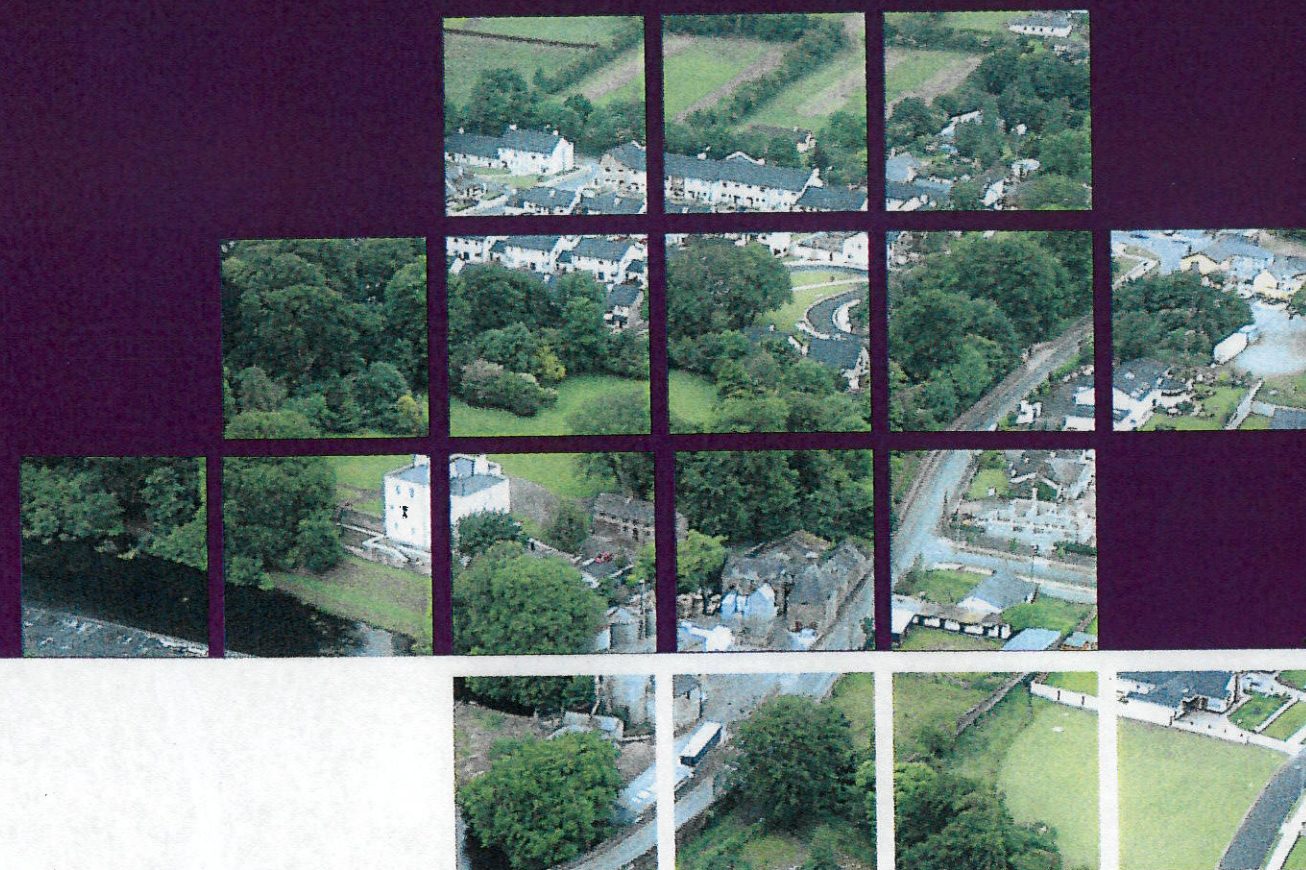




Kildare County Council



Athgarvan

Local Area Plan 2007

Plean Cheantar Áitiúil 2007 Ath Gharbháin



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Adoption Date: 25th December 2007

1.0 Introduction

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1.0 Background

1.1 Introduction

This Local Area Plan relates to the village of Athgarvan. The previous Development Plan, which was adopted in 1996, sets out policies and objectives for the village, as well as a Development Boundary comprising c. 120Ares/48Ha. the 1996 plan does not have any specific landuse zonings identified.

This Plan will consist of a written statement accompanied by maps. It will guide development in the area for 6 years from the date of adoption by Kildare County Council, or until the Plan is varied or a new Plan is made.

1.2 Purpose of the Plan

The aim of this plan is to establish a framework for the physical, socio-economic, cultural and recreational growth of Athgarvan in a planned, co-ordinated and sustainable manner in order to conserve and enhance the established tradition and intrinsic character of the village. This Local Area Plan sets out a number of policies and objectives that will help to achieve this aim.

This LAP is prepared under a number of Chapter headings as follows:

Chapter 1: Sets out the LAP area and the purpose of the Plan. It also briefly outlines the Plan in the context of the screening for the Strategic Environmental Assessment.

Chapter 2: Outlines the planning policy context under which the plan is being reviewed and also the population trends and development vision.

Chapter 3: Sets out the sectoral policies and objectives of the Local Area Plan under the main headings of – Housing, Industry and Enterprise, Education, Cultural and Community Facilities, Public Utilities, Transportation, Retail, Amenity and Recreation, Heritage, Tourism and Environment, The Curragh and the River Liffey.

Chapter 4: Land Use and Zoning Objectives. This section should be read in tandem with the map contained herein.

Chapter 5: Development Control Standards. This section provides a detailed framework in which to prepare planning applications and proposals.

2.0 Review Context

Article 9: Inspection of air-conditioning systems

With regard to reducing energy consumption and limiting carbon dioxide emissions, Member States shall lay down the necessary measures to establish a regular inspection of air-conditioning systems of an effective rated output of more than 12 kW.

This inspection shall include an assessment of the air-conditioning efficiency and the sizing compared to the cooling requirements of the building. Appropriate advice shall be provided to the users on possible improvement or replacement of the air-conditioning system and on alternative solutions.

Article 10: Independent experts

Member States shall ensure that the certification of buildings, the drafting of the accompanying recommendations and the inspection of boilers and air-conditioning systems are carried out in an independent manner by qualified and/or accredited experts, whether operating as sole traders or employed by public or private enterprise bodies.

Article 11: Review

The Commission, assisted by the Committee established by Article 14, shall evaluate this Directive in the light of experience gained during its application, and, if necessary, make proposals with respect to, inter alia:

- (a) possible complementary measures referring to the renovations in buildings with a total useful floor area less than 1000 m²;
- (b) general incentives for further energy efficiency measures in buildings.

Article 12: Information

Member States may take the necessary measures to inform the users of buildings as to the different methods and practices that serve to enhance energy performance. Upon Member States' request, the Commission shall assist Member States in staging the information campaigns concerned, which may be dealt with in Community programmes.

Article 13: Adaptation of the framework

Points 1 and 2 of the Annex shall be reviewed at regular intervals, which shall not be shorter than two years. Any amendments necessary in order to adapt points 1 and 2 of the Annex to technical progress shall be adopted in accordance with the procedure referred to in Article 14(2).

Article 14: Committee

1. The Commission shall be assisted by a Committee.
2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof. The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.
3. The Committee shall adopt its Rules of Procedure.

Article 15: Transposition

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive at the latest on 4 January 2006. They shall forthwith inform the Commission thereof. When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States may, because of lack of qualified and/or accredited experts, have an additional period of three years to apply fully the provisions of Articles 7, 8 and 9. When making use of this option, Member States shall notify the Commission, providing the appropriate justification together with a time schedule with respect to the further implementation of this Directive.

Article 16: Entry into force

This Directive shall enter into force on the day of its publication in the Official Journal of the European Communities.

2.1 Legal Context

This Draft Athgarvan Local Area Plan is made in accordance with the requirements of the Planning and Development Acts 2000-2006 and in accordance with the objectives of the Kildare County Development Plan 2005-2011. A Local Area plan may be prepared in respect of any area, which a planning authority considers suitable and, in particular, for those areas which require economic, physical and social renewal.

A Local Area Plan shall be consistent with the objectives of the development plan and shall consist of a written statement and a plan or plans indicating the objectives in such detail as may be determined by the planning authority for the proper planning and sustainable development of an area.

2.2 Historic Development of Athgarvan

Athgarvan originally developed in the vicinity of the Mill, between Athgarvan Crossroads, Athgarvan House and the River Liffey. In more recent times some development has taken place in the direction of the Curragh where Local Authority housing and a school has been built, giving the village a more linear form.

The earliest definite reference to a mill at Athgarvan comes from the Noble and Keane map of County Kildare of 1752. The mill is also marked on Alexander Taylor's map of County Kildare of 1783. The existing Malthouse dates back to between 1840 and 1880.

The village and the surrounding area have strong connections with the bloodstock industry and are surrounded by several stud farms and training establishments. The previous Development Plan was drawn up in 1996 setting out basic general policies and objectives for the area, setting a development boundary, marking out Protected Structures within the boundary and setting transport objectives for the village.

To date, predominately residential development with a small element of mixed use has taken place within the village boundary.

2.3 Planning Policy Context

Planning at this level must be informed by prevailing planning policies and best practice standards as established in the international and national guidelines, reports and other documents. A consistent theme in all planning related documents is that of "sustainable development" – defined as development that meets the needs of the present without compromising the ability of future generations to meet their own needs."

Kildare County Council supports this national policy and this concept is a major component of the Athgarvan Local Area Plan. The Planning Authority has also had regard to the EU Policy Directives and national policy guidelines during the preparation of this LAP.

2.3.1 National Spatial Strategy (NSS)

The NSS was published in December 2002. The Strategy is a 20 year planning framework designed to achieve a better balance of social, economic, physical development and population growth between centres.

The NSS sets out policies for Athgarvan in the context of the Dublin and Mid-East Region. The strategy for this region is to consolidate the metropolitan area of Dublin and concentrate development into major centres or "development centres" in the hinterland. The strategy stipulates that, within such areas, new development in a village must take account of and respect the established character of the village. The development of urban generated housing should be minimised outside of urban areas.

5. "air-conditioning system": a combination of all components required to provide a form of air treatment in which temperature is controlled or can be lowered, possibly in combination with the control of ventilation, humidity and air cleanliness;

6. "boiler": the combined boiler body and burner-unit designed to transmit to water the heat released from combustion;

7. "effective rated output (expressed in kW)": the maximum calorific output specified and guaranteed by the manufacturer as being deliverable during continuous operation while complying with the useful efficiency indicated by the manufacturer;

8. "heat pump": a device or installation that extracts heat at low temperature from air, water or earth and supplies the heat to the building.

Article 3: Adoption of a methodology

Member States shall apply a methodology, at national or regional level, of calculation of the energy performance of buildings on the basis of the general framework set out in the Annex. Parts 1 and 2 of this framework shall be adapted to technical progress in accordance with the procedure referred to in Article 14(2), taking into account standards or norms applied in Member State legislation.

This methodology shall be set at national or regional level. The energy performance of a building shall be expressed in a transparent manner and may include a CO₂ emission indicator.

Article 4: Setting of energy performance requirements

1. Member States shall take the necessary measures to ensure that minimum energy performance requirements for buildings are set, based on the methodology referred to in Article 3. When setting requirements, Member States may differentiate between new and existing buildings and different categories of buildings. These requirements shall take account of general indoor climate conditions, in order to avoid possible negative effects such as inadequate ventilation, as well as local conditions and the designated function and the age of the building. These requirements shall be reviewed at regular intervals which should not be

longer than five years and, if necessary, updated in order to reflect technical progress in the building sector.

2. The energy performance requirements shall be applied in accordance with Articles 5 and 6.
3. Member States may decide not to set or apply the requirements referred to in paragraph 1 for the following categories of buildings:
 - buildings and monuments officially protected as part of a designated environment or because of their special architectural or historic merit, where compliance with the requirements would unacceptably alter their character or appearance,
 - buildings used as places of worship and for religious activities,
 - temporary buildings with a planned time of use of two years or less, industrial sites, workshops and non-residential agricultural buildings with low energy demand and non-residential agricultural buildings which are in use by a sector covered by a national sectoral agreement on energy performance,
 - residential buildings which are intended to be used less than four months of the year,
 - stand-alone buildings with a total useful floor area of less than 50 m².

Article 5: New buildings

Member States shall take the necessary measures to ensure that new buildings meet the minimum energy performance requirements referred to in Article 4.

For new buildings with a total useful floor area over 1000 m², Member States shall ensure that the technical, environmental and economic feasibility of alternative systems such as:

- decentralised energy supply systems based on renewable energy,
- CHP,
- district or block heating or cooling, if available,
- heat pumps, under certain conditions, is considered and is taken into account before construction starts.

2.3.6 Residential Density Guidelines 1999

The Residential Density Guidelines 1999 set out the Government's policy of encouraging more sustainable urban development through the avoidance of excessive suburbanisation and the promotion of higher residential densities in appropriate locations.

This will result in:

- More economic use of existing infrastructure and serviced land;
- A reduced need for the development of "greenfield" sites, urban sprawl and ribbon development;
- Reduced need for investment in infrastructure;
- Better access to existing services and facilities;
- More sustainable commuting patterns.

The Council recognises that higher densities would only be appropriate in certain circumstances in Athgarvan. In achieving higher densities the protection of the amenities of existing developments and those of the residents of proposed developments will be a primary consideration. High quality architecture, siting and design providing a good quality living environment is essential if increased residential densities are to be acceptable. The Council will seek adherence from developers to the densities and standards set out in this Plan.

2.3.7 Integrated Framework Plan for Land Use and Transportation for Newbridge/Kilcullen (IFPLUT)

The purpose of the IFPLUT is to establish an Integrated Framework Plan for Land Use and Transportation for the Newbridge / Kilcullen area in order to examine how the overall area can be developed in conformity with government policies in relation to sustainable development and transport whilst having regard to the area's designation as part of a "Primary Dynamic Cluster" within the Greater Dublin Area (which includes Naas, Newbridge and Kilcullen).

The IFPLUT for Newbridge and Kilcullen states that despite the extensive development that is already taking place in Athgarvan, there is some remaining capacity within the existing development plan boundaries to accommodate natural growth as a result of over spill housing from the preferred development areas of Newbridge and Kilcullen. Furthermore the IFPLUT indicates the preferred direction for growth.

2.4 Population trends of Athgarvan

Athgarvan has experienced a significant growth in population in recent years with the current population survey indicating that the village has seen an increase of over 400% in the past twelve years, from 322 in 1994 to over 1,300 in 2006.

The area of undeveloped land currently available in the central section of the village and within the existing development plan boundary is approximately 4 hectares. Kildare County Council has been achieving housing densities of 10 – 12 houses per acre (approximately 25 – 30 houses per hectare) for new developments in Athgarvan.

2.5 Future Zoning Demands

In recent years Athgarvan has experienced intense private residential development. There are currently around 400 dwelling units constructed within the 1996 Development Boundary (approximately 255 of which have been built within the last 15 years). A scheme of 28 local authority houses was constructed in 1980.

In the last 15 years, in a time of increased growth, approximately 225 private dwelling units have been built within the Athgarvan settlement.

Taking into account the population increase of 980 people in Athgarvan over a 12 year period from 1994 to 2006, approximately 14.46ha is zoned for New Residential use to provide for the future growth of the village, with a Village Centre of 2.18ha.

2.6 Development Vision for Athgarvan

The overall vision for Athgarvan is to consolidate and strengthen the village, provide for a defined village core and a small range of landuses to support the residential element of the village. Specific emphasis is placed on retaining the character of the village and encouraging compatible newer developments and landuses within the village while at the same time curbing ribbon development, improving local services and infrastructure and maintaining a clear and definite division between the village and countryside. This plan will also ensure the protection and enhancement of the natural and built heritage of the village.

(11) The Commission intends further to develop standards such as EN 832 and prEN 13790, also including consideration of air-conditioning systems and lighting.

(12) Buildings will have an impact on long-term energy consumption and new buildings should therefore meet minimum energy performance requirements tailored to the local climate. Best practice should in this respect be geared to the optimum use of factors relevant to enhancing energy performance. As the application of alternative energy supply systems is generally not explored to its full potential, the technical, environmental and economic feasibility of alternative energy supply systems should be considered; this can be carried out once, by the Member State, through a study which produces a list of energy conservation measures, for average local market conditions, meeting cost-effectiveness criteria. Before construction starts, specific studies may be requested if the measure, or measures, are deemed feasible.

(13) Major renovations of existing buildings above a certain size should be regarded as an opportunity to take cost-effective measures to enhance energy performance. Major renovations are cases such as those where the total cost of the renovation related to the building shell and/or energy installations such as heating, hot water supply, air-conditioning, ventilation and lighting is higher than 25 % of the value of the building, excluding the value of the land upon which the building is situated, or those where more than 25 % of the building shell undergoes renovation.

(14) However, the improvement of the overall energy performance of an existing building does not necessarily mean a total renovation of the building but could be confined to those parts that are most relevant for the energy performance of the building and are cost-effective.

(15) Renovation requirements for existing buildings should not be incompatible with the intended function, quality or character of the building. It should be possible to recover additional costs involved in such renovation within a reasonable period of time in relation to the expected technical lifetime of the investment by accrued energy savings.

(16) The certification process may be supported by programmes to facilitate equal access to improved energy performance; based upon agreements between organisations of stakeholders and a body appointed by the Member States; carried out by energy service companies which agree to commit themselves to undertake the identified investments. The schemes adopted should be supervised and followed up by Member States, which should also facilitate the use of incentive systems. To the extent possible, the certificate should describe the actual energy-performance situation of the building and may be revised accordingly. Public authority buildings and buildings frequently visited by the public should set an example by taking environmental and energy considerations into account and therefore should be subject to energy certification on a regular basis. The dissemination to the public of this information on energy performance should be enhanced by clearly displaying these energy certificates. Moreover, the displaying of officially recommended indoor temperatures, together with the actual measured temperature, should discourage the misuse of heating, air-conditioning and ventilation systems. This should contribute to avoiding unnecessary use of energy and to safeguarding comfortable indoor climatic conditions (thermal comfort) in relation to the outside temperature.

(17) Member States may also employ other means/ measures, not provided for in this Directive, to encourage enhanced energy performance. Member States should encourage good energy management, taking into account the intensity of use of buildings.

(18) Recent years have seen a rise in the number of air-conditioning systems in southern European countries. This creates considerable problems at peak load times, increasing the cost of electricity and disrupting the energy balance in those countries. Priority should be given to strategies which enhance the thermal performance of buildings during the summer period. To this end there should be further development of passive cooling techniques, primarily those that improve indoor climatic conditions and the microclimate around buildings.

(19) Regular maintenance of boilers and of air-conditioning systems by qualified personnel contributes to maintaining their correct adjustment in accordance with the product

Table 1 Explanatory Notes of Development Strategy

AREA	KEY CONSIDERATION
The Curragh Amenity Zone	This is a vast area of significant importance internationally and locally. The Curragh is designated as a Natural Heritage Area (NHA) and is also identified as a Special Landscape Area in the County Development Plan. It should be maintained free from unsuitable, incompatible development in order to protect its environmental, heritage, commercial and recreational integrity.
The River Liffey	The River Liffey is an important recreational and wildlife amenity in Athgarvan. It is proposed to maintain and improve the amenity of the Liffey through the protection of the River and its banks by zoning it for amenity recreation use.
The Village Core	The existing village core is at Athgarvan Crossroads providing limited local services (shop, public house, florist). The village centre should be consolidated and expanded to provide a wider range of local services.
Favoured Expansion Zone	The IFPLUT covering the Athgarvan area identifies and considers lands to the south of the existing settlement to be most suited to new and infill development, in the longer term and over the period of more than one LAP, in order to strengthen and consolidate the village development pattern and to provide for additional development lands. Development along the southern side of the village during the lifetime of this plan should not jeopardise the villages future ability to expand to the south.

Having regard to these considerations, a development strategy with well defined edges and land use zones is defined, with the key objectives as follows:

- Enhancement, strengthening and development of the village core.
- Intensification and rationalisation of the existing residential footprint of the village, having regard to the following:
 1. The improvement of the road network and traffic management system.
 2. The introduction of the Curragh Sewerage Scheme and the phasing out of septic tanks
 3. Development of in fill sites;
- Identification of lands suited to the establishment and expansion of community facilities.
- Definition of the lands north and south of the L2032 with all adjacent sites fronting onto the roadway,

- thus providing a more aesthetically pleasing village.
- Clear definition of all boundaries of Athgarvan.
 - Creation of an open space/amenity area along the River Liffey.

Kildare County Council will implement this Plan, and secure the stated objectives, through its planning policies and decision-making in terms of individual planning applications.

2.7 Monitoring, review and implementation of the Plan
The Council is obliged to monitor and review the operation and implementation of the Plan. The Council will seek to implement the aims, policies and objectives of the Plan in a proactive manner. The Council will engage with all relevant stakeholders, both statutory and non-statutory agencies and organisations through the development control process.

3.0 Sectoral Objectives & Policies

Appendix 3 Strategic Environmental Assessment

Screening Decision for Athgarvan

Kildare County Council will not be carrying out a Strategic Environmental Assessment in the case of the Athgarvan Local Area Plan for the following reasons:

1. A Strategic Environmental Assessment is not mandatory for Athgarvan as its population is not greater than 10,000 persons.
2. Issues were raised by the Department of the Marine, Communications and Natural Resources in relation to limitations in the existing water and sewerage network. These issues were dealt with through the New Curragh Sewerage Scheme, which is now fully operational.
3. The Department of the Marine, Communications and Natural Resources also stated that in terms of protection of the River Liffey fishery and water quality status, the status objectives set out in the Water Framework Directive should not be compromised as a result of the Local Area Plan. These concerns will be dealt with through the LAP with the implementation of specific policies and objectives in relation to water quality and with regard to the River Liffey.

3.0 Introduction

The following chapter deals with the sectoral goals, objectives and policies of the Council with regards to the development of land within the boundary of the Local Area Plan. It is the overarching objective of the Council to implement all development in accordance with the stated goals, objectives and policies in order to facilitate land use in a manner that will promote proper planning and sustainable development.

3.1 Housing

The Council has statutory obligations to ensure that sufficient land is zoned for all types of housing to meet the projected housing requirements over the Plan period and to ensure that an undue shortage will not arise. One of the basic aims of any local authority is to promote balanced social, physical and economic development.

The aim of the Plan is to ensure that there is adequate land available in appropriate locations for housing and to have clear policies regarding proposals to build new houses, whether individual units or schemes. The availability of housing for a diverse range of housing needs is important for sustaining communities and for enhancing quality of life. Financial constraints will determine the rate of public sector house building, whilst, in the private sector, the market dictates both the demand and supply of new housing including locational preferences.

The majority of the existing housing stock in Athgarvan is privately owned in the form of housing developments. Since the 1996 Development Plan five housing developments have been constructed. In addition to this there are two more established housing developments, along with 27 Local Authority houses and individual one-off dwellings located within the boundary. Currently there are lands amounting to c. 1.43Ha in the ownership of Kildare County Council within the Athgarvan LAP area suitable for house building purposes.

Strategic Goal

To significantly improve the quality and adequately provide for the anticipated quantity of residential units in the area through the appropriate zoning and development of appropriate lands.

Objectives

It is an objective of the Council:

- OH 1** To locate and zone those lands such as to ensure that residential development in the area is suitably located, designed and serviced to enhance the local environment and prevent any inappropriate or avoidable impacts on the quality of that environment.
- OH 2** To encourage a strong mix of house types, tenure and size, in order to meet changing household size and composition and to provide a social and demographic balance in Athgarvan village.
- OH 3** To ensure that a high standard of design be incorporated into housing developments through careful consideration of the layout to facilitate pedestrian safety and restrict vehicular traffic speeds.
- OH 4** To promote energy conservation and renewable energy technologies, outlined under Section 3.11 of this Chapter in all developments. Such measures should be consistent with other policies in the plan.
- OH 5** To encourage a strong town centre and strong frontages onto main thoroughfares creating definite building lines and continuity of the village structure.
- OH 6** To take action as may be necessary to acquire land needed to enable the implementation of housing programmes for the provision of social and affordable homes.



together with a planting scheme for same. Such a planting scheme shall include the precise location, number and types of plants/native trees, together with a clear and concise planting programme. Existing trees/planting on site shall be incorporated into any development scheme unless the poor condition of such trees/planting would merit the removal of same. In such instances a case shall be made in writing, together with the planning application, for their removal.

(c) Seating arrangements both formal and informal

(d) A formal proposal for a hierarchy of public open spaces throughout the site. This proposal shall include:

- (i) pedestrian link routes along desire lines (e.g. connecting residential with commercial, community, educational and employment uses)
- (ii) A central, functional, accessible and adequately overlooked area of public open space.
- (iii) smaller areas of usable, functional, accessible and central areas of open space throughout the remainder of the development site.
- (iv) having regard to both (ii) and (iii) above, residential units shall front onto areas of open space. Gable walls or stretches of blank walls shall not be permitted to front onto these areas.

- PH 7** To encourage infill housing developments on appropriate sites where the proposals respect the existing scale and character of the area and sufficiently protect the amenities of adjoining properties in the area. Proposed development must have regard to the surrounding environment and predominant design features, the existing residential density and the existence of particular elements such as groups of trees, listed buildings and open space.
- PH 8** To not normally permit new dwellings that closely overlook the rear curtilage of existing dwellings. Houses located in a piecemeal fashion to the rear of existing houses, with inadequate independent road frontage and that do not form part of a comprehensive development plan for the particular area are considered to represent sub-standard development and will not normally be permitted.

- PH 9** To require all new housing developments (with 30 houses or more) to provide recycling facilities at designated areas designed to a high standard in accordance with the provisions of the Waste Management Plan.
- PH 10** To require the naming of residential developments to reflect local place names, language or topographical features as appropriate and to incorporate old names from the locality as far as possible.
- PH 11** To only permit apartments at appropriate locations in the Village Centre. Generally apartments, or retail developments with apartments above, should be located in the village centre zone.
- PH 12** To prohibit development on designated areas of open space that form part of a site layout for previously permitted development.
- PH 13** To continue to take private housing estates in charge (other than apartment blocks) when they have been completed in accordance with the conditions of the relevant planning permissions and to the satisfaction of the Planning Authority.
- PH 14** To ensure that extensions to residential buildings are sympathetic in massing and scale to the existing buildings.
- PH 15** To require that all new residential developments in close proximity to national roads and/or motorways investigate possible noise disturbances from resultant traffic volumes, at the planning application stage. The developer shall outline mitigation measures in minimising the effect of such traffic on the residential amenity of nearby dwelling units.

NOTE: For the purposes of this plan a house and maisonette is defined as a dwelling with its own external access, an apartment flat or duplex is a dwelling accessed from an internal lobby or hallway.

In order to facilitate the sustainable development of the extractive industry, the County Council will require the lodgment of a financial bond to ensure the satisfactory reinstatement of the site following the completion of extraction and the payment of a contribution towards the upgrading or repairing of the local road network. The Council will assist developers in scoping for Environmental Impact Statements.

5.9 Bonding to Secure Completion of Development

To ensure that developments undertaken by private developers are satisfactorily completed, developers will be required to give cash deposits or submit a bond from an insurance company or other financial institution acceptable to the Council for the satisfactory completion of developments and their ancillary services. In determining the method of security, previous records of applicant's compliance and construction standards will be taken into account. This bond or surety is to be submitted and in place before development is commenced.

5.10 Development Contributions

The Council, taking into consideration the capital expenditure necessary for the provision of infrastructure, will require the payment of financial contributions in accordance with the Development Contributions Scheme. Developers may also be required to carry out works at their own expense which facilitates their development and these will be specified as a condition of their planning permission.

5.11 Future Publications, Standards and Guidelines

The Council will continue, to prepare and make available to the public, technical and design guidelines on matters affecting the planning and sustainable development.

5.12 Digitised Planning Applications

The Council will require all applications over three housing units and all commercial developments to provide site drawings to fit into National Grid Co-ordinates in order to comply with the requirements for Geographical Information Systems (GIS) mapping and inventory. This will lead to a more efficient process in calculating site coverage and residential densities on applications.

5.13 Temporary Dwellings, Caravans

Temporary dwellings include caravans, chalets, mobile homes and huts. The Planning Authority shall prohibit the use of temporary dwellings for permanent residential purposes on the grounds that such structures are generally unsuitable for permanent human habitation. Exceptions will, however, be made in dealing with acute housing emergencies. In this case, any permission granted will be for a limited period only and such temporary homes should not be obtrusively sited. The placing of caravans and temporary structures on isolated sites will not be allowed to proliferate.

5.14 Advertising and Signage

In principle, the Council is opposed to the erection of signs and advertisement structures in residential areas, adjacent to amenity or recreational areas or in open areas. Details of signage and advertising structures should be submitted to the Council as part of an overall application. Proposals for signs and advertising structures must:

- Be in scale with the surrounding environment and therefore signage shall not exceed 15% of the facade of a building, save where the facade exceeds 250 sq.m when it shall not exceed 10% of the facade;
- Not interfere with the safety and free flow of traffic;
- Not obscure traffic or directional signs;
- Not impair the amenities of the area;
- Not interfere with the windows or other features of a building facade;
- Not project, in whole or part, above the eaves of the building or obtrude on the skyline.

Internally illuminated signs will generally not be permitted. Where external illumination of signs or facades is proposed, it must be shown that such illumination will not adversely affect pedestrian and vehicular traffic, natural heritage of adjacent properties. Monument signs will be favoured over free-standing ones. Free-standing signs – such as sandwich boards, which require a licence under Section 254 of the Planning and Development Act, 2000, and Section 101 of the Planning and Development Regulations, 2001 will not normally be permitted on footpaths or areas where they may create a hazard for pedestrians.

Policy Statements

In terms of Employment, Enterprise & Economic Development, it is the policy of the Council:

- PE 1** To implement the land use zoning objectives and related works of the Council to increase the attractiveness of the village centre and its surrounds as a focus for small businesses and rural enterprise/local employment.
- PE 2** To accommodate small-scale enterprise units and employment facilities appropriate to the village where it can be shown that the appropriate standards can be achieved with due consideration of the amenities of properties in the area.
-
- PE 3** To work with all state agencies and authorities in positively encouraging the development of Athgarvan as an employment centre in the wider rural area.
- PE 4** To work with local agencies to encourage the development and growth of indigenous industries and enterprises in the area, particularly those that utilise local resources and skills.

3.3 Community, Educational and Cultural Facilities

Building strong, inclusive communities is a key element in achieving sustainable development objectives. Sustainable communities require, not only economic development, but also provision of and access to education, health and community support services, amenities and leisure services and a good quality built environment. Communities also require opportunities to meet, interact and form bonds, essential prerequisites to the development of a sense of place and belonging.

Strategic Goal

To promote and enable the development of community facilities, public services and support mechanisms in the local area, such as to serve the needs of the local population.

Objectives

It is an objective of the Council:

- OC 1** To prioritise the reinforcement of social inclusion and the development of social capital in all facets of the decision-making process.
- OC 2** To investigate, in co-operation with relevant agencies, the possibility of maximising the shared use of existing educational and community facilities for community and non-school purposes, where possible, to promote sustainable use of such infrastructure and community cohesion.
- OC 3** To ensure the provision of community, educational, cultural, recreational, and amenity facilities in tandem with residential, commercial and other development.
- OC 4** To support and facilitate the improvement of public service infrastructure and facilities in the area, in particular health centres and local clinics.
- OC 5** To support the policies and recommendations outlined in the "Safer Routes to School Initiative" (DTO 2005), to ensure adequate pedestrian access and safer routes to school throughout the village.
- OC 6** To facilitate the expansion of St. Brigid's National School to accommodate its future needs.
- OC 7** To facilitate the development of sports, recreational and cultural facilities for the school at appropriate areas identified on Map 1.

Such works can include:

- Window replacement and fenestration changes.
- Wholesale plastering/pointing/painting or painting of previously unpainted elements.
- Modifications of brickwork and stonework.
- The removal/alteration of architectural detailing including joinery and decorative plasterwork.
- Inappropriate interior works including the removal of walls, the creation of openings and partitioning of rooms.
- Works to roofs and railings involving the removal of original materials and replacement with inappropriate materials.

In considering applications for alterations and/or additions to a protected structure, the Council shall have regard to:

- The various elements of the structure which gives the protected structure its special character and how these would be impacted on by the proposed development.
- In the case of a proposal to materially change the use of a protected structure, the suitability of such use having regard to its potential impact on the structure including works necessary to comply with Fire & Building Regulations that the proposed use change would give rise to;
- the reversibility of the proposed alterations;
- in the case of buildings within the curtilage of a protected structure whether such buildings are of heritage value or not.

Windows made from aluminium, uPVC or similar material will not be acceptable in protected structures. In 20th century buildings, the original 20th century metal windows shall be retained.

A detailed conservation report shall accompany planning applications for works to protected structures. This report shall:

- Outline the significance of the building
- Include a detailed survey of the building, including a photographic survey
- Detail the proposed works it is intended to carry out
- Contain a full assessment on the materials and method proposed to carry out these works, their impact on the character of the structure and the reversibility of the proposed works.

The detail required to be submitted will be dependent on the significance of the building and the nature of works proposed. All works to protected structures shall be carried out in accordance with best conservation practice.

Development within the Curtilage and setting of Protected Structures

In considering applications for development within the curtilage of a protected structure, the Council shall have regard to the following:

- The various elements of the structure which gives the protected structure its special character and how these would be impacted on by the proposed development.
- Proximity of any new development to the main protected structure and any other buildings of heritage value.
- The design of the new development that should relate to and complement the special character of the protected structure. High quality design will be a foremost consideration when assessing proposals for development within the curtilage of a protected structure, with particular emphasis on siting, building lines, proportions, scale, massing, height, roof treatment and materials. This does not preclude innovative contemporary buildings. Development proposals should include appraisal of the wider context of the site and structure.

Tree and Hedgerow Preservation

Where mature trees and/or substantial hedgerows are located on lands that are being considered for development, a detailed tree survey shall be submitted with the planning application. All trees with a diameter of 75mm and above 1.5m from ground level should be included. Trees should be surveyed by reference to species, branch canopy, spread, shape, height and condition.

In the event of the development requiring trees to be felled, the council will require the planting of a minimum of five mature/established trees per tree felled which shall be incorporated into the overall design of the scheme. Where a development located on lands zoned for development necessitates the removal of hedges/trees, the planning authority will require the removal of same to be identified as part of the planning application and a detailed replanting proposal shall also be submitted. This proposal should provide for the replacement of, at least at minimum an equal amount of similar indigenous hedgerows/tree planting within the overall scheme.

8000PE approx), which in turn will deliver the wastewater to Osberstown Wastewater Treatment Plant via the existing Tankards Garden Pumping Station.

The appropriate management of surface water flows in Athgarvan is critical in the avoidance of localised flooding and ponding. The incorporation of appropriate water management and attenuation facilities within all schemes at a planning stage is a key objective of the Council.

The Council recognises the importance of an adequate water supply and drainage system for development in Athgarvan. At present, a number of dwellings in Athgarvan and the surrounding area obtain potable water from private wells. The remainder of the dwellings are connected to the public water supply.

Strategic Goal

- (1) To provide a reliable system for the safe and adequate disposal of wastewater in a manner which is sustainable and which is within the resources of the Council.
- (2) To continue to provide an adequate supply of quality water suitable for domestic, industrial, agricultural and other uses, and to anticipate and provide for future demands in the area, in-line with the overall strategy for the sustainable development of the village.
- (3) To promote best practice in the management of surface water flows and discharge within the plan area.

Objectives

It is an objective of the Council:

- OWW 1** To provide the necessary drainage facilities to serve the needs of all development within the village and to protect and enhance the local environment through the reduction in the number of septic tanks.

- OWW 2** To ensure that sufficient capacity exists to cater for existing consumers to serve the needs of the projected population increase and to facilitate future industrial and commercial development.

- OWW 3** To provide water in sufficient quantity and quality, to serve the needs of existing consumers and the projected population increase, and to facilitate future small-scale commercial development.

- OWW 4** To maintain an adequate surface water drainage system in the area.

- OWW 5** To ensure that all new developments in Athgarvan utilise and connect to existing water and wastewater infrastructure and to pursue an agreement with existing operators to provide a link for Connolly Villas and other existing dwellings to this infrastructure.

- OWW 6** To provide, where possible and feasible to do so, a link for existing dwellings to the water and wastewater infrastructure, when providing links for new residential development.

Policy Statements

In addition to the policies outlined in Chapter 3 of the County Development Plan, in order to facilitate development in a manner which can be supported by the wastewater, water supply and surface water network, it is the policy of the Council:

- PWW1** To strongly discourage the provision of individual septic tanks and treatment plants in the area to minimise the risk of groundwater pollution in this sensitive area. Where such facilities are permitted, full compliance with the prevailing regulations and standards will be required.

- PWW2** To ensure that all licensable operators discharging waste-water are operating within permitted limits.

The following types of advertising will not be permitted by the Council, and will be actively discouraged:

- the use of plastic, PVC, perspex and neon signs or lettering or detailing on any exterior;
- internally illuminated box fascia signs;
- internally illuminated projecting signs, whether fixed or hanging;
- flashing, reflectorised, neon or glitter-type signs or detailing at any location on the exterior of the building, or so located within the interior as to be intended to be viewed from the exterior;
- the erection of any signs or other devices which project above the level of the eaves or parapet, or obtrude on the skyline, or outside the general bulk of the building;
- the provision of multiple signs, whether small or large, which would cause visual clutter on buildings or within the streetscape of a village or settlement. Kildare County Council will co-operate with owners of premises in relation to developing shared signing schemes to minimise the overall impact on the streetscape;
- the use of inappropriate brand or corporate advertising;
- the use of free-standing signs/advertising boards on the public footpath.

Canopies

The erection of plastic or fabric canopies or the 'Dutch' type will be discouraged. Such canopies disrupt the view along the street and obscure both shopfront detail and neighbouring advertising and are generally not acceptable. Where shading of a window display is required the use of traditional rectangular sun blinds/awnings of the retractable type may be permitted. The erection of a canopy or awning requires planning permission.

Roller Shutters

The installation of security shutters can visually destroy and deaden the shopping street at night, thereby detracting from the environment of the town. It is the policy of the Council to discourage the use of such shutters and to ensure the removal of unauthorised ones. The erection of a roller shutter and its associated housing, requires planning permission.

Where security shutters are considered to be essential - for example, because of the type of business transacted or goods stored and where the location so indicates, the Council may permit them provided that they meet the following criteria:

- (1) They must be of the open-grille type or timber panelled shutters painted to match the shop-front colour scheme.
 - (2) Internal roller shutters located behind display window.
 - (3) Steel security shutters may be acceptable for security reasons for certain businesses.
- Each case will be examined on its merits.
No.1 above will be favourably considered in place of roller shutters in order to enhance the streetscape.

Outdoor Advertising Structures

Outdoor advertising structures will not generally be permitted, whether freestanding or attached to buildings. In cases however where they screen a derelict structure or other eyesore, they may be permitted on a temporary basis. In particular, the use of gables or sides of buildings for the exhibition of advertising structures will not be permitted.

Fast food Outlets/ Take-aways

The cumulative impact of a number of take-away restaurants in any particular area will be considered in the assessment of any application. Impacts such as noise, litter, disturbance and traffic, will also be taken into consideration. The Planning Authority will control the opening hours of take-aways.

5.5 Environment

It is the policy of the Council to minimise the threat of air, land, water or other environmental pollution by use of the statutory powers of the local authority. The attention of developers is drawn to the requirements of the Environmental Impact Assessment Regulations.

Septic Tanks/ Wastewater Treatment Systems

The provision of septic tanks or waste water treatment systems and their associated percolation systems shall comply in full with the requirements of the Environmental Protection Agency Wastewater Treatment Manuals. In all cases, Site Characterisation Reports as detailed in the above manuals shall be submitted with each planning application.

facilities at designated areas designed to a high standard in accordance with the provisions of the Waste Development Plan.

- PWM 3** To promote the development of facilities in accordance with the waste hierarchy principle, which involves a shift towards preventative and waste minimisation measures.
- PWM 4** To encourage the recycling of construction and demolition waste and the reuse of aggregate and other materials.
- PWM 5** To promote the 'Polluter Pays Principle' in the Athgarvan area.

(C) Telecommunications Infrastructure

There is an increased demand for mobile phones, broadband and other telecommunications equipment to improve the telecommunications network and provide a global system for mobile communications. Kildare County Council acknowledges the importance of the telecommunications sector to the local and regional economy. Access to advanced information and communications infrastructure is essential to development and offers a competitive advantage in attracting economic development and inward investment. The vast growth in the use of the internet and Worldwide Web requires infrastructural investment to accommodate this growth.

Strategic Goal

To promote the provision of high quality and capacity telecommunications infrastructure in Athgarvan in order to ensure the development of a more vibrant commercial core in the village

Objectives

It is an objective of the Council:

- OT 1** To extend the telecommunications network in Athgarvan and to facilitate access to it by all sections of the community by developing initiatives through the public library service.

- OT 2** To promote the expansion of broadband, along with the concept of wi-fi and wireless technology in Athgarvan.

Policy Statements

In addition to the policies outlined in Chapter 9 of the County Development Plan, it is the policy of the Council :

- PT 1** To support the Government Guidelines on 'Telecommunications Antennae & Support Structures – Guidelines for Planning Authorities', July 1996.
- PT 2** To encourage co-location of telecommunications facilities where feasible.
- PT 3** To preserve significant landscape views from the visual intrusion of large-scale telecommunications infrastructure.
- PT 4** To ensure that telecommunications infrastructure is adequately screened, integrated and /or landscaped so as to minimise any adverse visual impacts on the environment.

3.6 Transportation

(A) Roads & Streets

Athgarvan stretches from the R413 junction, west of the village to the R416 crossroads to the east of the village. In order to improve safety and improve movement throughout Athgarvan a number of traffic management measures shall be implemented in the village including a traffic signalled junction at Athgarvan Crossroads, pedestrian crossings, textured surfacing, tactile paving, new footpaths, lighting and improved road markings

Strategic Goal

To develop a safer, more efficient and integrated transport system, with improvements to the road network and other forms of transport networks, with a view to enhancing pedestrian, cyclist and vehicular safety.

Retail Warehousing

Applicants for retail parks and retail warehousing will be required to demonstrate the impact on the existing town centres close to the site. Applicants should describe their target market in order to assess this. If a number of retail warehousing elements are proposed in an area, the cumulative impact of these must be assessed. Full details of the types of goods to be sold should be described in the application. Details should include whether the goods fit into the category of comparison or bulky goods as described in the Retail Planning Guidelines.

Service Stations

New petrol stations and refurbished existing stations will be required to have a high standard of overall design and architectural layout to ensure an attractive development that integrates with and complements or enhances its surroundings. The forecourt canopy should be integrated into the overall design and sited so that it does not dominate the surrounding buildings.

Petrol filling stations must be located on the outskirts of the town but inside the 50km or 60km speed limits. The preferred location is on the near side of the roadway on the way out of town.

The essential purpose of petrol stations is to provide facilities for the sale of fuels for vehicles. The Council however recognises the more intensive role of petrol stations in recent times, and the expansion from merely fuel depots to the provision of a wide range of convenience and other goods and services. Applications for planning permission for such development should contain the following elements:

- Detailed proposals for the service station, including method of disposal of wastewater from car wash areas, traffic management, surface water outlet and oil interceptors etc. The development shall be designed and operated in such a manner that it does not adversely affect existing road drainage in the area.
- High quality design and material content. Advertising material should be restricted to a minimum and no lighting shall be installed so as to cause glare or interference to any user of an adjacent public road.

- The modification of standard corporate designs in order to reduce the visual impact of the development. In such instances, standard petrol station canopies can be replaced with more sympathetic canopies designed to the satisfaction of the Council, such as light steel and glass or slated roofs with no attached advertising.
- Strident and multiple colouring should be avoided and will be discouraged. The size and colour should be such as to take cognisance of its setting and location in the landscape.
- 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 town centre.
- Ancillary retail uses may be permitted such as small convenience type shops with a floor area not exceeding 100 sq. metres of sales space. Planning applications for the provision of such shops however shall be specifically applied for. The layout of the station forecourt should be arranged to allow dedicated parking for those shopping at the shop. Where an associated shop is proposed, the application shall be considered in accordance with the Retail Planning Guidelines published by the Department of the Environment, Heritage and Local Government, December 2000.

Shopfront Design

Shopfronts are one of the most important elements in determining the character, quality and image of retail streets in Athgarvan. In order to increase the attractiveness of the town, the Council promotes a dual approach to shopfront design:

- Protecting traditional and original shopfronts.
- Encouraging good contemporary shopfront design. In all instances, the Council will encourage a discipline in this area that acknowledges the basic principles of good shopfront design. The design of shopfronts should reflect the scale and proportions of the existing streetscape. The Council will seek to retain the remaining traditional shopfronts of townscape importance. It should be noted that the replacement of an existing shopfront, or the insertion of a new shopfront requires planning permission, and is not considered by the Council as constituting exempted development.

- PT 3** To promote the planting of native species along with natural regeneration when considering the landscaping requirements of new transport networks.

(B) Public Transport

Strategic Goal

To develop an integrated public transport network in the area as a viable alternative to car based trips.

Objectives

It is an objective of the Council:

- OPT 1** To support the provision of public transport through the provision of infrastructure that would facilitate access to these services.
- OPT 2** To improve bus shelters on both sides of the R416, incorporating pick up/set down areas.
- OPT 3** To co-operate with the relevant transport bodies (both public and private) to secure improvements to the public transport system and to include the provision of lay bys with an appropriately designed bus stop to include a covered, seated area.

Policy Statements

In addition to the policies outlined in Chapter 3 of the County Development Plan 2005-2011 in relation to public transport, it is the policy of the Council to:

- PPT 1** To work with all agencies to improve and develop public transport facilities in Athgarvan.

(C) Pedestrian and Cycle Networks

In line with principles of sustainable development a modal shift from the private car to public transport, walking or cycling will be encouraged throughout Athgarvan. An integrated and coherent non-motorised transport network, that is multi-functional and safe for all users of all ages, will be considered during the period of the Plan.

Strategic Goal

To ensure that Athgarvan develops as an increasingly sustainable local centre where walking and cycling are promoted – through good design and management, as a viable alternative to car based trips.

Objectives

It is an objective of the Council:

- OPC 1** To support the provision of infrastructure that will enable pedestrian and cycling activities

Policy Statements

It is the policy of the Council:

- PPC 1** To ensure that cyclist and pedestrian needs are anticipated and designed for in all schemes and developments in the area with facilities such as paths, cycleways, bicycle parking racks, etc. provided at appropriate locations.
- PPC 2** To ensure the development of 'shared surface' and similarly passively calmed environments, within housing developments.

(D) Car Parking

Strategic Goal

To ensure that there is a sufficient supply of car parking spaces to support Athgarvan Village Centre and that these spaces are effectively managed.

Objectives

It is an objective of the Council:

- OCP 1** To investigate the provision of additional off street public car parking in the town centre and encourage the development of adequate parking to serve the Village Centre and community facilities.
- OCP 2** To provide disabled car parking spaces at appropriate locations throughout the town.

Street Lighting and Public Utilities

Street lighting should be at least to the standards set out in the ESB publication "Public Lighting in Residential Estates". Pedestrian links must also be illuminated. Lighting levels within a new development must create a secure environment. Dark corners and alleyways should be avoided. The use of low pressure sodium lighting and full cut off lighting shall be encouraged for environmental, economic and road safety reasons. Lamp posts in prominent positions can help to define an area and promote a sense of place among the residents. To preserve the amenity and visual character of an area, and in the interests of public safety, all services including electricity, public lighting, telephone and television cables shall be provided underground in all new developments. Provision should be made for the unobtrusive siting of transformer stations, pumping stations and other necessary service buildings. Pole mounted equipment (such as transformers) will not be permitted.

Access to Land

It is the policy of the Council to ensure that no development takes place in such a fashion that would prejudice the provision of vehicular, pedestrian access or key infrastructural services in adjoining lands. Development will be designed so as to ensure 'ransom strips' will not inhibit future development.

Childcare Facilities

All childcare facilities shall be provided in accordance with the 'Childcare Facilities: Guidelines for Planning Authorities' (DoEHLG) and the 'Child Care (Pre-School Services) Regulations 1996 & 1997' and any other relevant statutory guidelines which may issue during the life of this Plan.

It is the policy of the Council;

- To engage, where appropriate, the expertise of the County Childcare Committee in the assessment of applications relating to childcare facilities.
- To facilitate and encourage the provision of childcare facilities at appropriate locations, as identified in the Guidelines.

- To require the provision of for at least one childcare facility to cater for 20 places in developments of 75 houses, including local authority and social housing schemes in accordance with the DoEHLG Guidelines. This standard may be varied depending on local circumstances.
 - The following information shall be included at application stage:
 - (1) Nature of the facility:
 - Full day care
 - Sessional
 - Drop In
 - After School Care
 - (2) Numbers and ages of children
 - (3) Adequate parking for staff and set down areas for customers
 - (4) Hours of operation
 - (5) Open Space provision and measures for management of same
 - (6) Description of cumulative impact when taken together with other childcare facilities in the vicinity.
 - (7) Impact on residential amenity and mitigation measures, if appropriate
 - (8) Local traffic conditions
 - (9) Proximity to public transport
 - To recommend that applicants seek the advice of the Kildare County Childcare Committee, Health Board, and other relevant bodies in the design of childcare facilities prior to the submission of applications for planning permission.
 - To generally discourage the complete conversion of existing semi-detached and terraced dwellings within housing estates to childcare facilities. The childcare use should remain secondary and the bulk of the house should be retained for residential purposes.
 - To require the provision of purpose built facilities in new housing estates.
 - To favour when considering applications for both purpose built facilities and the conversion of existing premises, those locations that are close to existing community and educational facilities and public transport nodes.
- In relation to this policy;

Policy Statement

It is the policy of the Council:

- PAR 1** To adhere to all Development Control Standards set out in Section 5 of this plan to ensure the delivery of quality recreation and amenity facilities, in terms of size, location and landscaping.

3.8 Village Centre Development

In the context of the Retail Planning Guidelines for Planning Authorities by the Department of the Environment, Heritage and Local Government in December 2000, Kildare County Council has prepared a Draft County Retail Strategy. Athgarvan lies outside the four tiers of the retail hierarchy identified by those Guidelines and has a retail function primarily to serve local need. In that context the survival of the rural shop and business is recognised as having particular importance in supporting social and economic life and it is a policy of Kildare County Council to promote and enhance the function of these small units within the local area.

Strategic Goal

To develop Athgarvan as an important local service centre with a range of local-need shops and services.

Objectives

It is an objective of the Council:

- OR 1** To zone appropriate areas of land in the Village Centre for the development of additional retail and commercial units in Athgarvan.
- OR 2** To ensure that all shopfronts and advertisements do not visually detract from the quality of the local environment.
- OR 3** To prepare a detailed Environmental Improvement Scheme to visually enhance the streetscape and key village spaces with an emphasis on promoting a pedestrian and public transport and people friendly environment.

- OR 4** To favour the provision of local retail facilities within the Village Centre, as identified on Map 1.
- OR 5** To enhance the function and vitality of the village centre through the implementation of the Council's road improvements programme and the full implementation of Council policies with respect to the standard of design – both of buildings and of key features such as shopfronts.
- OR 6** To respond positively to applications for small scale retail and other village centre developments in Athgarvan, where they respect and enhance the existing built fabric.
- OR 7** To implement the land use zoning objectives and related works of the Council in order to increase the attractiveness of Athgarvan village centre as a focus for local business and retail operations.
- OR 8** To encourage the development and maintenance of a thriving small-scale, mixed use village centre in Athgarvan, with a balance of retailing, commercial, housing and community facilities.
- OR 9** To encourage the use of ground floors for active uses, including retail, commercial and office
- OR 10** To improve the safety and accessibility of Athgarvan through footpath improvements, provision of dished kerbs and grading of surfaces on all approach roads to the village.

- The use of hard landscaping elements should also be identified.
- In greenfield sites, the minimum area of open space that is acceptable is 15% of the total site area. In all other cases, public open space should be provided at the rate of 10% of the total site area.

Road Layouts in Residential Areas

The layout and detailed design of roads is crucial to the shaping of all developments. Road layouts should be considered as part of the overall concept and should not be the starting point of the design layout. Housing layouts dictated solely by the geometry and size of roads lead to bland, anonymous residential housing estates with no ‘sense of place’ or neighbourhood. The following should be taken into consideration:

- The arrangement of buildings, rather than roads, should be the primary consideration to create enclosure and a sense of space with which residents can identify.
- The creation of attractive urban forms, where security for pedestrians, cyclists and children is paramount.
- ‘Traffic calming’, to ensure low ambient traffic speeds, should be designed into the layout from the outset, rather than added as an afterthought.
- Distributor roads are generally required to be 6m wide, unless otherwise agreed with the Planning Authority.

Additional guidance can be found in the DoEHLG Recommendations for Site Development Works for Housing Areas (1998), Design Bulletin 32, Residential Roads and Footpaths – Layout Considerations, (2nd edition) and also Manual for Streets (2007) published by the British Department of Transport.

Car Parking in Residential Areas

Car parking standards are laid out in Table 5.2 Residential layouts should generally not be dominated by car parking along the access roads. New residential development should generally take account of the following criteria regarding car parking:

- Car parking for detached and semi-detached housing should be within the curtilage of the site.
- Car parking for apartments and terraced housing should

be in informal groups overlooked by housing units. The visual impact of large areas of car parking should be reduced by the judicious use of screen planting, low walls and the use of different textured or coloured paving for car parking bays.

Family Flat

This refers to a temporary arrangement to accommodate a family member within an existing dwelling unit.

- The proposed unit should be linked directly to the main dwelling by a connecting door.
- Accommodation should be limited to a maximum of two bedrooms.
- External doors shall be limited to the side or rear of the house.
- Applicants shall submit documentary evidence at application stage to support their case for the necessity of a ‘family’ flat.
- It is normal procedure to include conditions in any grant of permission that the ‘family’ flat cannot be sold, conveyed or leased separate to the main residence. Also when the need for the ‘family’ flat no longer exists the dwelling must be returned to a single dwelling unit.

Gated Developments

Gated developments will not be permitted as they reduce social inclusion and integration within the existing community.

Backland Development in Urban Areas

The Council will encourage the provision of comprehensive backland development where the opportunity exists. The following should be taken into consideration for backland development:

- New dwellings that closely overlook the rear curtilage of existing dwellings will not normally be permitted.
- Sites that do not have independent road frontage are generally discouraged as this can conflict with the established pattern of development in the vicinity and diminish the residential amenities of adjacent dwellings. However, when a comprehensive plan is prepared for an area where a number of landowners propose a shared independent access road to serve new development to the rear of existing dwellings and can demonstrate that the residential amenities of existing dwellings in the

Policy Statements

In addition to Chapter 17 of the County Development Plan it is the policy of the Council:

- PHE 1** To work with other relevant agencies in promoting awareness of and pride in the natural, built and archaeological heritage of Athgarvan.
- PHE 2** To actively encourage participation by heritage groups, community associations and local people in the identification, protection, conservation and enhancement of the heritage of the Athgarvan area.
- PHE 3** In relation to designated sites, recorded monuments and places and protected structures, potential developers should consult with relevant agencies as early as possible to ensure that heritage concerns are considered early in the planning process.

(B) Natural Heritage

There is a diversity of natural and semi-natural habitats within the Athgarvan environs including woodland, river and grassland habitats. This diversity however is coming under increasing threat as the development pressure intensifies and the demand for land for new development increases. The Curragh is protected under European legislation, as it is a designated National Heritage Area. A sustainable approach is needed to protect and conserve this natural heritage of the Athgarvan area including The Curragh and The River Liffey.

Strategic Goals

To protect designated and non-designated natural habitats in Athgarvan.

Objectives

It is an objective of the Council:

- ONH 1** To seek to identify, protect and conserve, in co-operation with the relevant statutory authorities and other groups, the habitats and species of local importance, not otherwise protected by legislation.
- ONH 2** To seek to identify, conserve, protect and enhance, wherever possible, wildlife habitats such as woodland, river and grassland areas and field boundaries (hedgerows, stone walls and ditches). Such features form part of a network of habitats and corridors, which allow wildlife to exist and flourish.

Policy Statements

It is the policy of the Council:

- PNH 1** To have regard to, and implement as appropriate all National and European legislation.
- PNH 2** To facilitate the protection of all designated wildlife sites, including any additions or alterations to these, from any development that would adversely affect their conservation value
- PNH 3** To ensure that any development proposal within the vicinity of or having an effect on a designated site, will provide sufficient detail illustrating how it will impact upon the designated site and will include proposals for appropriate amelioration. In all such cases the Council shall consult with the National Parks and Wildlife Section of the DoEHLG.

Table 5.5 Indicative Residential Densities

Zone	Maximum Dwelling Units per		Appropriate Locations
	Hectare	Acre	
Low Density	15-20	6-8	Outer edge of urban-rural transition
Low-Medium Density	20-35	8-14	Generally zoning within towns except where it is an urban transitional area or a strategic location
Medium - High Density	35-50	14-20	

In order to achieve the maximum density set out in the ranges above, the developer must have a high architectural input to the design and layout of the scheme which will, in turn, result in a quality built environment. Furthermore it must be demonstrated that sufficient recreation and amenity facilities exist to service this development.

Residential Mix in House and Apartment Development

A key aim in the provision of new housing is to encourage diversity rather than uniformity and as far as possible to relate the kind of housing to the different needs of the population. In all housing proposals the Council shall also encourage an appropriate mix of dwelling types, not just within the overall development, but throughout the development. An appropriate mixture of dwelling types and sizes of houses and duplexes shall be required to meet the needs of different categories of households.

Layout of Apartment Developments
Internal Design of Apartment Schemes

In general, apartments will be required to have the minimum floor areas as set out in table 5.4.

- The internal dimensions of all rooms should be proportioned to allow for an adequate space for normal living purposes. The shape and layout of rooms should maximise the amenity of residents. Design solutions should be employed to minimise overlooking/overshadowing and to preserve and enhance the residential amenity of the entire development.

- Where combined kitchen/living areas are proposed, the apartments should have separate facilities for clothes washing and drying. This could be in the form of a utility room or a communal washer/dryer room.

- The ratio of one bed apartments within developments where the applicant seeks to build apartments shall be restricted to 25% of the overall development.

Individual Storage Facilities

- A minimum internal storage area of 5 cubic metres should be provided within each apartment unit. Wardrobe or hotpress space is not acceptable in this regard.
- Well-designed and secure bicycle parking areas should be provided for apartment complexes.

Refuse Storage

All apartment complexes should provide easily managed communal waste and recyclables collection points that are conveniently located, well ventilated and comply with all public health and fire safety requirements.

Separation between Dwellings

A minimum distance of 2.5m between semi-detached and detached housing is required. In general, this distance should be equally divided between dwellings so separated so as to allow for a usable side entrance.

Private Open Space for Residential Development

Privacy is an essential part of human living and is particularly important in relation to homes. Private open space should be designed for maximum privacy and orientated for maximum sunshine and shelter.

Private Open Space for Houses

In order to achieve adequate privacy and open space between houses in new residential developments, the following minimum requirements shall normally apply:

If mature trees or hedgerows are felled prior to the lodging of a planning application, this will reflect negatively on the case for planning permission.

PTH 2 To require that Planning applications must: (1) identify all ecological corridors (including hedgerows and masonry stone walls), likely to be significantly affected, which are present on the relevant lands; (2) identify any losses to these corridors which would result if the application in question was granted; (3) show that such losses would be fully offset if the application was to be granted through the replacement of the relevant corridors, with corridors composed of similar species or materials, before any losses to the existing corridors occur.

PTH 3 To strongly discourage the felling of mature trees to facilitate development and to encourage tree surgery rather than felling where possible.

(C) Archaeological Heritage

The County has an abundance of archaeological heritage. There are many sites identified on the Record of Monuments and Places (RMP) (Refer to Chapter 17 of the County Development Plan) in the Athgarvan area, however only two of these sites are located within the boundary of the Local Area Plan. In addition to these two sites The Curragh is also designated under the RMP as an Archaeological Complex.

STRATEGIC GOAL
To preserve and protect the archaeological heritage identified in the Athgarvan area.

Objective
It is an objective of the Council:

OAH 1 To protect and preserve these items of archaeological interest (listed in Appendix 1) from inappropriate development that would adversely affect and/or detract from the interpretation and setting of these sites.

Policy Statements

In addition to the policies outlined under Chapter 17 of the County Development Plan, it is the policy of the Council:

PAH 1 To have regard to the Archaeological Complex and sites of archaeological interest as listed in the The Record of Monuments and Places (see Appendix 1) when dealing with planning applications for development. Where permission for such proposals is granted, the applicant will have due regard to the recommendations of the Heritage and Planning Division of the DoEHLG.

PAH 2 To promote and support, in partnership with the Monuments Section of the DoEHLG the concept of archaeological landscapes where areas contain several recorded monuments.

PAH 3 To protect burial grounds within Athgarvan in co-operation with agencies such as the Office of Public Works and National Monuments Section of the Department of the Environment, Heritage and Local Government (DoEHLG), as appropriate.

PAH 4 To protect and preserve archaeological sites identified in the current or in subsequent publications of the Record of Monuments and Places (RMP).

- **Natural Features:** The layout of the development should be designed around the retention of natural features.
- **Safety:** Opportunities for vandalism and crime should be reduced to the greatest possible extent, by ensuring that areas used by the public (such as open spaces, foot paths and roads) are overlooked by housing.
- **Traffic Safety:** The quality of the layout and the manner in which it addresses traffic safety is vital. Long straight roads will be discouraged and a layout with good provision for pedestrian safety and traffic calming will be required.
- **Refuse:** Easily managed communal waste and recyclables collection points should be provided for terraced housing. These should be conveniently located, well ventilated and comply with all public health and fire safety requirements.
- **Bicycle Parking:** Well-designed and secure bicycle parking areas should be provided for terraced housing.

In addition to planning requirements, building control and fire prevention requirements must be met in all circumstances.

Housing Layout

The layout of new residential development should be designed to create a strong sense of identity and a sense of place. New developments should take full account of the characteristics of the natural and built environment of the site, the views and vistas to and from the site and the surrounding areas. Where land is being developed for housing, the following considerations will be taken into account in the assessment of the proposal:

- the need for land to be used economically;
- appropriate density;
- the capacity of the physical and social infrastructure to cater for the design population;
- the adequacy of present and future community facilities;
- adequate privacy for individual dwelling units;
- the safety of proposed layouts and the capacity of existing roads to absorb future development;
- adequate provision for car parking, open space, landscaping and planting; and
- integration with existing development and the preservation of features on site.

Internal Design of Dwelling Houses

In general dwelling houses will be required to have the following minimum floor areas:

Table 5.4 Dwelling unit floor areas

	Unit Size	Dwelling Type	Gross Floor Area (m2)
Apartment Duplex or House	One Bed	Apartment	45
		House	50
	Two Bed	Single Storey	65
		Two Storey	75
	Three Bed	Single Storey	85
		Two Storey	90
	Four Bed	Single Storey	105
		Two Storey	110

Apartments

The provision of apartment schemes should be considered in appropriate locations. Apartment schemes should generally be similar in scale to surrounding developments. They can be particularly appropriate where there is a significant demand for smaller units of accommodation and where apartment building would generally be in harmony with the character of the area. Apartments can also facilitate higher densities especially where they are strategically located close to public transport nodes.

Proposals for large residential schemes (75 units or more) should be presented in the context of a Masterplan Scheme where access for residents to public transport, schools and child-care facilities, shops and recreational facilities are all clearly indicated. The proposed management and on-going maintenance of public open space within the scheme should also be included. With specific regard to apartment developments, the layout should:

Furthermore, the Council recognises that structures listed on the Record of Protected Structures are best protected if kept in economic/dwelling use and will therefore favourably consider a change of use to higher economic value which would not normally be approved in that particular zone, subject to the character and historical, social and architectural value of the buildings being maintained and the amenity value of neighbouring properties being retained.

Under the Planning and Development Act 2000-2004 the entire building and curtilage of a protected structure is protected and does not qualify for exempt development rights. Property owners are entitled to request a “Declaration” from the Planning Authority outlining the nature and scale of development that may be acceptable to a particular protected structure. Those seeking to alter a protected structure are advised to discuss their proposal with the Planning Department of Kildare County Council before any alteration is made.

3.11 The Environment

In implementing this Plan, the Council is adopting a proactive and progressive approach to the enhancement of the local environment and will work with all of the relevant State and local agencies in achieving in this.

This section is divided into 4 headings as follows:

- (A) General Environment
- (B) Sustainable Building Practices
- (C) Energy Supply and Energy Efficiency
- (D) Littering

(A) General Environment

Strategic Goal

To manage and implement change in the Athgarvan area in the interest of the environment, proper planning and sustainable development.

Objectives

It is an objective of the Council:

- OEV 1 To preserve and promote respect for the rural culture, heritage and environment through the sustainable use of natural resources for tourism, economic and social development. Developments which have an undue negative effect on the environment will not be permitted.
- OEV 2 To support and encourage the development of environmentally friendly rural economic activities including the development of green farming practices, organic farming enterprises, biomass, plant nurseries and the recycling and/or treatment of domestic farm waste.
- OEV 3 To promote and facilitate communities becoming involved in environmental awareness activities and community-based recycling initiatives or environmental management initiatives which will lead to local sustainable waste management.

Policy Statement

It is the policy of the Council:

- PEV 1 To manage and implement change in the Athgarvan area in the interest of proper planning and sustainable development and to work with all relevant State and local agencies in achieving this.

Bicycle Parking

The Planning Authority will require the provision of a minimum level of bicycle parking facilities in association with new development and a change of use. Where the provision of bicycle parking facilities are intended for use by the staff of that particular development, stands should be located within the curtilage of the development to ensure security and supervision. Bicycle stands for use by visitors should be located to maximise convenience to the entrance of buildings and positioned so as to ensure safety, security and supervision. The bicycle parking standards set out in Table 5.3 below shall apply. The Planning Authority will also encourage the provision of bicycle parking facilities, where possible, at existing transport nodes, public buildings, retail centres and leisure facilities.

Table 5.3 Bicycle Parking Standards

Type of Development	Standard
Residential	1 stand per residential unit
Shop	1 stand for every 200sqm of gross floorspace
Office	1 stand for every 500sqm of gross floorspace
Industry	1 stand for every 500sqm of gross floorspace
Theatre, cinema, church, stadium	1 stand for every 100 seats
Hotel, Guesthouse	1 stand per 50 bedrooms
Lounge/ Bar	1 stand for every 200sqm of public floorspace
Restaurants	1 stand for every 200sqm of public floorspace
Function-room, dance halls, clubs	1 stand for every 200sqm of public floorspace
Playing Fields	4 stands per pitch
Schools	1 stand per 50 pupils
Nursing Home	1 stand per 20 members of staff

Note: 1 stand = 5 units

Materials

Regarding materials the following should be taken into consideration:

- The Council encourages the use of hardwood for windows and doors in all new structures rather than uPVC, which is considered to be environmentally unsustainable.
- The Council encourages the use of local materials in the construction of new dwellings so as to enhance and maintain the character of the local area. In rural areas in particular brick cladding, reconstituted stone finishes and uPVC, will normally not be accepted.
- The choice of colours for external finishes should blend in with local traditions and surrounding buildings.

Access for All

The Council will require that the layout and design of a proposed development will give consideration to the needs of the aged, people with disabilities, and people with children. Building designs shall allow full access to the building for all persons, whether employees, residents or the visiting public. Part M of the Building Regulations (S.I. No. 179, 2000) sets out standards to ensure that buildings are accessible and usable by everyone. The Technical Guidance Document in relation to Part M provides guidance on the access requirements for public buildings and for residential dwellings.

Public and private open space associated with a development shall be designed with the needs of the disabled and mobility impaired in mind.

In addition to the above, all developments must make provision for car parking for the disabled in accordance with the recommendations of 'Buildings for Everyone' 2002 published by the National Disability Authority and Part M of the Building Regulations (S.I. No. 179, 2000) and any subsequent amendments.

In assessing applications which relate to protected structures, regard shall be had to the protected status of the structure and the need to protect the special character of that structure.

technically and economically feasible manner on a case by case basis. The CO2 emissions target shall require a collective reduction of at least 60% in CO2 emissions deriving from energy use for heating, cooling and lighting within the development, relative to a baseline of prevailing norms. The initial baseline of comparison is the DoEHLG Technical Guidance Document L (Conservation of Fuel and Energy - May 2006 Edition).

PSB 5 To require that at least 20% of space and water heating be from a renewable energy source.

PSB 6 To require that due consideration be given to the technical, environmental and economic feasibility of using alternative energy systems before construction starts for new developments greater than 1,000m2, including apartment blocks. The preferred methodology for assessing the feasibility of such sustainable energy systems shall be the Sustainable Energy Ireland (SEI) software tool or other acceptable methodology. In pursuit of these targets, a menu of superior design and specification options will include the following:

- Site layout and associated bio-climatic/passive solar design measures
- Enhanced levels of insulation in walls, floors, glazing and doors
- Reduced uncontrolled air infiltration losses
- Use of healthy and controllable ventilation systems
- Heat recovery systems
- Use of daylight
- Water conservation measures
- More sustainable building materials
- Improved heat generation appliance efficiency, e.g. condensing boilers
- Intelligent heating system configuration and time/temperature/zone/function controls
- Efficient provision of domestic hot water
- Fuel switching to low or zero CO2 emitting fuels
- Energy efficient lighting systems
- Incorporation of renewable energy systems e.g.

active solar, heat pumps, biomass

- Provision of appropriate group or district heating systems.

In the case of non-domestic buildings additional options include:

- Heating, ventilation and air conditioning systems
- Electrical energy use including motive power
- Efficient lighting systems and controls
- Building Energy Management Systems
- Occupancy Controls
- Monitoring and Targeting Systems
- Combined Heat and Power (CHP).

Other measures that can contribute to the energy efficiency and renewable energy targets can also be considered. The implementation date for these sustainable building practices outlined above is 1st January 2008. All applicable developments seeking planning permission from that date will be subject to compliance with this policy.

(C) Energy Supply and Energy Efficiency

Strategic Goal
To encourage a sustainable approach to energy efficiency and generation. The Council will liaise with the appropriate agencies to ensure the sustainable supply of energy to the area.

Objectives
It is an objective of the Council:

- OEE 1 To ensure the development of renewable energy and the development of energy infrastructure while ensuring that residential amenities and the quality of the local environment are protected.
- OEE 2 To encourage a sustainable approach to energy generation and use, and to liaise with the appropriate agencies to ensure the supply of energy to the area.

A) Overlooking

In general, a minimum distance of 22 metres between opposing above ground floor level windows is required for habitable rooms. In cases of innovative design where overlooking into living areas does not occur, this figure may be reduced. A separation distance of 35 metres should be considered in the case of overlooking living room windows and balconies at upper floors.

B) Overshadowing

Where proposed development of significant height is located close to existing development, the Planning Authority may require daylight and shadow projection diagrams to be submitted. The recommendations of "Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (BRE 1991)" or "B.S 8206 Lighting for Buildings Part 2 1992:Code of Practice for Day lighting" should be followed in this regard.

Building Lines

An innovative approach to building lines may be taken where an applicant can demonstrate, to the satisfaction of the Planning Authority, that a deviation from an established building line will add to the sense of arrival or place within the village – particularly in the village centre.

The staggering of building lines within residential developments will be recommended in order to accommodate more innovative road layouts and to promote alternative approaches to the provision of car-parking.

Sightlines

Sightline requirements are determined by the Council on a case by case basis. Factors including the type, speed limit and condition of the road are taken into consideration. The following factors should be taken into account:

- Where sightlines are inadequate and would give rise to a traffic hazard, development will not be permitted.
- Where the improvement of sightlines requires the substantial or complete removal of an existing hedgerow, the developer must include detailed landscape proposals to minimise the impact.
- In cases where an access already exists with inadequate sightlines, it is the policy of the Council to recommend the closing up of this entrance and the facilitation of another entrance with adequate sightlines.

- All applications for planning permission must clearly indicate the sightlines available at the proposed access.

Building Lines

The building line requirements for various developments are set out below in Table 5.1. All measurements are taken from the nearest edge of road surface.

Table 5.1 Building Line Requirements

Road Classification	Requirement
Motorways	91.0m
National Primary	91.0m
National Secondary	91.0m
Regional Road	31.0m
Urban/County Road	18.5m
Distributor	18.5m

Where a development requires that the existing roads/foot-paths and public lighting be improved/extended, or any other works carried out in order to facilitate a development, the developer may be required to provide these as a condition of planning permission.

Access onto Public Roads

Generally, where the capacity, width and alignment or surface condition of the road is inadequate, development will not be favoured.

Where new development would adversely impact on road drainage, development will not be permitted unless applicants agree proposals with the Council to improve the road. The Council may require the submission of a Traffic Impact Assessment as part of an application. Applicants should consult with the Transportation Section of the Council prior to the submission of an application.

Access Requirements

Generally, it is the policy of the Council to discourage the proliferation of access points onto public roads, particularly in areas where the maximum speed limits applies. The Council therefore encourages and promotes shared access points in all circumstances.

impact upon the Curragh and will include proposals for appropriate amelioration. In all such cases, the Council shall consult with the National Parks and Wildlife Section of the DoEHLG.

- PCL 2 To restrict inappropriate development particularly on the Curragh edge or where it protrudes on the skyline as viewed from the Curragh Plains.
- PCL 3 To ensure that fencing, earth works or planting do not conflict with the intrinsic quality of the landscape of The Curragh.
- PCL 4 To require, by condition of planning permission, the installation of cattle grids for development on the edges of the Curragh.

Objectives- The River Liffey
It is an objective of the Council:

- OCL1 To develop bathing and other ancillary infrastructure at key locations along inland waterways, particularly in areas where tourism is underdeveloped at present.
- OCL 2 To conserve and protect the natural habitats within the river system.
- OCL 3 To encourage, in association with the Fisheries Board and the National Parks and Wildlife Service of the DoEHLG and local communities, the development of amenity and recreational use of the River Liffey in particular, the development of walkways and the amenity areas identified on Map 1.
- OCL 4 To preserve the quality and quantity of water in the River Liffey and to protect fish stocks and water quality in partnership with the Fisheries Board, and the National Parks and Wildlife Service of the DoEHLG.
- OCL 5 To maximise opportunities for the use of the River Liffey for tourism and recreational amenities. In this regard the Council will co-operate with the Fisheries Board and other appropriate bodies to develop appropriate infrastructure.

- OCL 6 To encourage local awareness and education on the value of inland waterways as a natural resource for conservation and sustainable development.
- OCL 7 To protect the amenity of the River Liffey and environs and to promote and encourage its use and development for recreation and tourism related purposes where consistent with its protection.
- OCL 8 To ensure that illegal dumping is controlled particularly along the edges of the River Liffey.
- OCL 9 To improve the vegetation management at the riverbanks and at the access points to the river.
- OCL 10 To secure the old water works site as deemed appropriate in order to prevent people from trespassing and driving onto the river bank.

Policy Statements– The River Liffey
In addition to the policies outlined in Chapter 17 of the County Development Plan, it is the policy of the Council:

- PCL 1 To maintain and to develop the amenity potential of the River Liffey for recreation and amenity purposes, through the creation of an 80m buffer zone from the riverbank.
- PCL 2 To ensure that any development proposals, including the Council's own works, within the vicinity of or having an effect on the River Liffey, will provide sufficient detail illustrating how it will impact upon the river and will include proposals for appropriate amelioration. In all such cases, the Council shall consult with the National Parks and Wildlife Section of the DoEHLG.
- PCL 3 To preserve views and prospects to and from the River Liffey and to ensure that further development along the riverbank does not affect the quality of both the scenic viewpoint and the water ways amenity. The Council will restrict new development adjacent to the river that could present a disproportionate or negative visual effect or disrupt the vistas available.

4.0 Land Use and Zoning

4.3 Definitions of Terms

Permitted in Principle (Y)

Indicated land uses are generally acceptable, subject to compliance with relevant policies, standards and requirements set out in the Plan and other relevant policy documents.

Open for Consideration (O)

Indicated land uses may or may not be acceptable and proposals in this category will be considered by the Planning Authority on their individual merits. Land uses shown as “Open for Consideration” may be acceptable in circumstances where the proposal will not conflict with the policies and objectives for the zone and the existing or permitted uses as well as being in the interests of the proper planning and sustainable development of the area.

Not Normally Acceptable (N)

Indicated land uses are not normally permitted and will not be entertained by the Local Authority save in exceptional circumstances. This may be due to its perceived effect on existing permitted uses, its incompatibility with the policies and objectives contained in the Plan or the fact that it may be inconsistent with the proper planning and sustainable development of the area. The expansion of established and approved uses not conforming to land use zoning objectives will be considered on their merits.

Non Conforming Uses

It is not intended that existing uses within the zones outlined in this Plan which appear to be inconsistent with the primary use zoning objective should be curtailed. All such cases, where legally established by continued use for the same purpose prior to October 1, 1964 or by a planning permission, shall not be subject to legal proceedings under the Acts in respect of the continued use. Where extensions to, or improvements of, premises accommodating these uses are proposed, each shall be considered on its merits.

4.4 Application of Zoning Policy

It is an objective of the Council to carry out its development control function in accordance with the Matrix Table for each zone. However, it should not be assumed that if a proposed development complies with the Matrix Table, it would necessarily be accepted. The matrix relates to land use only and important factors including density, building height, design standards, traffic generation and environmental factors are also relevant in establishing whether or not a development proposal would be acceptable at a particular location and conforms to the proper planning and development of the village.

It is an objective of the Council to apply all the relevant Development Control Standards as set out in this document to all developments on lands zoned under this Plan.

Note: Where land uses are not included in this matrix, applications for same will be assessed on their individual merits having regard to the general policies and zoning objectives for the area and the general principles of proper planning and sustainable development.

4.1 Land Use and Zoning Objectives

The key method of implementing this plan is through the identification of Land Use Zonings and Objectives for specific sites in Athgarvan. These are shown on Map 1, attached, with terms and indicative land uses set out below.

The purpose of land use zoning is to indicate to property owners and to the general public, the types of development that the Council considers most appropriate in each zone. In terms of promotion of redevelopment and renewal, this allows the developer to plan investment with some certainty. In the control of development, zoning seeks to limit competing and incompatible uses in order to promote greater sustainability and environmental quality.

With due consideration to the extent and types of land use zoning objectives, the following factors have been taken into consideration:

- a) the present development area and recent trends in development;
- b) the amount of committed and uncommitted land within the existing development area;
- c) the accessibility, availability and location of land for development;
- d) the location and adequacy of existing social infrastructure (schools, community facilities, etc.);
- e) the character of the village with regard to the scale and pattern of development;
- f) the need to promote planning and sustainable development in accordance with national, regional and local policies and framework plans in this regard;
- g) physical features and amenities of the village;
- h) the present and future situation regarding the provision of essential physical infrastructure – especially roads, water and wastewater;
- i) the emerging pattern of development in Athgarvan and the need to rationalise connectivity and integration with the village core.



Materials:

Traditional, sympathetic building materials shall be used in keeping with the character of the village. Contemporary materials should be used carefully and thoughtfully and in small quantities and only in conjunction and contrast with traditional materials.

Landscaping:

As with all development within the village, hard and soft landscaping should be a fundamental and integral part of any proposed scheme. Hard landscaping, along with street furniture, lighting and planting should be incorporated into all landscaping plans.

Open Space:

Open space should be provided in accordance with the standards set out in Chapter 5 of this plan.

Accessibility:

All development proposals must ensure that access to buildings, public transport and public spaces are accessible to people with mobility needs and have regard to 'Buildings for Everyone 2002' published by the Department of the Environment.

4.3 Zoning Matrix

Uses other than the primary use for which an area is zoned may be permitted provided they are not in conflict with the primary use-zoning objective. The Zoning Matrix (see Table 4.3) illustrates a range of landuses together with an indication of their broad acceptability in each of the land use zones.

The land use-zoning matrix is intended to provide guidance to landowners and developers and is not intended to supplant the normal planning process. An indication that a proposal would be 'permitted in principle' from the matrix should not be taken to imply a granting of permission, or indeed that a planning application may necessarily be successful

Land Use Zoning Categories

A	Village Core
B	Existing Residential
C	New Residential Development
E	Community / Educational Use
F	Open Space /Amenity
I	Agriculture
M	The Liffey Parkland



Ref.	Use	Specific Zoning Objective
C(3)	New Residential	c. 1.1 Ha New Residential site suited to low- medium density (as outlined in Chapter 5 of this plan) residential development subject to the protection of the amenities of the existing, adjoining residential dwellings and the satisfaction of services and future road access requirements to the south of this site. The existing trees on both the site and forming the boundary treatment should be retained as far as possible and incorporated into any proposals.
C(4)	New Residential	c. 1.4 Ha New Residential site suited to low-medium density residential development subject to the protection of the amenities of the existing, adjoining residential dwellings and the satisfaction of services and road access requirements. Existing trees on the site and boundary should be retained where possible.
C(5)	New Residential	c. 0.95 Ha New Residential site suited to low-medium density residential development subject to appropriate design, layout and boundary treatment and subject to the protection of the amenities of the existing residential dwellings and the services and roads requirements. The existing area zoned F: Open Space/Recreation/Amenity will continue to function as open space.
C(6)	New Residential	c. 3.3 Ha New Residential site suited to low-medium density residential development subject to the protection of the amenities of the existing, adjoining residential dwellings and the satisfaction of services and road access requirements. All development at this location shall have regard to the sloping nature of the site. Appropriate landscaping and screening should be incorporated into development proposals.
E	Community, Institutional & Educational Use	To provide for the expansion of the existing and new school, recreational, community and/or institutional facilities to meet local needs, as they arise. To provide for complimentary dual-purpose entrance to both areas of Educational/Institutional Zoned lands in the centre area of the village, incorporating a safe drop off point and complete access to the lands zoned to accommodate new sporting facilities.
F	Open Space, Recreation & Amenity	To protect and enhance open lands and areas with a high amenity value, retaining them free from development in order to provide active and passive amenity areas for the growing community of Athgarvan. Areas marked with an asterisk on the Zoning Map will be encouraged to provide playing pitches or passive recreational areas for community, recreational, and sports facilities..
I	Agricultural	Having regard to the proximity of the village to the NHA designated Curragh to provide for continued agricultural development and associated uses, while protecting the visual amenity and rural character of the village.