features or other sustaining resources in designated sites including Wildlife Sites<sup>5</sup> and to ensure compliance with the Wildlife Acts 1976-2010 with regard to the protection of listed species <b>listed within these Acts</b></p>

<sup>5</sup> The Planning and Development Act 2010 defines a 'wildlife site' as: (a) an area proposed as a natural heritage area and the subject of a notice made under section 16(1) of the Wildlife (Amendment) Act 2000, (b) an area designated as or proposed to be designated as a natural heritage area by a natural heritage area order made under section 18 of the Wildlife (Amendment) Act 2000, (c) a nature reserve established or proposed to be established under an establishment order made under section 15 (amended by section 26 of the Wildlife (Amendment) Act 2000) of the Wildlife Act 1976, (d) a nature reserve recognised or proposed to be recognised under a recognition order made under section 16 (amended by section 27 of the Wildlife (Amendment) Act 2000) of the Wildlife Act 1976, or (e) a refuge for fauna or flora designated or proposed to be designated under a designation order made under section 17 (amended by section 28 of the Wildlife (Amendment) Act 2000) of the Wildlife Act 1976.

Ref	Submission Text	Response	Recommendation
		<p>(every 3 years).</p> <ul style="list-style-type: none"> <li>• Consultations with the NPWS (at monitoring evaluation).</li> </ul>	
4	<p>Policies and objectives that could negatively impact on the natural heritage include those that involve additional use of the County's waterway ecological corridors. These include both water based activities and developments along the river and canal banks such as linear parks and walking and cycling routes. Other such policies and objectives include hydroelectric projects on rivers and also geothermal energy developments if they were to impact negatively on the warm springs that occur along the Meath to Kildare border, which are of geological and ecological interest. While accepting that protective mitigatory measures have been included, this Department would have expected a more in depth discussion of the issues involved which could include recommendations regarding ecological constraints where such baseline data existed or</p>	<p>The SEA Environmental Report identifies, inter alia, the potential likely significant environmental effects, if unmitigated, of implementing the Kildare County Development Plan, associated mitigation measures and resulting likely residual effects.</p> <p>Detailed discussion is provided under relevant provisions and various mitigation measures have been integrated into the Plan to address potential effects. Some of these measures require the undertaking of survey work however the extent of the survey work required will be dependent upon various factors including proposed project type, size, location and design as well as the known state of the environment at that point in time.</p> <p>The designations to which the baseline data included in the SEA Environmental Report relates are cited in various plan provisions and are required to be taken into account by lower tiers of decision</p>	<p>To update the evaluations included in the SEA Environmental Report for the topics highlighted in the Department's submission as follows:</p> <p><b>Water based activities and developments along river and canal banks such as walking and cycling routes</b></p> <p>The development of new and existing walking, cycling and driving routes/trails and the development of linkages between trails in Kildare and adjoining counties – including those identified by Objectives EO37 – have the potential to contribute towards a better management of tourism in sensitive areas and thereby benefitting various environmental components including habitats at certain locations (SEOs B1 B2 B3). The reference to protecting environmental quality and landscapes and to sustainable development would contribute towards beneficial effects upon the protection/management of all environmental components (SEOs B1 B2 B3 PHH1 S1 W1 W2 W3 M1 M2 M3 C1 CH1 CH2 L1). As with other developments and uses, those related to tourism and recreation would present the potential for significant adverse environmental effects to arise with regard to all environmental components (SEOs B1 B2 B3 PHH1 S1 W1 W2 W3 M1 M2 M3 C1 CH1 CH2 L1).</p> <p>The development of walkways, cycleways, trails and routes (e.g. Arthur's Way, Dublin- Galway Greenway, Barrow Blueway, Shackleton Trail, the Gordon Bennett Route) presents a variety of potentially adverse effects (upon environmental components including soil, water, landscape, cultural heritage and emissions to air and waste) that would be likely to arise from</p>

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	<p>recommend the need for survey work where risks are perceived.</p>	<p>making for plans and projects within the County.</p>	<p>both the construction and operation of such developments and/or their ancillary infrastructure. These types of infrastructure are often constructed in ecologically and visually sensitive areas adjacent to the banks of rivers and streams.</p> <p>Lower tier project consideration is likely to find that the highest concentrations of ecological constraints to both the construction and operation of development are located within water bodies or close to the edge water bodies and that more ecologically appropriate locations for new development are located away from the water's edge. The mitigation measures that have been integrated into the Plan support the location of new development away from the water's edge (including for example GI 18: <i>"To maintain buffer of undisturbed vegetation of not less than 10 metres from the top of the bank of all watercourses in the county"</i>) and necessitate the undertaking of lower tier studies. Lower tier studies would be required to undertake new ecological survey work (where necessary, to be determined on a project by project basis) as well as consider information on the various designations to which the baseline data provided in this SEA Environmental Report relates.</p> <p>Potential adverse effects would be mitigated both by measures which have been integrated into the Draft Plan which provide for and contribute towards environmental protection, environmental management and sustainable development (see Section 9) and by measures arising from lower tier assessments (including those for the preparation of lower tier strategies, plans or programmes).</p> <p>Hydroelectric projects on rivers and geothermal energy developments Hydro-Energy Policies</p>



Ref	Submission Text	Response	Recommendation
			<p>Positive Effects: Contribution towards renewable energy and minimisation of greenhouse gases targets</p> <p>Potential Negative Effects, if unmitigated:</p> <ul style="list-style-type: none"> <li>• Depending on the scale and location of the development there is potential for impacts to occur on biodiversity, in particular aquatic biodiversity.</li> </ul> <p>Lower tier project consideration is likely to find that the highest concentrations of ecological constraints to both the construction and operation of development are located within water bodies or close to the edge water bodies and that more ecologically appropriate locations for new development are located away from the water's edge. Providing for hydro-energy developments presents a particular challenge in this context.</p> <p>The mitigation measures that have been integrated into the Plan support the location of new development away from the water's edge (including for example GI 18: "To maintain buffer of undisturbed vegetation of not less than 10 metres from the top of the bank of all watercourses in the county...") and necessitate the undertaking of lower tier studies. Lower tier studies would be required to undertake new ecological survey work (where necessary, to be determined on a project by project basis) as well as consider information on the various designations to which the baseline data provided in this SEA Environmental Report relates.</p> <ul style="list-style-type: none"> <li>• Potential to impact upon the morphological, biological and chemical status of waters - this could interact with drinking water sources (in freshwater) and biodiversity</li> <li>• Potential interactions leading to change in structure of soil and geology</li> </ul>

Ref	Submission Text	Response	Recommendation
			<ul style="list-style-type: none"> <li>• Operation could impact upon flood risk elsewhere</li> <li>• Potential impacts upon archaeological heritage or nearby architectural heritage, including context</li> <li>• Changes to the character of locations may occur however visual impacts would depend upon, inter alia, the size of the installation, ancillary facilities and the perception and visibility of the relevant area</li> </ul> <p><b>Geo Thermal Policies</b></p> <p>These provisions cumulatively contribute towards the effects referred to under 'Aim' above; see commentary under 'Aim' above.</p> <p>Positive Effects: Contribution towards renewable energy targets</p> <p>Potential Negative Effects, if unmitigated:</p> <ul style="list-style-type: none"> <li>• Potential impacts upon the status of waters and ecology contained within, especially arising from changes in the temperature of groundwater which can impact upon the structure and ecology of the aquifer and any dependent surface waters - this could interact with drinking water sources</li> </ul> <p>Warm springs that occur along the Meath to Kildare border, which are of geological and ecological interest and are subject to designations in places would present constraints to geo-thermal projects in these locations.</p> <p>The mitigation measures that have been integrated into the Plan contribute towards the protection of the environment (including Geo Thermal Energy Project GT 1: "To facilitate large and smaller scale geothermal energy generating developments subject to the proper planning and sustainable development of the area and consideration of</p>

Ref	Submission Text	Response	Recommendation
			<p>environmental and ecological sensitivities”) and necessitate the undertaking of lower tier studies. Lower tier studies would be required to undertake new ecological survey work (where necessary, to be determined on a project by project basis) as well as consider information on the various designations to which the baseline data provided in this SEA Environmental Report relates.</p> <ul style="list-style-type: none"> <li>• Potential interactions leading to change in structure of soil and geology</li> <li>• Potential impacts upon archaeology, including unknown underground archaeology</li> <li>• Potential impacts upon on site water services</li> <li>• Potential impacts upon context of archaeological and architectural heritage arising from surface installation</li> </ul>
5	<p><b>NIR</b></p> <p>Section 2.2 of the NIR mentions that a 15 km buffer has been used, as well as a consideration of hydrological links or other pathways beyond this distance, to identify European sites that may be impacted by the draft Plan. These sites are shown in tables 2.1 and 2.2 but it is unclear what sites outside the 15 km have been considered and why.</p> <p>Therefore, it is not clear what pathways were considered such as,</p>	<p>Table 2.1 identifies “European Sites in County Kildare and their qualifying features” and Table 2.2 identifies “European Sites (including Qualifying Features) within 15 km (and beyond this distance where relevant) of the Boundary of County Kildare”.</p> <p>As indicated on Table 2.2 there are six sites listed which are &gt;15km from the County boundary.</p> <p>Table 2.4 “Screening of European sites within County Kildare” identifies which sites warrant Stage 2 AA and why. Taking into account the precautionary principle,</p>	None.

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	<p>for example, a river catchment, an aquifer, or bird flight paths.</p> <p>Bird flight paths are an issue where overhead cables and wind farms are present on their migration routes and routes to and from feeding and roosting areas. Therefore, bird collision should be added to table 2.5 under grid 25.</p>	<p>it was determined that each of the six sites warranted further consideration at Stage 2 AA and the following text is provided for each:</p> <p><i>Considering the QIs of this site and the presence of a hydrological link, taking a precautionary approach, there is potential for adverse impacts if unmitigated.</i></p>	
6	<p>Section 3.2 deals with potential significant impacts of the draft Plan and there has been a discussion of the possible impacts.</p> <p>However the emphasis has been placed on the qualifying interests and species of conservation interest.</p> <p>While conservation objectives are discussed in section 3.3 there has been no consideration of the attributes and targets and supporting documentation.</p> <p>Instead the use of mitigatory policies and objectives has been</p>	<p>The identification of the impacts, including cumulative impacts, of any proposed development arising out of the plan on the attributes and targets of the conservation objectives of the qualifying interests will be considered at project level appropriate assessment screening.</p> <p>Section 17.1.7 states that all plans or projects, including the Councils proposals under Part 8 of the Planning and Development Regulations 2001 (as amended), unless they are directly connected with or necessary to the management of a Natura 2000 site, are required to be subject to screening for Appropriate Assessment, to determine if</p>	None

Ref	Submission Text	Response	Recommendation
	<p>relied on.</p> <p>While such mitigation may be effective it would have been expected by this Department that a <b>discussion of the potential impacts, while considering the conservation objectives, their attributes, targets and supporting documentation</b>, would have produced a more useful NIR.</p> <p>Such an NIR would indicate the sort of constraints present and could help shape the project at project stage including for example highlighting possible issues where a project may need to be amended from that originally envisaged.</p>	<p>they are likely to have significant effect on a Natura 2000 site, either individually or in combination with other plans or projects. Full Appropriate Assessment must be carried out unless it can be established through screening that the plan or project in question will not have a significant effect on the Natura 2000 site.</p>	