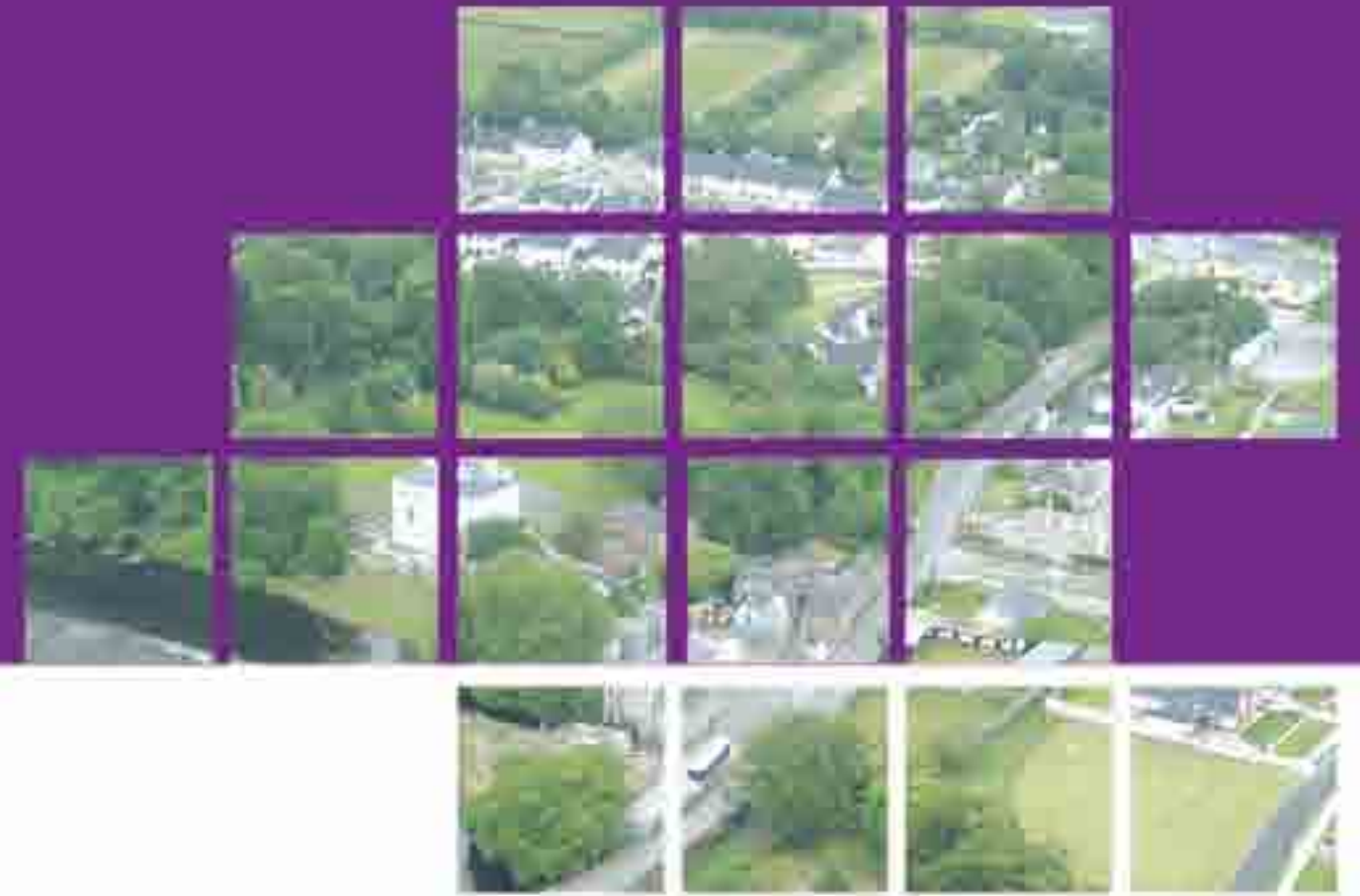




Kildare County Council



Athgarvan

Local Area Plan 2007

Plean Cheantar Áitiúil 2007 Ath Gharbháin



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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. 120Acres/48Ha. The 1996 plan does not have any specific land use 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

1.3 Planning Area

Athgarvan is situated in central Kildare between the towns of Newbridge and Kilcullen, nestling between the Curragh and the River Liffey. This rural village is located along the Regional road R416 with the local road L2032 bisecting the village forming a crossroads and a junction at both ends of the village. The village is situated at an almost equi-distance of approximately 3.5km from both Kilcullen to the South East of the M9 and Newbridge to the North of the M7.

1.4 Strategic Environmental Assessment (SEA)

In accordance with Article 13A(4) of the Planning and Development (Strategic Environmental Assessment Regulations) 2004, a Screening Assessment was prepared for the Athgarvan Local Area Plan and sent to the Environmental Authorities on 18th August 2006 stating that a Strategic Environmental Assessment was not required. This was sent to the relevant prescribed bodies, namely The Minister for the Environment, Heritage and Local Government, The Minister for Communications, Marine and Natural Resources and the Environmental Protection Agency. Having regard to the comments received from these prescribed bodies, Kildare County Council has concluded that a Strategic Environmental Assessment is not required for this Local Area Plan. (Refer to Appendix 3 for Screening Decision)



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.

2.3.2 Regional Planning Guidelines (RPG's)

The RPG's provide a strategic planning framework for the development of the Greater Dublin area, which comprises two regions: the Mid-East and Dublin Region. Athgarvan is located in this region and therefore, regard must be had to the RPG's for the area.

Under the RPG's Athgarvan has been designated as a Village. A Key Village (the fifth tier) should be considered as a "rural service centre" and whose economic function is to attract small rural based enterprises. The Guidelines envisage that the future strategy of such villages should be to "concentrate population, services and jobs in strategic village locations, which have relatively good access from nearby towns. Key Villages would be the centre of a cluster of other villages, and provide services and jobs relatively close by. The concentration of population will strengthen the viability of services, such as public transport and primary school, retail and facilitate the creation of small rural enterprise." (RPG's)

2.3.3 Kildare County Development Plan 2005-2011

The Kildare County Development Plan sets the broad framework for the county of Kildare and the development areas within its administrative boundary. The strategic objectives of the Kildare County Development Plan 2005-2011 are outlined as follows:

1. To provide for a balanced and sustainable distribution of economic and social growth across the county.
2. To provide infrastructure and transportation in accordance with the principles of sustainable development.
3. To ensure the highest quality living environments, urban centres and civic spaces as well as open space and recreational facilities accessible to all citizens of Kildare.
4. To sustain traditional rural communities, by supporting the agriculture and bloodstock industries and promoting balanced renewal of rural settlements to cater for the indigenous population of Kildare.
5. To protect, conserve and enhance the built and natural heritage of the Kildare area for future generations.

The County Development Plan recognises that the proximity of villages like Athgarvan to the Dublin Metropolitan Area and the Primary Dynamic Cluster of Newbridge, Naas and Kilcullen has resulted in increasing development pressure

due to factors such as residential preferences, housing supply/demand imbalances facing those who work in Dublin and increased car mobility.

2.3.4 Kildare 2012- An Economic, Social and Cultural Strategy

The Kildare County Development Board Strategy "Kildare 2012- An Economic, Social and Cultural Strategy" sets the framework within which Kildare County Development Board will operate for the next 10 years. The vision of this strategy is to make "Kildare- the first choice as a place to live, learn work, visit and do business." The strategy focuses on six key objectives, which are vital to ensuring this vision. These are to:

1. Develop transport and communications
2. Respond to new settlement patterns
3. Respond to contrasts within the county and towns
4. Protect the environment
5. Develop the education, training and capacity building
6. Develop a sense of place.

It will be policy of Kildare County Council to implement and build upon this strategy.

2.3.5 Kildare County Housing Strategy Part V Planning and Development Acts 2000-2004

The Kildare County Council's first Housing Strategy 2001-2006 was adopted on 1st October 2001. The analysis which underpinned the Strategy suggested that there was a social and affordable housing requirement in Kildare amounting to 29% of all housing. However, legislation provided that the maximum amount of zoned land that could be reserved for social and affordable housing was 20%.

A recent review carried out by the Housing Department with the assistance of Jon Blackwell & Associates concluded that the requirement in this regard remains unchanged. While the provision of housing units under Part V of the Act has been limited to date this is expected to change significantly in the short term. The preferred option for compliance with Part V is the provision of completed housing units followed by serviced lands. Compliance with Part V through payment of financial contributions will only be acceptable in exceptional circumstances.

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.

Specific goals of this plan, as translated into sectoral objectives and policies in Chapter 3 are:

- To rationalise the pattern of development in the village and to promote the development of a more coherent village core.
- To identify appropriate areas for community and amenity focussed mixed-use development.
- To identify additional areas for new and infill residential development, along with areas for local employment / enterprise, community and amenity.
- To provide an orderly and definite edge between the village and its rural surroundings.
- To maintain a strong visual and physical separation between Athgarvan and its neighbouring towns of Newbridge and Kilcullen.
- To improve physical and social infrastructure services throughout the village.

This LAP aims to address issues relating to the management of change in the village of Athgarvan and in particular the enhancement of the built and natural environment.



The Strategy is based on a number of key characteristics of the local area, as indicated below on Figure 1 and described on Table 1 overleaf.

Athgarvan is nestled within areas of higher ground to the north, west and east. There is currently a trend of increased growth towards the direction of Newbridge. It is considered that the aforementioned areas cannot assimilate new development without significant impacts on the landscape and the overall character and integrity of the settlement, having regard to the topography of the village and its proximity to the NHA designated Curragh and the River Liffey. These factors, along with the principles of proper planning and sustainable development have combined to influence the overall longer term development strategy of the village, being directed towards the south of the existing settlement pattern.

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

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.

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.

OH 7 To support and facilitate the Voluntary Sector in meeting social housing needs.

OH 8 To support the provision of adequate engineering as well as social infrastructure as an integral part of housing development.

Policy Statements

Ensuring that developments are carried out to design and construction standards that will result in a visually and functionally pleasing environment will be the core of the Council's development strategy. In addition to the policies outlined in the County Development Plan, the following are the policies of Kildare County Council:

(A) Housing Design & Layout

PH 1 To require a high standard of design and material used, while ensuring diversity in the density of development and in the form, size and type of dwelling within residential areas.

PH 2 To require that all new residential accommodation meets the necessary standards of health, sanitation and design, and are carried out generally in accordance with the 'Recommendations for Site Development Works for Housing Areas'. (DoEHLG 1998).

PH 3 To prohibit ribbon development along approach roads to the town.

PH 4 To ensure that villages avoid the monotony of urban sprawl. Excessive, monotonous duplication of house styles within developments will be strongly resisted. The setting of many of the settlements is rich and varied and regard should be had to local material and local styles. The unique character, vernacular style and special setting of many of the settlements means that the capacity to absorb large scale developments is limited. The developer must have regard to the local setting and aim to create a sense of place and identity in any proposed development. All new development shall enhance the local setting

and create attractive places to be, live work and take leisure.

PH 5 To require that any additional residential development be sympathetic to existing residential development within the Local Area Plan Boundary, in terms of density and design.

PH 6 To require that every application received for more than four houses within the boundary of this Local Area Plan be accompanied by a design rationale addressing the following:

- Thought process for arriving at the chosen design including:
 - Creation of a unique environment and a sense of place
 - Creation of variety and choice
- Flow of pedestrian traffic – internally and externally.
- The following design criteria shall form part of such development schemes:
 - (i) Vertical emphasis on windows
 - (ii) The surround of dormer windows, where such windows are considered appropriate, shall be finished in painted plaster.
 - (iii) Variety in the layout of the development scheme to include courtyard type developments and short cul de sacs. The monotony of long stretches of residential units in a linear format shall not be permitted.
 - (iv) Excessive stretches of blank wall shall not front any public road within the development scheme.
- All proposed developments shall have due regard to the EC Directive 2002/91/EC which relates to the energy performance of buildings (see Appendix A attached).
- In the interests of sustainability, solar panels shall be incorporated into the building design where appropriate, particularly on south facing walls.
- A landscape plan, prepared by a suitably qualified person. Such a plan shall include proposals for the following:
 - (a) 'hard' landscaping to include a footpath and a bicycle path
 - (b) 'soft' landscaping to include planting areas

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.

(B) Social, Affordable and Voluntary Housing

PH 16 To integrate housing provided under Part V of the Planning and Development Acts 2000-2004, into private development in a layout that prevents segregation and promotes good design and layout.

PH 17 To ensure that 20% of any land zoned solely for residential use or for a mixture of residential and other uses shall be made available for the provision of social and affordable housing in accordance with the requirements of Part V of the Planning and Development Acts 2000-2004 (as amended) and the Housing Strategy.

PH 18 To ensure that any submission made in compliance with a developer's responsibilities under Part V of the Planning and Development Acts 2000-2004 (as amended) and the Council's Housing Strategy shall provide for a minimum of 8% social housing and 12% affordable housing, unless otherwise agreed by the Planning Authority due to the exceptional circumstances of any particular case.

PH 19 To give preference to the option, for compliance by developers with Part V of the Planning and Development Act 2000, where developers build the required houses and then make them available to the Council in order:

- to ensure the fullest achievable degree of social integration
- to ensure complete and efficient development of building sites and
- to facilitate the implementation of policy in regard to social and affordable housing.

(C) Housing and Community Facilities

PH 20 To require applicants for significant developments, or where the Planning Authority deems necessary to submit a Social Infrastructure Assessment which demonstrates the facilities available to adequately service their development. This should include details regarding the following facilities: education, childcare, health, recreational facilities and others such as shops and post offices.

3.2 Economic Development

Having regard to the size, scale and nature of the village, the strategy for economic development in Athgarvan must focus on the achievable delivery of local services and potential employment and enterprise generation. The zoning of appropriate sites within the village area can facilitate the creation and development of small-scale services and rural enterprise.

Strategic Goal

To develop the local economy such that it can sustain activities commensurate with the needs and scale of the expanding village. Furthermore the Council will work with all strategic partners and local stakeholders in the delivery of this goal and the enhancement of the local economy.

Objectives

It is an objective of the Council:

- OE 1** To zone lands in the centre of the town to accommodate a range of uses promoting the village centre as a vibrant commercial centre.
- OE 2** To undertake all Council works and actions with a view to the enhancement of the physical and social structure of the Village Centre.
- OE 3** To establish a level of infrastructure and services that can accommodate small-scale employment generating development in the future.
- OE 4** To identify any emerging service requirements of employment generating uses in the area and to zone appropriate lands in accordance with those requirements and to adhere to the principles of proper planning and sustainable development.
- OE 5** To encourage and facilitate at identified locations, small indigenous industries in recognition of their importance in providing local employment and helping to stimulate economic activity within smaller communities.
- OE 6** To promote the concept of wi-fi and wireless technology.

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.

Policy Statement

In addition to the policies outlined in Chapter 4 of the County Development Plan in relation to community facilities, it is the policy of the Council:

- PC 1** To co-operate with the Department of Education and School Management Boards in the provision of school places.

3.4 Childcare Facilities

The provision of childcare facilities in various forms is recognised as a key piece of social infrastructure required to, enable people to participate more fully in society, particularly in accessing employment, education and social networks. Childcare facilities also provide valuable employment opportunities and can act as an important focal point for communities.

In addition, and most importantly, early years care and education through formal childcare provision plays a crucial role in the holistic development of the child in terms of early education, socialisation and development of practical life-skills.

Strategic Goal

To ensure that adequate and high quality childcare facilities are available in the local area to meet growing local needs.

Objectives

It is an objective of the Council:

- OCC1** To facilitate the provision of childcare in a manner which is compatible with land-use and transportation policies and which adheres to the principles of sustainable development.

Policy Statement

In addition to the policies outlined in the County Development Plan 2005-2011 in relation to childcare facilities, it is the policy of the Council :

- PCC1** To facilitate and encourage the provision of additional childcare facilities in accordance with the Childcare Guidelines for Planning Authorities 2001,

of an appropriate type and scale and at appropriate locations throughout the area. In particular, the development of childcare facilities at the following locations will be encouraged:

- at local employment centres;
- in, or in the vicinity of schools;
- in, or adjacent to community centres;
- within new and existing residential developments.

PCC2 To require the provision of childcare facilities in all new residential developments, in accordance with the Childcare Guidelines for Planning Authorities 2001. The indicative standard is one childcare facility, accommodating 20 children, for each 75 dwellings. This standard may be modified in any particular case where there are significant reasons for doing so. Criteria that may be taken into account in such an assessment include the existing geographical distribution of childcare facilities and the emerging demographic profile of the area.

3.5 Public Utilities

(A) Wastewater, water supply & surface water management for the future of the County has been approached on a regional basis. Considerable expansion of capacity has taken place over the past number of years in relation to water supply, foul and surface water infrastructure and wastewater treatment capacity.

In the context of this Local Area Plan, the new Curragh Sewerage Scheme serves the area between the existing Kilcullen Properties Pumping Station on the Newbridge road just north of Athgarvan Cross Roads and Lurag Lane. The road between Athgarvan and Kinneagh Cross roads is also served by this scheme.

The main pumping station at Brownstown will have a pumping capacity of 5000PE, and this will comprise the following for the surrounding areas:

- * Cutbush - 500PE
- * Suncroft - 490PE
- * Brownstown Cross Roads - 990PE
- * Kinneagh - 1000PE

The pumping station in Brownstown in turn will pump to an existing pumping station in Athgarvan (with a capacity of

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.

- PWW3** To encourage only as much development, both in terms of quantity and type of development as can be provided for, based on the utility services available.
- PWW4** To have regard to the policies being developed by the Greater Dublin Drainage Study including inter alia policies on the following:
 - Infiltration and Ex-filtration;
 - Climate Change;
 - Basements;
 - New Developments;
 - Environments
 - Surface Water
- PWW5** To promote water conservation measures within the area by requiring the installation of water meters in all new residential units and in units where planning permission is required for extension.
- PWW6** To implement the 'Polluter Pays Principle' for non-domestic usage.
- PWW7** To comply with the European Union Drinking Water Directive 98/83/EC.
- PWW8** To support the recommendations outlined in the Water Strategy (2003) for County Kildare.
- PWW9** To continue to undertake improvements and extend the existing infrastructure of the water network.
- PWW10** To work with other statutory agencies in raising public awareness of the value of the water resource by encouraging conservation of resources and protection of water quality, etc.
- PWW 11** To prohibit the commencement of approved developments by condition of planning permission, until work on the new Waste Water Treatment Plant and associated sewer upgrade works for Athgarvan has commenced. The occupation of such developments will also be

prohibited by condition of planning permission, until such time as the new Waste Water Treatment Plant and associated sewer upgrade construction has been completed and commissioned.

(B) Solid Waste Management Strategy

Kildare County Council adopted the Waste Management Plan for Kildare in 2005. The Plan highlights current levels of waste and sets objectives whereby overall levels will be reduced and stabilised in order to comply with both national and European legislative guidelines. The guidelines set down a hierarchy of preferential modes of waste management, focusing on prevention, minimisation, re-use/recycle, and disposal with energy recovery and disposal of residual waste.

Strategic Goal

To promote and implement the best practice principles of reduce, reuse and recycle.

Objectives

It is an objective of the Council:

- OWM 1** To encourage the provision of attractive and appropriate recycling facilities (i.e. bottle banks, bring centres, etc.) at suitable locations in the village to facilitate domestic recycling initiatives.
- OWM 2** To promote and facilitate the community to become involved in environmental awareness activities and community-based recycling initiatives or environmental management initiatives that will lead to sustainable waste management practices.

Policy Statements

In addition to the policies outlined in Chapter 3 of the County Development Plan, in terms of Waste Management, it is the policy of the Council:

- PWM 1** To promote the implementation of the Waste Management Plan 2005 for Kildare and any future Waste Management Plans.
- PWM 2** 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 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.

Objectives

It is an objective of the Council:

- OT 1** To maintain, and improve as required, the local road network to ensure a high standard of road quality and safety.
- OT 2** To provide for the future transportation needs of the area in a sustainable manner and to integrate land use and transportation planning.
- OT 3** To carry out improvements on the existing road system to relieve existing constraints on the network.
- OT 4** To ensure insofar as is possible that all transport facilities and services (including car parking) operational in the Athgarvan area are accessible to people with mobility needs. Car parking shall generally be provided in accordance with "Buildings for Everyone" 2002 published by the National Disability Authority.
- OT 5** To undertake the following works in the local area:
 - (a) To implement appropriate traffic management measures throughout the village.
 - (b) To realign and improve the Athgarvan road (R416) continuing on from the R416 upgrade, as far as Kinneagh Cross.
 - (c) To upgrade and improve the L2032 running from Athgarvan Crossroads and Scoil Bhríde Primary School, incorporating new footpaths, public lighting, tactile paving etc as part of all upgrade works. All developments along this route will be contingent on the delivery of this objective in conjunction with Kildare County Council. The installation of sheep grids at the southwestern most point of Athgarvan on the edge of the Curragh plain shall also be undertaken as part of the upgrading and improvement of the L2032 as above.
 - (d) To provide both traffic signals and pedestrian crossings at the Athgarvan crossroads junction.

- (e) To provide a continuous network of integrated tactile paving and footpath network and appropriate public lighting throughout the village.
- (f) To provide textured surfacing at the Crossroads junction.
- (g) To improve road markings on all approach roads to the village and within the village centre.
- (h) To provide an integrated network of cycle lanes throughout the village where considered appropriate.
- (i) To facilitate a new road between zonings C6 and F and to reserve a roadway accordingly

- OT 6** To ensure that the design and layout of new developments enable, facilitate and encourage access by pedestrian, bicycle and public transport.
- OT 7** To facilitate and encourage cycling as a more convenient, popular and safe method of transport, through the designation of a cycle network linking population, commercial, community facilities and transport nodes.
- OT 8** To undertake an independent traffic study and safety audit of the village of Athgarvan as a whole and to implement appropriate traffic management measures throughout the village, within one year of the adoption of the Plan.

Policy Statements

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

- PT 1** To ensure that all new developments in the area comply with the prevailing road safety and engineering standards and are appropriately designed and located in order to reduce vehicle speeds, promote walking and cycling and enhance the overall permeability of the area.
- PT 2** To have regard to the condition, location and accessibility of heritage items in the planning and provision of transportation services.

- 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.

OCP 3 To ensure the provision of permanent durable surfaces to all public car parking facilities.

Policy Statements
It is the policy of the Council:

PCP 1 To 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 National Disability Authority.

PCP 2 To require that significant new industrial developments in the vicinity of the village incorporate designated HGV parking areas. Applicants shall consult with the planning authority at a pre-planning stage to determine if the size of the proposed industrial development requires designated HGV parking areas.

PCP 3 To ensure that all new developments provide sufficient off street car parking facilities, either directly or indirectly, to cater for the immediate and anticipated future demands of the Development Control Standards as set out in Chapter 5 of this plan.

3.7 AMENITY AND RECREATION

Strategic Goal

To provide high quality amenity and recreation facilities in Athgarvan is a key objective of this Plan – particularly having regard to the existing amenity value of the River Liffey and the Curragh

Objectives

It is an objective of the Council:

- OAR 1** To protect and survey the trees listed below, to determine whether they merit the protection of a Tree Preservation Order:
- (a) Boundary between Connolly Villas and Old Mill Race
 - (b) Trees along the roadside adjacent to the Old School House
 - (c) Trees in the surrounds of Athgarvan House.
- In the absence of such a survey, any proposed development which potentially could impact on these trees will require a comprehensive report from a qualified tree surgeon for consideration by the Planning Authority.
- OAR 2** To promote the development of the river-side and walking routes and the designated amenity area in conjunction with the relevant statutory and voluntary bodies.
- OAR 3** To develop urban landscaping in the area in order to enhance amenities.
- OAR 4** To ensure a high standard of open space provision in new housing schemes in terms of size, location and landscaping.
- OAR 5** To improve existing open space areas in housing developments that have been taken in-charge by the Council.
- OAR 6** To facilitate the development of new amenity areas in the village and the enhancement of existing amenity areas, particularly along the River Liffey to incorporate seating areas and improved walkways, making it a more attractive place to spend time.

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.

Policy Statement

It is the policy of the Council:

PR 1 To have full regard to the provisions of the Retail Planning Guidelines published by the Department of the Environment, Heritage and Local Government particularly with regard to the acceptability of sites for retail development as indicated by the sequential test.

PR 2 To ensure that retail signage does not detract from the quality of the local environment. Poor signage, projecting lights, internally illuminated signs and projecting signs should not be erected or permitted.

3.9 Re-Use and Regeneration of Derelict Sites and Buildings

Working with landowners, the Council has a core responsibility with regard to the re-use and regeneration of derelict sites and buildings, particularly given the legal mechanisms available to it under the Derelict Sites Act.

Strategic Goal

To promote the appropriate re-use, re-development and re-generation of derelict sites and buildings in Athgarvan.

Objective

It is an objective of the Council:

ODS 1 To encourage acceptable forms of urban renewal through the provision of expert planning advice and the formulation of design and development briefs, where appropriate.

Policy Statement

It is the policy of the Council:

PDS 1 To survey obsolete and renewal areas and to encourage and facilitate the re-use and regeneration of derelict land and buildings in Athgarvan. The Council will use its powers, where appropriate to consider such sites for inclusion in the Register of Derelict Sites.

3.10 Heritage

This section is divided into the following headings:

- (A) General Heritage
- (B) Natural Heritage
- (C) Archaeological Heritage
- (D) Built Heritage
- (E) Architectural Conservation Area (ACA)

(A) General Heritage

The rich built and natural heritage and the surrounding environment of the Athgarvan area are important resources that must be protected and enhanced to add to the local sense of place and belonging and also to increase the attractiveness of the area as a tourism service centre. The protection of these resources is a key consideration in this Plan and all policies and objectives are formulated and will be implemented with a view to improving the overall quality of that environment. In addition to Chapter 17 of the County Development Plan the following goals, policies and objectives will apply in relation to Heritage.

Strategic Goals

- (1) To ensure that this Plan, and other strategies, are successfully implemented to protect and enhance the quality of the local environment.
- (2) To protect and enhance the context of local features of the environment and heritage and to work with other agencies to ensure these are understood and accessible for all.

Objectives

In addition to the Heritage policies and objectives outlined in Chapter 17 of the County Development Plan, it is an objective of the Council:

OHE 1 To implement the land use zoning objectives close to the River Liffey with a view to creating an attractive hub of waterside activity and an increasingly attractive amenity area for use by the general public.

OHE 2 To protect, conserve and enhance the natural, built and archaeological heritage through all plans, programmes and policies.

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.

Integrating Bio-diversity into Council Activities

Strategic Goal

To support the protection, maintenance and enhancement of biodiversity throughout Athgarvan.

Objectives

It is an objective of the Council:

- OBD 1** To integrate bio-diversity into all Council actions and work programmes in order to ensure the protection and enhancement of this important aspect of the local environment.

Policy Statements

It is the policy of the Council:

- PBD 1** To have regard to the County Bio-diversity Plan, when completed.

Tree & Hedgerow Protection

The protection of existing landscape features is critical in the management of change in a local environment such as Athgarvan.

Strategic Goals

To preserve and enhance the amenity and natural beauty of Athgarvan by preserving, in so far as possible, individual trees, woodlands and hedgerows.

Objectives

It is an objective of the Council:

- OTH 1** To promote the protection of trees, in particular native and broadleaf species, which are of conservation and/or amenity value.
- OTH 2** To undertake a survey of individual and groups of trees within Athgarvan during the period of the plan in order to make Tree Preservation Orders (TPO's) to protect trees of high value.

- OTH 3** To encourage the protection of hedgerows, which are a unique habitat for wildlife. They provide a valuable corridor for wildlife and contribute to the visual amenity of the countryside. In particular the Council will expect all new developments to comply with the requirements for the protection of hedgerows and the inclusion of hedgerows within the overall development design.

- OTH 4** To promote the environmentally sensitive management of hedges in accordance with best practice.

- OTH 5** To support the provisions of the Wildlife Act, which seeks to prohibit the cutting of hedges and grass verges within the nesting period (March 1st until September 1st), unless for reasons of public safety.

Policy Statements

It is the policy of the Council:

- PTH 1** To generally prohibit development where there is likely damage or destruction either to trees protected by a Tree Preservation Order or those, which have a particular local amenity or nature conservation value. Development that requires the felling of mature trees of amenity value, conservation value or special interest even though they are not listed in the development plan will be discouraged.
- PTH 2** To submit a detailed tree survey with a planning application when mature trees and/or substantial hedgerow are located on lands that are being considered for development. All trees with a diameter of 75mm and above 1.5m from ground level should be included. Trees shall be surveyed by reference to species, branch canopy, spread, shape, height and condition. Provision should be made in the site layout plan for incorporating specimen trees that are in good condition.

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).

(D) Built Heritage

Vernacular architecture makes a strong contribution to the character of streetscapes and it is an objective of the Council to protect vernacular architecture in Athgarvan for the benefit of future generations.

Similarly, local monuments and features of interest – such as burial grounds, add to the fabric of the area and are an important part of local heritage.

The Council will have regard to the objectives and policies outlined below. Any proposal to demolish or alter these items in any way will require planning permission and the effect of this objective is to remove any such development from exempted development provisions of the Planning and Development Act 2000-2004 and Planning Regulations. The listing of these items for preservation denotes their inherent value to the community. This value is recognised by the Council and to this end, the Council will draw attention to the heritage value they represent. It will be an objective to develop the tourist and recreational potential of the items listed where possible and appropriate.

STRATEGIC GOALS

(1) To preserve and enhance the built heritage of Athgarvan, ensuring that new development improves access to, and understanding of the local heritage.

(2) To protect the architectural heritage of Athgarvan and to encourage sensitive and sustainable development so as to ensure its survival and maintenance for the future.

Objectives

It is an objective of the Council:

- OBH 1** To promote the retention of original or early building fabric including timber sash windows, brickwork, joinery, render and slate. Likewise, the Council will encourage the re-instatement of historically correct traditional features.
- OBH 2** To resist the demolition of vernacular architecture of historical, cultural and aesthetic merit which, though not protected structures, make a positive contribution to the character, appearance and quality of the local streetscape and the sustainable development of Athgarvan.
- OBH 3** To assist owners of protected structures within Athgarvan in the maintenance and repair of such protected structures through advice and grant aid under the Building Conservation Grants scheme operated by the DoEHLG.

Policy Statements

It is the policy of the Council:

- PBH 1** To secure the preservation of those structures of social, historic and architectural interest in Athgarvan that are listed in Appendix 2 of this Plan and to prevent and exclude any development that would destroy or detract from their amenity value.
- PBH 2** To protect and preserve the views and prospects of those items listed in Appendix 2 of this Plan.
- PBH 3** To protect burial grounds within Athgarvan in co-operation with agencies such as the Office of Public Works and the National Monuments Section of the Department of the Environment, Heritage and Local Government (DoEHLG), as appropriate.

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.

(B) Sustainable Building Practices

Strategic Goal

To ensure that sustainable environmentally friendly building practices are implemented.

Objectives

It is an objective of the Council:

- OSB 1** To ensure that the area is developed to environmental sustainability standards. These requirements are multi-faceted and extend from design principles, construction techniques, use and operation of buildings and open spaces, to transportation to and from the area.
- OSB 2** To encourage more sustainable development through energy end use efficiency, increasing the use of renewable energy and improved energy performance of all new building developments throughout Athgarvan, in accordance with EU Directive 2002/91/EC on Energy Performance of Buildings (EPBD).
- OSB 3** To encourage responsible environmental management in construction.
- OSB 4** To promote sustainable approaches to housing developments by spatial planning, layout, design and detailed specification.
- OSB 5** To ensure high standards of energy efficiency in all housing developments and to encourage developers, owners and tenants to improve the environmental performance of the building stock, including the deployment of renewable energy.

Policy Statement

It is the policy of the Council:

- PSB 1** To require new developments to demonstrate how they will implement a "green agenda" in building design, construction and operation. In terms of environmental performance encompassing building design, energy efficiency, waste/waste water management, construction and demolition waste, mobility management and CO2 reduction, all new developments will be required to demonstrate how they intend to integrate best practice in the form of a written submission accompanying planning applications. For example it would be expected that all new development will be designed and constructed in line with the relevant Articles of EU Directive 2002/91/EC on the Energy Performance of Buildings (EPBD).
- PSB 2** To require all new residential buildings to achieve a BER of B1 as set out by the Dwelling Energy Assessment Procedure, Sustainable Energy Ireland.
- PSB 3** To encourage more environmentally sustainable development through the introduction of a performance based CO2 emissions target for all new building developments or greater than 1,000m² floor area for non residential and mixed developments.
- PSB 4** To require that all new development shall achieve a collective average reduction of at least 40% in energy consumption for heating, cooling, and lighting within the development, relative to the baseline of existing regulatory and design practice and using the methodology outlined below. The specific approach is to set a target, accompanied by a menu of design and technology options, including renewable energy technologies, as a means of offering flexibility towards meeting that target in the most

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.

OEE 3 To promote energy conservation initiatives and measures including the incorporation of sustainable energy principles into building design and construction techniques. The Council will endeavour to provide information on cost-effective measures and renewable energy technologies in accordance with best practice publications, including the use of passive solar design principles, solar panels and geothermal heat pumps.

OEE 4 To support increased energy supply, energy efficiency and the development of renewable energy services at optimum locations.

OEE 5 To ensure that the location of renewable energy structures minimise and/or mitigate any adverse visual impacts on the built or natural environment.

OEE 6 To improve the energy efficiency of the existing building stock and to promote energy conservation in all aspects of design and development of all new buildings in the village.

Policy Statement
In addition to the policies outlined in Chapter 8 of the County Development Plan, it is Policy of the Council:

PES 1 To liaise with the ESB to investigate and encourage where possible the ducting and underground routing of overhead powerlines in Athgarvan, in tandem with other work programmes – such as road resurfacing and footpath construction works.

(D) Littering

The Council recognises the importance of protecting the roadside and street from indiscriminate dumping and bill-posting and keep in general free from litter. The Council will continue to carry out its statutory function in relation to the Litter Pollution Act, 1997.

Strategic Goal
To improve the quality of the Athgarvan area by reducing the incidence of fly-tipping and illegal dumping through the Council's statutory functions and powers available under the Litter Pollution Act, 1997.

Policy Statement
It is the policy of the Council:

PL 1 To reduce the incidence of illegal dumping in the area through the application of powers available to the Council under the Litter Pollution Act, 1997.

3.12 The Curragh and The River Liffey

The Curragh is protected under European legislation by way of its designation as a Special Area of Conservation. The River Liffey is a designated Salmonoid River by the Fisheries Board.

Strategic Goal
To ensure that the integrity and amenity value of the Curragh and the River Liffey are not disrupted or affected by development and wherever possible efforts shall be made to improve the landscape quality of these landscape features.

Objectives – The Curragh
It is an objective of the Council through the implementation of this Plan and other strategies:

OCL 1 To promote, protect and conserve the unique landscape and history of the designated Natural Heritage Area of The Curragh.

OCL 2 To protect and improve existing rights-of-way and to create further rights-of-way where necessary or appropriate.

OCL 3 To ensure that illegal dumping is strictly controlled on The Curragh.

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

PCL 1 To ensure that any development proposal within the vicinity of or having an effect on The Curragh, will provide sufficient detail illustrating how it will

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



4.1 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.



Table 4.1 Specific Land Use Zoning Objectives

Ref.	Use	Specific Zoning Objective
A	Village Centre	To protect and enhance the viability, function and character of the existing village core and to accommodate an appropriate mix of uses. Sites zoned for Village Centre are suited to the accommodation of mixed uses. The density on these sites zoned Village Centre should strive to be between 35- 40 units per hectare. Ground floor uses should interact with and enhance the streetscape and village centre area. Residential and office uses can be accommodated on floors above this. Subject to the criteria outlined in Chapter 5, the height, building line, orientation and design of buildings in this area should significantly enhance the 'sense of place' and community in this central location. All planning applications submitted in the Village Centre shall also have regard to all aspects of the development brief for site 'A' as outlined in Section 4.2 below.
B	Existing Residential/Infill	To protect and enhance existing residential amenities and to accommodate the provision of appropriate infill residential development or complimentary ancillary land uses, in-line with site development standards. Sites zoned Existing Residential Infill shall have regard to amenities of the existing, adjoining residential dwellings.
C	New Residential	To accommodate new, predominantly residential developments with some mixed use at appropriate locations subject to a high standard of design and the availability of supporting services. The appropriate density on lands zoned for New Residential in Athgarvan is up to 25 units per hectare. This is a low - medium density suitable for the area having regard to the existing developments in the village.
C1	New Residential	c. 12 acres suited to low density residential development (a maximum of 48 dwellings on the entire site) subject to appropriate design, layout and boundary treatment. Any proposed development will incorporate the roads objective shown on the zoning map to gain access to the amenity and recreation lands to the rear of this site. Road access shall be secured through this site to the lands zoned F: Open Space/Amenity/Recreation prior to the commencement of any development. Any proposed development shall have due regard to the RMP Site of the Castle located within this site.
C(2)	New Residential	c.2.9Ha site located close to the existing village services and existing residential development This site is suited to low - medium density (as outlined in Chapter 5 of this plan) residential development is subject to appropriate design and layout and boundary treatment. Any development at this location should have regard to and be particularly sensitive to the sloping elevated topography of the site, retaining where possible existing boundary treatment and screening and the proposed protected structures AN23-5 and AN23-6 (Roselawn Farm) associated with these lands.

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.

The indicative areas zoned for each purpose are set out in Table 4.2 below.

Ref.	Use	Specific Zoning Objective
M	The Liffey Parkland	To provide for rural local amenities and provide for a greenbelt amenity area within the village, while retaining the character of the Liffey Riverbank. The Liffey Parkland will extend to 80m from the River bank. This buffer will extend to the length of the River Liffey which is located within the Athgarvan Local Area Plan boundary. This area will remain free from development. However the use of and development of the area for passive recreation purposes, including playing pitches and a playground will be acceptable, where deemed appropriate, subject to sufficient security measures to ensure the safety of users. Associated buildings will not be permitted on the area zoned. It is an objective of the Council to ensure the protection and enhancement of the Mill through its appropriate redevelopment incorporating a suitable landuse. Existing developments with an established use located within the proposed Liffey Parkland will continue to function and due cognisance will be had to the established use when assessing any planning application.
U	Utilities/Services	To provide for continued utilities/services use.

Table 4.2

Ref.	Specific Zoning Objective	Approx. Area (Ha)
A	Village Centre	c. 2.18 Ha
B	Existing Residential / Infill	c. 32.18 Ha
C	New Residential	c. 14.46 Ha
E	Community & Educational	c. 3.6 Ha
F	Open Space & Amenity	c. 18.61 Ha
I	Agricultural	c. 19.1 Ha
M	The Liffey Parkland	c. 27.3 Ha
U	Utilities/Services	c. 0.1 Ha

4.2 Development Brief for Site 'A' – Village Centre

Context:

The village centre area in Athgarvan encompasses the only main area of commercial activity in the village. The village centre stretches from South West of the Athgarvan Crossroads and North East of the junction, with a small parcel of land also located South East of the junction. This area comprises 2.18 hectares in total.

Design Guidelines:

- Appropriate development of these lands will provide an opportunity to consolidate and strengthen the designated village centre. Any development at this location should encourage a compact urban form with strong and defined building edges and building form.
- Additional facilities in the town will consist of a mixture of smaller scale commercial and residential infill development, compatible with the existing character of the village. The Council will encourage and facilitate a vibrant mix of uses, including retail, commercial, community and residential uses to cater for the residents of Athgarvan. Appropriate uses would be considered to be: convenience store, medical centre, pharmacy, community centre, offices suites and other local enterprises. Mixed-use developments shall provide a mixture of commercial units on the ground floor with living accommodation above.
- Uniformity and continuity of building form will be encouraged to provide a coherent and attractive streetscape. Varied ridge heights will be encouraged.
- Design of any new development proposals shall be of the highest quality and will be considered on its merits with regard to the character of the area. All proposals shall comply with the development brief and should strive towards establishing a 'sense of place' and providing a high quality development.

- All buildings should front onto the main roadways to create an attractive and continuous streetscape, while the layout of any residential units should be orientated and designed to make the best use of natural sunlight. Parking and loading bays should be provided to the rear of developments or underground, with internal pedestrianised areas provided where feasible to provide depth and movement through the village centre.

All proposals will be assessed under the following criteria:

Density:

A maximum density of 20-30 units per hectare is recommended. Densities will ultimately be governed by location, appropriateness, site characteristics, development control standards and design considerations.

Height:

Building height in this area should be predominately two storeys.

Plot Ratio:

A maximum plot ratio of 0.8 is considered most appropriate at this location.

Building Line:

A strong and definite building line should define the existing road lines, any access roads and open space.

Roads and Traffic:

The village centre will be developed around the signalised traffic junction to provide for safer pedestrian and traffic movements. Paving material or coloured asphalt should be continued across the main junction at the level of the road, thereby acting as a traffic calming measure and serving to define the village centre area.

Massing/Scale:

Building volume and massing should be similar in proportions, plan and elevation, to the existing buildings in Athgarvan. Buildings should be used to create a more people friendly environment, giving enclosure to the junction and overlooking open space, while creating a defined 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

Table 4.3 Land Use Zoning Matrix

Land use	A	B	C	E	F	I	M
Abattoir	N	N	N	N	N	O	N
Advertisements and Advertising Structures	Y	N	N	N	N	N	N
Agricultural Buildings	N	N	N	N	N	Y	N
Bed and Breakfast Guesthouse /Hostel	Y	Y	Y	N	N	O*	N
Betting Office	Y	N	N	N	N	N	N
Boarding Kennels	N	N	N	N	N	Y	N
Car Park	Y	N	N	N	N	N	N
Cemetery	N	N	N	Y	N	Y	N
Church	O	N	N	Y	N	N	N
Crèche / Nursery School	O	O	O	Y	N	N	N
Cultural Use	Y	O	O	Y	Y	O	O
Dance Hall / Discotheque	Y	N	N	N	N	N	N
Doctor / Dentist	Y	Y	Y	N	N	N	N
Education	Y	O	Y	Y	N	N	N
Enterprise Centre	Y	O	O	Y	N	O	N
Funeral Home	Y	O	O	N	N	N	N
Garden Centre	Y	N	N	N	N	O	N
Halting Sites / Group Housing	N	O	O	Y	N	O	N
Health Centre	Y	O	O	N	N	N	N
Home Based Economic Activities	Y	Y	Y	N	N	O	N
Hospital	N	O	O	O	N	N	N
Hotel	Y	O	Y	N	N	N	N
Industry – Light / Non polluting	O	O	O	N	N	N	N
Motor Sales Outlet	O	N	N	N	N	N	N
Office (District)	Y	N	N	N	N	N	N
Office (Residential)	Y	Y	Y	N	N	N	N
Office (Other)	Y	O	O	N	N	N	N
Open Space	Y	Y	Y	Y	Y	Y	Y
Petrol Station	Y	O	O	N	N	N	N
Public House	Y	O	O	N	N	N	N
Public Services	Y	Y	Y	Y	Y	Y	N
Recreational Facility / Sports Club	Y	Y	Y	Y	Y	Y	O
Residential	Y	Y	Y	N	N	O	N
Residential Institution	Y	Y	Y	N	N	N	N
Restaurant	Y	Y	Y	N	N	N	N
Retail Warehouse	N	N	N	N	N	N	N
Retirement Home	O	Y	Y	O	N	N	N
Rural Industry	Y	Y	Y	N	N	O	N
Scrap Yard	N	N	N	N	N	N	N
Service Garage	Y	O	O	N	N	N	N
Shop (Neighbourhood)	Y	Y	Y	N	N	N	N
Veterinary Surgeon	O	Y	Y	N	N	O	N
Warehousing	N	N	N	N	N	N	N
Workshops	O	O	O	N	N	O	N

5.0 Development Control Standards

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.

Development Control will be exercised by the Council in a positive manner, having regard to the provisions of the Planning and Development Acts 2000-2006 and to the proper planning and sustainable development of the area, its amenities and the Council's policy objectives for Athgarvan. The requirements and standards set out herein should be seen in this light, as a form of guidance for developers.

This section deals with design and development. This section of the Plan will set out specific control measures for future development. These control measures will ensure that new development is of a quality, character, scale layout and form, appropriate to the area in question.

5.1 Development Control Standards – Design and Layout

Site Coverage

Site coverage standards are intended to avoid the adverse effects of over-development.

$$\text{Site Coverage} = \frac{\text{Total area of ground covered by buildings}}{\text{Total ground area within the site curtilage}}$$

The maximum site coverage shall vary throughout the plan area depending on site context and location. Cognisance should be had of the fact that Athgarvan is a rural village. Typical coverage within the village centre zoning of 70% will be acceptable. A particular site coverage standard shall be acceptable only where it is consistent with other standards such as open space requirements, car parking, plot ratio, building lines and building heights, fire safety and building regulations together with the amenity of adjoining dwellings.

Plot Ratio

The purpose of plot ratio standards is to prevent the adverse effects of over-development on the layout and amenity of buildings on the one hand and to ensure an adequate sense of enclosure and the efficient and suitable use of serviced land on the other hand.

$$\text{Plot Ratio} = \frac{\text{Gross building floor area}}{\text{Gross site area}}$$

The gross floor area is the sum of all floor space within the external walls of the buildings, excluding plant, tank rooms and car parking areas. The gross site area is all land within the curtilage of the site.

A maximum plot ratio of 1.0 may be acceptable in the village centre zoning. Lower ratios in the order of 0.5 to 0.75 are recommended in other zoned locations. In considering applications for redevelopment of existing sites, due regard will be had to the established plot ratio.

Building Height

The appropriateness of building heights will be considered having regard to the issues of overlooking, overshadowing and the overall quality of design demonstrated. The undulating topography of the area should also be taken into account when assessing planning applications.

(1) The height of new or altered developments does not have to be held to that of immediate adjoining properties, but should minimise potential localised disamenity. In general, heights should respect the local villagescape. New developments or alterations will not be allowed to prejudice the setting or views of the Record of Protected Structures, Sites and Monuments, landmark buildings, Architectural Conservation Areas etc.

(2) Exceptions may include structures that reinforce the urban form or are designed as landmark structures in relation to their particular setting.

(3) Kildare County Council will encourage the greater utilisation of sites close to the town centre. In line with this, the Council will examine the design of new buildings in terms of height and scale on a case by case basis.

(4) Additional control measures to minimise overlooking and overshadowing caused by any potential increases in height are as follows:

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.

Car Parking

Car parking must be provided in safe, observed and overlooked locations throughout developments. Furthermore the level of car parking provided must reflect the level of public transport available in the area.

In all developments the Council will normally require the provision of car parking spaces within or convenient to the site of the development. The provision should be on the extent to which the development is likely to generate demand for additional parking spaces. Parking areas should be designed as integral parts of a scheme thereby ensuring integration with the surrounding environment.

The parking standards set out in Table 5.2 below shall apply. The following should also be taken into consideration:

- The Council reserves the right to alter the requirements outlined below, having regard to the circumstances of each particular development.
- The minimum size for car parking spaces shall be 2.4m x 4.8m with a circulation aisle of 6m in width. Loading bays shall be a minimum of 3 x 6m.
- The Council may require the submission of a Mobility Management Plan with planning applications where developments include substantial parking requirements, complimentary or shared usage of car parks.

will be encouraged, especially where opening hours are at variance. In addition to car parking standards, sufficient space will be required within the curtilage of the site for all service vehicles involved in the operation of the business or building.

- Where the provisions of car parking is required by this plan, such provision will normally be met by providing the required spaces within the curtilage of the development. Where, in the opinion of the Council it would be impractical for individual developers to provide for on-site parking, a contribution will be required in accordance with the Development Contribution Scheme.

Key considerations in design and layout are:

- Clear separation between parking, circulation, cyclist and pedestrian areas;
- Avoidance of obstruction of streets and roads at the entrance / exit point;
- Overlooking and passive observation of the area;
- Appropriate finishes and landscaping are provided to soften and reduce any visual impact;
- Where central parking areas – such as courtyards, are provided to the rear of buildings, the front and rear facades of the building should be given equal prominence in terms of design and architectural treatment.

Table 5.2 Car Parking Standards

Type of Development	Standard
Dwellings/Apartments	
1-3 bedroom units	1.5 spaces per dwelling unit
4 + bedroom units	2 spaces per dwelling unit
Office	1 space per 25 sqm. gross floorspace
Industry	1 space per 33 sqm. gross floorspace
Warehousing (non-retail)	1 space per 100 sqm. gross floorspace
Theatre, cinema, church, stadium	1 space per 3 seats
Hotels & Guesthouses (excluding restaurants, bars, conference centre, function rooms)	1 space per bedroom
Lounge / Bar	1 space per 4.5 sq.m. of public floorspace
Playing Fields	15 spaces per pitch
Restaurants	1 space per 4.5 sq.m. of public floorspace
Primary School	1.2 spaces per classroom
Shops (<250 sqm gross)	1 space per 24 sqm. of gross floorspace
Takeaways	1 car space per 18sq.m gross floorspace
Function room, dance halls, clubs	1 car space per 3 sq.m
Childcare facilities	1 space per staff member + 1 space per 4 children.
Cafés	1 space per 5 sq.m. of dining area
Clinics and Group Medical Practices	2 spaces per consulting room

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.

The Council will ensure that all footpaths and public areas are accessible and safe for people with disabilities and/or reduced mobility by way of footpaths and the appropriate location of crossings etc.

The Council will ensure in so far as is possible, that all transport facilities and mobile services that operate in the area are accessible for people with disabilities and/or reduced mobility.

5.2 RESIDENTIAL DEVELOPMENT

Proposals for large residential developments and applications for mixed use developments incorporating residential elements, should be prepared and submitted to the Council in the form of site masterplans, having regard to the policies, objectives and criteria set out in this Plan and other County policy statements.

In addition to these policies set out in the County Development Plan, residential development should:

- Contain a variety of house styles, having regard to the desire to create harmonious architectural character areas within larger housing developments and to meet the requirements of a range of home owners and occupiers including first time buyers, single people, couples, young families, and the elderly,
- Have regard to the provisions for social and affordable housing under Part V of the Planning and Development Act, 2000 and the Kildare County Housing Strategy,
- Make a positive contribution to the physical fabric of the area, interfacing positively with adjoining streets, access routes, open spaces and adjoining buildings;
- Ensure that the design, height, bulk, scale and density of developments reflect the characteristics of the surrounding area. In particular, buildings should not be significantly higher than surrounding buildings thereby impacting on existing residential amenities of nearby buildings.
- Have regard to existing native hedgerows and trees, which should be retained where possible.

Quality Housing Environments

Good design is at the core of creating a good quality residential environment. The design of new housing developments should pay particular attention to the characteristics of the local setting. It is imperative that a high standard of design and quality of environment are created, which in turn will contribute to a sense of place and an identity. All applications for new developments will be assessed having regard to government policies, in particular Residential Density Guidelines for Planning Authorities (1999), and standards set out in this chapter.

Proposals for large residential schemes 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 space within the scheme should also be included. The above paragraph which refers to large residential schemes is appropriate for both apartment and housing development. To encourage sustainable residential communities, consideration must be given to the following elements:

- **Density:** High densities should be provided in appropriate locations. Site configuration and area will have an impact on the density levels achievable.
- **Quality of proposed layout & elevations:** The quality of the residential environment will be paramount in the acceptability of planning applications. Layouts, elevations and design must emphasise a sense of place and community.
- **Design Innovation:** Innovation in layout is of key importance. New types of layout, for example the creation of courtyards, will be encouraged.
- **Permeability:** is a key factor and all new housing developments should show links for pedestrians and cyclists with other housing and community facilities in the area. In the interests of security, it is necessary that all pedestrian and cycle links be designed in such a way so as to be overlooked.
- **Landscaping:** A high standard of landscaping is an essential part of high quality new developments. Plans for landscaping, including hard and soft landscaping should be submitted at planning application stage.

- **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:

- present a live edge to the street by locating doors and windows onto the street frontage;
- in the case of residential accommodation over shops or other business premises, a separate access should be provided for the upper floor accommodation;
- where ground floor commercial use consists of restaurants/take-aways, public houses, dry cleaners or printing shops, with apartments above, then proper sound-proofing, ventilation and storage must be built into the design of the building;
- provide car parking generally at basement level;
- provide concealed refuse bin storage areas and bicycle storage areas which are accessible to each of the apartments;
- allow accessibility to post boxes to all;
- provide suitable play spaces for children;
- the Council will require the installation of lifts in apartment blocks over two storeys in accordance with Part M of the Building Regulations.

Management Companies

Management Companies are not required and are not envisaged for conventional housing developments other than apartment developments. Apartment developments are not taken in charge by the local authority and therefore a management company is required. The policy in relation to this development control matter will be reviewed to assess any issues or difficulties arising.

Residential Density

To achieve higher densities, greater emphasis must be placed on qualitative as well as quantitative standards in relation to the layout of our residential developments, open spaces, roads and car parking. The Council will seek to promote appropriate levels of higher residential densities at appropriate locations such as sites close to transport nodes, in town centres and brown field sites adjacent to town centres.

Whilst higher development densities will be promoted by the Council, it is recognised that overdevelopment of sites can have an adverse effect on the amenity of adjoining properties and areas, can give rise to significant levels of traffic and have implications for the provision of private open space.

The Council recognises that a high quality of design and layout and a good quality living environment, including the availability of shopping, transport, community, recreational and leisure infrastructure are essential if increased residential densities are to be acceptable. Higher density will not be encouraged in rural villages where the car is the dominant form of transport and where employment, community and education facilities within the villages are very restricted.

Having regard to specific site characteristics and DoEHLG guidelines, the indicative standards outlined below may be altered within the context of individual Local Area Plans and Action Area Plans. Low density residential development (15-20 dwellings per hectare/ 6-8 dwellings per acre) is appropriate at Urban – Rural transition areas at the edge of towns. Low-medium residential density (20–35 dwellings per hectare/ 8–14 per acre) and Medium–High residential density (35-50 dwellings per hectare/ 14-20 dwellings per acre) is generally appropriate to new zoning within towns except where it is an urban – rural transitional area or a strategic location. Higher density residential development (>50 dwellings per hectare/ >20 dwellings per acre) is appropriate at strategic locations including transport nodes, town centres and other sites detailed in Local Area Plans and Action Area Plans.

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:

Table 5.6 Private open space requirements for individual houses

Development Particulars	Distance/Area Required
One/two bedroom house	48m2
Three bedroom house	60m2
Four bedroom house	75 m2

The following criteria should be taken into consideration in relation to public open space:

- High quality boundary treatments are generally required to enclose private open space. A 1.8m – 2m high wall of solid block and capped and plastered on both sides is generally acceptable although this should be in keeping with the overall design of the estate. Post and wire or timber fencing is not permitted.
- Two metre high screen walls should be provided between all areas of public open space and gardens to the rear of dwellings. Where concrete screen walls along the edge of public areas are proposed, they should be suitably rendered and capped in a manner acceptable to the council.
- Private open space should be designed so that it is usable for the proposed residents. Long narrow rear gardens or awkward shapes are therefore not acceptable.
- Generally windows in the gable/side walls of dwellings will not be permitted where the window would closely overlook the curtilage of the adjoining dwelling.

Private Open Space for Apartments/Duplexes

Private open space in apartment and duplex type schemes can be provided in the form of landscaped areas, courtyards, terraces/ patios and balconies. All developments would be expected to have some form of private open space in the form of balconies directly accessible from the apartment. However when the level of open space cannot be provided in a balcony alone, then semi-private open space, as described above, would be acceptable.

In relation to apartment schemes the absolute minimum standards should range from:

Table 5.7 Private open space requirements for Apartments/Duplexes

Village Centre Zonings	Private Open Space Required
One bedroom	10 m2
Two bedrooms	15 m2
Three bedrooms	20 m2

Rest of Athgarvan LAP	Private Open Space Required
One bedroom	20 m2
Two bedrooms	30 m2
Three bedrooms	40 m2

Public Open Space for Residential Development

The availability of appropriate amounts of high-quality open space within residential developments is a key requirement of new and existing residential communities. Such areas provide active recreational areas as well as contributing to the local environment by accommodating biodiversity and wildlife features.

Public open space must be carefully designed as an integral part of the layout and should be addressed at the initial design stages.

The following should be taken into consideration in relation to public open space:

- Areas with high gradients or other attributes impractical to function effectively will not be acceptable as open space.
- Narrow tracts of land (less than 10m) or pieces of land 'left over after planning' are not acceptable.
- Passive Supervision i.e. Public Open Space should be overlooked by as many dwellings as possible.
- The retention of natural features is of key importance.
- On large sites, areas should be identified for a various hierarchy of uses e.g. – more casual places for smaller children to play, informal kick areas and passive amenity areas etc.
- Appropriate pedestrian and cycle linkages between open spaces should be clearly indicated on the site layout plan.

- 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

vicinity are not compromised, the council will facilitate such development. The landowners will be responsible for the cost of providing the access road. Generally such development will only be permitted in serviced areas.

LANDSCAPING

Soft Landscaping

Kildare County Council will ensure that a firm emphasis is placed on qualitative standards to achieve the highest quality of landscaping in the planned environment. Planting and landscaping can be used to incorporate new buildings into their surroundings and provide privacy between dwellings. New planting should consist of local plant types indigenous to the area and be incorporated into the site so as to enhance the overall appearance (Refer to Table 15.8 of the County Development Plan). When selecting plant species for landscaping, consideration should be taken of the proposed location of the site and its attendant character such as soil conditions, pollution, safety, maintenance requirements, the possibility of vandalism of the site and aesthetic potential.

Kildare County Council will prepare landscaping guidelines for new developments.

Hard Landscaping

Hard landscaping design, including paving and street furniture, is an important element in defining the character of the spaces between buildings and public open spaces. Hard landscaping works can help to:

- provide a visual link to the surroundings;
 - define and enclose spaces and delineate public from private space;
 - provide security to private areas;
 - distinguish between pedestrian, cycle and vehicle movement;
 - provide suitable play space for children.
- Materials must be appropriate, durable and of a good quality. Careful consideration must be given to the design of hard surfaces such as streets, squares, open spaces, paved areas, footpaths and driveways.

- The textures and colours of the materials chosen must be sympathetic to the locality and be an integral part of the design.
- Walls, fences, metal railings and gates used to define spaces and their usage have a major impact on the visual character of the development. These should be carefully selected with local distinctiveness in mind and will need to be an integral part of the overall design concept.
- The siting of street furniture should not provide undue obstacles for people with disabilities.
- The integration of art into the public domain can contribute positively to the urban form creating local distinctiveness and enhancing a public space. Major development schemes will be expected to contribute to public art in the locality.
- Following underground works, it is an objective of Kildare County Council to ensure the reinstatement of materials or the replacement with materials of similar style and quality.

Naming of New Developments

It is the policy of the Council that the names of residential developments shall reflect local heritage by encouraging the use of local place names or geographical, historical, cultural names in the naming of new residential and other developments. The Council shall approve the naming of residential developments, in order to avoid confusion in regard to similar names in other locations. No development work shall be allowed on development sites, nor advertising of housing schemes, until the name has been agreed with the Council. Nameplates of the Council standard type shall be provided and erected on all housing estate roads. Similarly, in order to assist the general public and the postal authorities, all houses shall be provided with numbers that shall be visible from the adjoining roadway. Such an approach will be a requirement of planning permission for new developments.

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;

Childcare: means full day-care and sessional facilities and services for pre-school and school going children out of school hours. It includes services involving education and socialisation opportunities for children such as pre-schools, naíonraí (Irish language playgroups), day-care services, crèches, playgroups and after school groups.

Sessional: The provision of a service, which offers a planned programme to pre-school children of up to 3.5 hours per session by trained personnel. Sessional services include playgroups and Montessori groups and similar services.

Full day-care: The provision of a structured day-care service for children for more than 3.5 hours per day, supervised by competent, trained personnel. Full day-care includes crèches and nurseries.

After school care: is extended day care for school going children normally from Mondays to Fridays.

5.3 Industrial Development

In relation to Industrial Development the following should be taken into consideration:

- Adequate provision shall be made on the site for the parking of vehicles, storage and stacking space. Storage and stacking areas shall be located to the rear of the building or where such facilities are located at the side, provision for screening shall be made.
- The building line from adjoining land-uses will be determined at planning application stage having regard to the nature of uses and site specific matters.
- The front building line shall be as determined in consultation with the Planning Authority and, where required, the existing roadside boundary shall be set back.
- Any industrial or commercial development shall not be injurious to the residential amenity of adjoining properties.
- A landscaped buffer zone (minimum 5-10 metres) will be a requirement of planning permission for any Industrial/Warehousing development where it adjoins another zoning or where it would seriously injure the amenities of adjoining land uses.

5.4 Retail Development

Applications for all retail development will be assessed in accordance with the criteria specified in the Retail Planning Guidelines for Planning Authorities published by the Department of the Environment, Heritage and Local Government in December 2000 or as subsequently amended, the County Retail Strategy and Chapter 7 Volume 1 of the County Development Plan 2005 - 2011. The Planning Authority will consider hours of operation in assessing planning applications for retail development and may attach conditions restricting same.

Shopping Centres

Applications for shopping centre developments will be considered in the light of the recommendations of the Retail Planning Guidelines 1999 or as subsequently amended.

The design of the shopping centre must ensure that the development is fully integrated into the area in which it proposes to locate. Standard logos and designs may not be acceptable.

Generally, shopping centres should be located in areas zoned Town Centre or Town Centre Expansion and should incorporate other uses so as to maintain activity outside normal shopping hours.

Shopping centres must include public toilets and baby changing facilities and should, where possible include other utilities such as crèches, sub-post offices etc.

The design of the centre should ensure that the site is not dominated by car parking and that public transport is easily accessible directly from the main entrance. A sea of car parking to the front of developments is generally not acceptable. Landscaping plans must accompany all applications. Shopping centres should provide recycling facilities and secure bicycle parking.

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.

Applications for planning permission for such development should contain the following elements:

- Detailed plans at a scale of 1:50 to be submitted with all applications. Such plans shall include details regarding the design, colour and detailing with regard to signage, advertising and lighting. The use of garish colour should be avoided.
- Standard logos and advertising may not be permitted. All signage must be compatible with the existing streetscape. Timber, stone, glass and steel are preferred materials.
- The use of external roller shutters and projecting brand signs are unacceptable.
- Contemporary shopfronts will be encouraged provided that they are designed to traditional principles of scale, proportion and detailing.
- The appearance and proportions of the original shopfront shall be retained. Changes in internal ceiling heights, where required, should not interfere with the proportions and depths of fascias.
- The twin elements of a fascia board (to carry names and advertising) and pilasters (to frame and delineate the shopfront boundary) shall be provided in all cases.
- The design must be approached in an integrated way (relating to the whole facade), including advertising, lighting and other features.
- Colour schemes should co-ordinate with adjoining buildings and shopfronts and should be chosen to enhance the proportions and detailing of the whole building.
- Vertical emphasis and proportions should be kept and plot divisions should be expressed externally (even if the shop crosses them internally).
- The removal of service wires associated with existing facades will be actively promoted.

The Council will actively discourage, through its advice and guidelines and through the imposition of conditions in planning permissions, or refusal of permission in certain cases, the following:

- the removal of features or alterations to existing shopfronts where they are considered by the Council to be of historical or architectural interest, or of townscape value;
- the enlargement or remodelling to a horizontal emphasis of existing windows above ground floor level;
- the construction of fascias linking two or more buildings/plots which have different architectural identities;
- the use of standardised brand names or corporate designs as part of shopfront fascia advertising;
- the use of roller shutters and their boxes on the exterior of shop-fronts;
- the use of large areas of undivided glass or the provision of new display windows with a horizontal emphasis;
- the permanent removal of the shopfront and the creation of an opening through which direct trading onto the pavement is carried out.

Advertising

In respect of shops and other business premises, advertising should be designed as an integral part of the shopfront and in most cases will be required to be located within the fascia. Signs will not be allowed to dominate the facade or interfere with windows or other features or detailing on the building.

The Council will encourage the following types of advertising:

- the use of traditional painted sign-writing on fascia boards, using appropriate colour schemes;
- the use of solid block individual lettering affixed directly to fascia boards or facades;
- the use of spotlighting or floodlighting of fasciaboards, shopfronts or entire facades (provided that the light fixtures are of modest form and size and that such lighting will not cause a traffic hazard);
- the painting of stallrisers and other features to enhance the design of the shopfront, using appropriate colour schemes;
- the provision of traditional timber or wrought iron hanging signs, with painted or enameled finishes. Such signs shall be of a limited size and projection and shall be limited to a maximum of one sign for each building facade.

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.

A Site Suitability Report, including a detailed site layout plan (scale 1: 500), prepared by the manufacturers/ suppliers of a wastewater treatment system shall also be submitted.

Water Supply

Where no water supply is available, a potable water supply must be provided in accordance with Council requirements.

Noise

The Council will seek to ensure that new development does not cause an unacceptable increase in the noise and pollution levels affecting surrounding properties. In considering planning applications for residential development in areas adjoining major roads, the Council will have regard to any Noise Maps and Noise Action Plans relating to the site location in accordance with the EU Directive on Assessment and Management of Environmental Noise.

Light Pollution

There has been an increased tendency to illuminate buildings to an excessive degree incorporating lighting that gives rise to glare on public roads. It shall, therefore, be a policy of the Council to minimise light pollution. Details of any external lighting scheme intended as part of any new development shall be submitted as part of the planning application. Applicants will be required to demonstrate that the lighting scheme proposed is the minimum needed for security and working purposes.

5.6 Heritage

Development in Areas of Archaeological Potential

When considering development proposals within Areas of Archaeological Potential and on, or in close proximity to, sites of known archaeological significance, the Council will have regard to the provisions of Section 12 of the National Monuments (Amendment) Act, 1994, or as may be amended from time to time. The Council will also have regard to the observations and recommendations of the Office of Public Works and the Heritage and Planning Division of the Department of the Environment, Heritage and Local Government. When considering such proposals, regard will be had to the nature of sub-surface works that could impact on archaeological remains (e.g. foundation type and design, layout and location of services, road works, landscaping schemes etc.)

The Council may require the developer to submit a report prepared by a suitably qualified archaeologist on the archaeological implications of the proposed development. In appropriate circumstances, the Council when granting permission for development may impose conditions requiring:

- Professional archaeological supervision of site excavations.
- The funding by the applicant of archaeological assessment, monitoring, testing or excavation of the site and the submission of a report thereon, prior to the commencement of development
- The preservation of all or part of any archaeological remains on the site.

Development in Architectural Conservation Areas

In Architectural Conservation Areas the Council will have regard to the following:

- The effect of the proposed development on buildings and the surrounding environment, both natural and man-made.
- The impact of development on the immediate streetscape in terms of compatibility of design, scale, height, plot, width, roof treatment, materials, landscaping, mix and intensity of use proposed.
- New alterations and extensions should complement existing buildings/structures in terms of design, external finishes, colour, texture, windows/doors/roof/chimney/design and other details.
- In dealing with advertisements in Architectural Conservation Areas, the over-riding consideration will be the enhancement and protection of the essential visual qualities of the area.

Development in relation to Protected Structures

In assessing proposals for development affecting Protected Structures, it is the intention of the Council to require planning permission for:

- Works, both to the exterior and interior, which materially affect the character of a protected structure or any element of the structure which contributes to its special interest. What might be regarded normally as minor alterations to buildings may not necessarily be regarded as such in the case of protected structures.

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.

The replacement of hedgerows/trees shall have due regard to the ecological function of hedgerows as a wildlife corridor and shall not work in isolation to the remaining hedgerow network.

Where trees or hedgerows are to be preserved on a development site, it is essential that the trees be protected by the erection of secure fencing prior to any site or engineering work commencing, that no material be stored within the fenced area and that no vehicles have access to the fenced area. The local authority may require the submission of a site management plan to ensure the protection of retained trees and hedgerows within the site. To ensure that trees and hedgerows are protected on a site and that the agreed landscaping as per a condition of planning permission is carried out, a bond lodgment may be required, the amount of which shall be determined by the Council.

Development will be discouraged and generally not permitted where there is a likelihood of damage or destruction, either to trees protected by a Tree Preservation Order or those which have a particular local amenity value, nature conservation value, or special/historical interest, even though they may not be listed in the development plan.

5.7 Agricultural Developments

Agricultural developments have the potential for immense impact on the environment and landscape. The traditional form of agricultural buildings is disappearing with the onset of advanced construction methods and a wider range of materials. Some new farm buildings have the appearance of industrial buildings and due to their scale and massing can have serious visual impacts.

Design of Agricultural Buildings

In the construction and layout of agricultural buildings, the Council will require that buildings be sited as unobtrusively as possible and that the finishes and colours used blend the development into its surroundings. The Council accepts the need for agricultural buildings and associated works (walls, fences, gates, entrances, yards etc.) to be functional, but they will be required to be sympathetic to their surroundings in scale, materials and finishes. Buildings should relate to the landscape and not the skyline. Traditionally this was achieved by having the roof darker than the walls.

Appropriate roof colours are dark grey, dark reddish brown or a very dark green. Where cladding is used on the exterior of farm buildings, dark colours (preferably dark green, red or grey) with matt finishes will normally be required. The grouping of agricultural buildings will be encouraged in order to reduce their overall impact in the interests of amenity.

Landscaping

The removal of hedges to accommodate agricultural developments should be a last resort. A landscaping plan is required as part of an application for agricultural developments and should include screening and shelterbelt planting, composed principally of native species.

5.8 Extractive Industry

Applications should submit information on the following items at application stage:

- (1) Map(s) showing
 - (a) total site area,
 - (b) area to be excavated,
 - (c) any ancillary proposed development,
 - (d) nearest dwellings or any other development (within 1 km of the site.)
- (2) Description of the aggregate(s) to be extracted, method of extraction, any ancillary processes (such as crushing, concrete manufacture, etc.), equipment to be used, stockpiles, storage of soil and overburden, storage of waste materials, settling ponds.
- (3) Total and annual tonnage of extracted aggregates, expected life of the extraction, maximum extent and depth of working, phasing programme.
- (4) Description of development works (buildings, fixed and mobile plant, roads, fuel tanks, water supply and drainage, earth mounds, etc).
- (5) Description of water courses and water table depth, natural and cultural heritage, traffic impact and waste management.
- (6) Description of cumulative impact when taken together with other quarries in the vicinity.
- (7) Likely environmental effects.
- (8) Proposed mitigation measures.
- (9) Restoration and after-care proposals.

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.

5.15 Petrol Stations and Ancillary Uses

Where petrol stations are proposed, adequate measures must be incorporated into their design and layout to integrate them with their surroundings. No such developments will be permitted where, by reason of their appearance, fumes, traffic, or associated turning movements, they would injure the amenity of the area.

The following criteria will also apply:

- All external lighting shall be directed away from the public road and a proliferation of large illuminated signs will not be permitted;
- Any car wash proposals will require a discharge licence.

Permissions may provide for ancillary retail uses involving goods relating to the motor trade, and – in areas not already serviced by convenience retail outlets, for the development of small shops retailing confectionary, groceries and newspapers. In the latter situation, the net area devoted to such sales shall not normally exceed 100 sq.m.

5.16 Bars, Night-Clubs, Amusement Centres, Hot Food Take-Aways

Applications for these uses will be considered having regard to:

1. The proximity of similar establishments in the area and the mix of land uses in the area and in particular, the need to maintain a variety of land uses in mixed use centres and to protect the amenities of mainly residential areas;
2. The measures that can be incorporated in order to render noise levels at the boundaries compatible with the established characteristics of the locality;
3. Impacts on the area arising from deliveries, hours of opening, car parking and general activity;
4. The litter controls that can be put in place in the area by the applicant and management agreements that can be put in place for the on-going arrangement of these controls.

Hours of opening for each of these types of premises, may be restricted as a condition of permission.

5.17 Automatic Teller Machines (ATMs)

The Planning Authority will strictly control the location of ATMs having regard to the following:

1. The need to protect the character of the street, building or shop into which they are to be incorporated;
2. The design and location must render them safe and easily accessible for all;
3. Canopies, signs and logos shall be discretely incorporated into the overall design;
4. Regard will be had to litter prevention and the litter controls that can be put in place in the area by the applicant and management agreements that can be put in place for the on-going arrangement of these controls.

In general, ATMs will not be permitted where queues of customers may cause an obstruction or hazard.

5.18 Enterprise/ Employment Development

Policies in relation to signs, and other criteria with regard to parking, loading, etc. will similarly be applied. The development of light industrial and employment/enterprise facilities may be subject to a detailed Action Plan to be approved by the Planning Authority.

5.19 Telecommunications Infrastructure

Masts and associated base stations should be located away from existing residences and schools.

Also, the following will be considered:

- The appropriateness of the location given the preference for such infrastructure to be provided in industrial estates or similar areas;
- The potential to use tall buildings or other structures rather than to provide a new free-standing structure;
- The bulk of the structure given the preference for monopole(s) rather than latticed or square structures, and its height;
- The capacity to share infrastructure in the area.

Masts should incorporate anti-climbing devices and be appropriately secured against vandalism. When their use is discontinued the mast and associated equipment must be removed from the site and the land reinstated to the satisfaction of the Council.

Permissions for these developments will typically be for a five year period to enable the Planning Authority to assess the state of technology and decide whether a continuance of the permission is in the national interest.

Appendices



Appendix 1 Recorded Monuments in Athgarvan

(Record of Monuments and Places)

Item (Description)	Location (Townland)	OS Sheet No.	Ref. No.
Ringfort (Rath/Cashel)	Rosetown (Newbridge Rural ED)	23	KD 023-030
Church & Graveyard	Blackrath & Athgarvan	23	KD 023-029
Archaeological Complex	The Curragh (Kildare ED)	23	KD 023-076

Appendix 2 Proposed Record of Protected Structures

Item (Description)	Location (Townland)	Ref. No.
Athgarvan Mill	NIAH Ref: 11902314	Former Malthouse. Detached five-bay two-storey rubble stone building with attic c. 1860
AN 23-2	Summer Hill House	4 bay house with railings c. 1850
AN 23-3	Athgarvan Bridge NIAH Ref: 11902315	5 arch cut limestone c. 1840
AN 23-4	Mill stream Bridge NIAH Ref: 11902316	3 arch rubble stone c. 1840
AN 23-5	Athgarvan House	3 storey, 5 bay house c.1830
AN 23-6	Roselawn Farm	2 storey farm house with extensive outbuildings c. 1850
AN 23-7	Barn to rear of AN 23-6	Barn built of local greenstone.
AN 23-8	Water Pump	Free standing cast iron water pump c. 1880
AN 23-9	House	3 Bay, 2 storey with extensive stable returns c.1850
AN 23-10	Old School House	8 Bay, 2 porched single storey school house 1887
AN 23-11	Derelict cottage	4 bay, single storey c 1910
AN 23-12	Cottage and outbuildings	4 bay, single storey cottage & hipped roof out buildings
AN 23-13	Thatch cottage (tin roof)	Single storey, tin over thatch cottage
AN 23-14	Linden Cottage (Exterior Only)	3 bay, single storey cottage
AN 23-15	walled Garden	Walled Garden
AN 23-16	Gate Lodge	3 bay single storey gate lodge
AN 23-17	Athgarvan Inn (original section only)	Public House
AN 23-18	Outbuilding	3 bay outbuilding with archway

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.

Appendix A

Directive 2002/91/EC of the European Parliament and of the Council of 16 December 2002 on the energy performance of buildings

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,
Having regard to the Treaty establishing the European Community, and in particular Article 175(1) thereof,
Having regard to the proposal from the Commission (1),
Having regard to the opinion of the Economic and Social Committee(2),
Having regard to the opinion of the Committee of the Regions(3),
Acting in accordance with the procedure laid down in Article 251 of the Treaty(4),

Whereas:

(1) Article 6 of the Treaty requires environmental protection requirements to be integrated into the definition and implementation of Community policies and actions.

(2) The natural resources, to the prudent and rational utilisation of which Article 174 of the Treaty refers, include oil products, natural gas and solid fuels, which are essential sources of energy but also the leading sources of carbon dioxide emissions.

(3) Increased energy efficiency constitutes an important part of the package of policies and measures needed to comply with the Kyoto Protocol and should appear in any policy package to meet further commitments.

(4) Demand management of energy is an important tool enabling the Community to influence the global energy market and hence the security of energy supply in the medium and long term.

(5) In its conclusions of 30 May 2000 and of 5 December 2000, the Council endorsed the Commission's action plan on energy efficiency and requested specific measures in the building sector.

(6) The residential and tertiary sector, the major part of which is buildings, accounts for more than 40 % of final energy consumption in the Community and is expanding, a trend which is bound to increase its energy consumption and hence also its carbon dioxide emissions.

(7) Council Directive 93/76/EEC of 13 September 1993 to limit carbon dioxide emissions by improving energy efficiency (SAVE)(5), which requires Member States to develop, implement and report on programmes in the field of energy efficiency in the building sector, is now starting to show some important benefits. However, a complementary legal instrument is needed to lay down more concrete actions with a view to achieving the great unrealised potential for energy savings and reducing the large differences between Member States' results in this sector.

(8) Council Directive 89/106/EEC of 21 December 1988 on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products(6) requires construction works and their heating, cooling and ventilation installations to be designed and built in such a way that the amount of energy required in use will be low, having regard to the climatic conditions of the location and the occupants.

(9) The measures further to improve the energy performance of buildings should take into account climatic and local conditions as well as indoor climate environment and cost-effectiveness. They should not contravene other essential requirements concerning buildings such as accessibility, prudence and the intended use of the building.

(10) The energy performance of buildings should be calculated on the basis of a methodology, which may be differentiated at regional level, that includes, in addition to thermal insulation other factors that play an increasingly important role such as heating and air-conditioning installations, application of renewable energy sources and design of the building. A common approach to this process, carried out by qualified and/or accredited experts, whose independence is to be guaranteed on the basis of objective criteria, will contribute to a level playing field as regards efforts made in Member States to energy saving in the buildings sector and will introduce transparency for prospective owners or users with regard to the energy performance in the Community property market.

(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

specification and in that way will ensure optimal performance from an environmental, safety and energy point of view. An independent assessment of the total heating installation is appropriate whenever replacement could be considered on the basis of cost-effectiveness.

(20) The billing, to occupants of buildings, of the costs of heating, air-conditioning and hot water, calculated in proportion to actual consumption, could contribute towards energy saving in the residential sector. Occupants should be enabled to regulate their own consumption of heat and hot water, in so far as such measures are cost effective.

(21) In accordance with the principles of subsidiarity and proportionality as set out in Article 5 of the Treaty, general principles providing for a system of energy performance requirements and its objectives should be established at Community level, but the detailed implementation should be left to Member States, thus allowing each Member State to choose the regime which corresponds best to its particular situation. This Directive confines itself to the minimum required in order to achieve those objectives and does not go beyond what is necessary for that purpose.

(22) Provision should be made for the possibility of rapidly adapting the methodology of calculation and of Member States regularly reviewing minimum requirements in the field of energy performance of buildings with regard to technical progress, inter alia, as concerns the insulation properties (or quality) of the construction material, and to future developments in standardisation.

(23) The measures necessary for the implementation of this Directive should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission(7),
HAVE ADOPTED THIS DIRECTIVE:

Article 1: Objective

The objective of this Directive is to promote the improvement of the energy performance of buildings within the Community, taking into account outdoor climatic and local conditions, as well as indoor climate requirements and cost-effectiveness.

This Directive lays down requirements as regards:

- (a) the general framework for a methodology of calculation of the integrated energy performance of buildings;
- (b) the application of minimum requirements on the energy performance of new buildings;
- (c) the application of minimum requirements on the energy performance of large existing buildings that are subject to major renovation;
- (d) energy certification of buildings; and
- (e) regular inspection of boilers and of air-conditioning systems in buildings and in addition an assessment of the heating installation in which the boilers are more than 15 years old.

Article 2 Definitions

For the purpose of this Directive, the following definitions shall apply:

1. "building": a roofed construction having walls, for which energy is used to condition the indoor climate; a building may refer to the building as a whole or parts thereof that have been designed or altered to be used separately;
2. "energy performance of a building": the amount of energy actually consumed or estimated to meet the different needs associated with a standardised use of the building, which may include, inter alia, heating, hot water heating, cooling, ventilation and lighting. This amount shall be reflected in one or more numeric indicators which have been calculated, taking into account insulation, technical and installation characteristics, design and positioning in relation to climatic aspects, solar exposure and influence of neighbouring structures, own-energy generation and other factors, including indoor climate, that influence the energy demand;
3. "energy performance certificate of a building": a certificate recognised by the Member State or a legal person designated by it, which includes the energy performance of a building calculated according to a methodology based on the general framework set out in the Annex;
4. "CHP" (combined heat and power): the simultaneous conversion of primary fuels into mechanical or electrical and thermal energy, meeting certain quality criteria of energy efficiency;

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.

Article 6: Existing buildings

Member States shall take the necessary measures to ensure that when buildings with a total useful floor area over 1000 m² undergo major renovation, their energy performance is upgraded in order to meet minimum requirements in so far as this is technically, functionally and economically feasible. Member States shall derive these minimum energy performance requirements on the basis of the energy performance requirements set for buildings in accordance with Article 4. The requirements may be set either for the renovated building as a whole or for the renovated systems or components when these are part of a renovation to be carried out within a limited time period, with the above mentioned objective of improving the overall energy performance of the building.

Article 7: Energy performance certificate

1. Member States shall ensure that, when buildings are constructed, sold or rented out, an energy performance certificate is made available to the owner or by the owner to the prospective buyer or tenant, as the case might be. The validity of the certificate shall not exceed 10 years. Certification for apartments or units designed for separate use in blocks may be based:

- on a common certification of the whole building for blocks with a common heating system, or
- on the assessment of another representative apartment in the same block.

Member States may exclude the categories referred to in Article 4(3) from the application of this paragraph.

2. The energy performance certificate for buildings shall include reference values such as current legal standards and benchmarks in order to make it possible for consumers to compare and assess the energy performance of the building. The certificate shall be accompanied by recommendations for the cost-effective improvement of the energy performance. The objective of the certificates shall be limited to the provision of information and any effects of these certificates in terms of legal proceedings or otherwise shall be decided in accordance with national rules.

3. Member States shall take measures to ensure that for buildings with a total useful floor area over 1000 m² occupied by public authorities and by institutions providing public services to a large number of persons and therefore frequently visited by these persons an energy certificate, not older than 10 years, is placed in a prominent place clearly visible to the public. The range of recommended and current indoor temperatures and, when appropriate, other relevant climatic factors may also be clearly displayed.

Article 8: Inspection of boilers

With regard to reducing energy consumption and limiting carbon dioxide emissions, Member States shall either:
(a) lay down the necessary measures to establish a regular inspection of boilers fired by non-renewable liquid or solid fuel of an effective rated output of 20 kW to 100 kW. Such inspection may also be applied to boilers using other fuels. Boilers of an effective rated output of more than 100 kW shall be inspected at least every two years. For gas boilers, this period may be extended to four years.

For heating installations with boilers of an effective rated output of more than 20 kW which are older than 15 years, Member States shall lay down the necessary measures to establish a one-off inspection of the whole heating installation. On the basis of this inspection, which shall include an assessment of the boiler efficiency and the boiler sizing compared to the heating requirements of the building, the experts shall provide advice to the users on the replacement of the boilers, other modifications to the heating system and on alternative solutions;

or

(b) take steps to ensure the provision of advice to the users on the replacement of boilers, other modifications to the heating system and on alternative solutions which may include inspections to assess the efficiency and appropriate size of the boiler. The overall impact of this approach should be broadly equivalent to that arising from the provisions set out in (a). Member States that choose this option shall submit a report on the equivalence of their approach to the Commission every two years.

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.

Article 17: Addressees

This Directive is addressed to the Member States.
Done at Brussels, 16 December 2002.

For the European Parliament

The President

P. Cox

For the Council

The President

M. Fischer Boel

- (1) OJ C 213 E, 31.7.2001, p. 266 and OJ C 203 E, 27.8.2002, p. 69.
- (2) OJ C 36, 8.2.2002, p. 20.
- (3) OJ C 107, 3.5.2002, p. 76.
- (4) Opinion of the European Parliament of 6 February 2002 (not yet published in the Official Journal), Council Common Position of 7 June 2002 (OJ C 197, 20.8.2002, p. 6) and decision of the European Parliament of 10 October 2002 (not yet published in the Official Journal).
- (5) OJ L 237, 22.9.1993, p. 28.
- (6) OJ L 40, 11.2.1989, p. 12. Directive as amended by Directive 93/68/EEC (OJ L 220, 30.8.1993, p.1).
- (7) OJ L 184, 17.7.1999, p. 23.

ANNEX

General framework for the calculation of energy performance of buildings (Article 3)

1. The methodology of calculation of energy performances of buildings shall include at least the following aspects:
 - (a) thermal characteristics of the building (shell and internal partitions, etc.). These characteristics may also include air-tightness;
 - (b) heating installation and hot water supply, including their insulation characteristics;
 - (c) air-conditioning installation;
 - (d) ventilation;
 - (e) built-in lighting installation (mainly the non-residential sector);
 - (f) position and orientation of buildings, including outdoor climate;
 - (g) passive solar systems and solar protection;
 - (h) natural ventilation;
 - (i) indoor climatic conditions, including the designed indoor climate.

2. The positive influence of the following aspects shall, where relevant in this calculation, be taken into account:

- (a) active solar systems and other heating and electricity systems based on renewable energy sources;
- (b) electricity produced by CHP;
- (c) district or block heating and cooling systems;
- (d) natural lighting.

3. For the purpose of this calculation buildings should be adequately classified into categories such as:

- (a) single-family houses of different types;
- (b) apartment blocks;
- (c) offices;
- (d) education buildings;
- (e) hospitals;
- (f) hotels and restaurants;
- (g) sports facilities;
- (h) wholesale and retail trade services buildings;
- (i) other types of energy-consuming buildings.

Athgarvan Local Area Plan ZONING MAP



Legend

	A: Village Centre		New Roads Objective
	B: Existing Residential / Infill		River Liffey
	C: New Residential		80m Buffer from the river
	E: Community & Educational		2007 Development Boundary
	F: Open Space, Recreation & Amenity		Athgarvan LAP Boundary
	I: Agricultural		Views & Prospects to be Preserved
	M: The Liffey Parkland		Trees to be retained
	U: Utilities/Services		Playing Fields

Scale: N.T.S.

Map Ref.: 1

Date: Dec 25th 2007

Drawing No.: 200/07/208

Drawn By: G McGrath

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THIS DRAWING IS TO BE READ IN
CONJUNCTION WITH THE WRITTEN STATEMENT

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.

Athgarvan

Local Area Plan ZONING MAP



Kildare County Council
 Planning Department
 Aras Chill Dara
 Naas Co. Kildare

Athgarvan Local Area Plan 2007

(Adopted 25th December 2007)

Legend

- A: Village Centre
- B: Existing Residential / Infill
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- E: Community & Educational
- F: Open Space: Recreation & Amenity
- I: Agricultural
- M: The Liffey Parkland
- U: Utilities/Services
- New Roads Objective
- River Liffey
- 80m Buffer from the river
- 2007 Development Boundary
- Athgarvan LAP Boundary
- Views & Prospects to be Preserved
- Trees to be retained
- Playing Fields

Land Use Zoning Objectives Map

Scale:	N.T.S.	Map Ref.:	1
Date:	Dec 20th 2007	Drawing No.:	200/07/008
Prepared/Drawn/Checked/Approved:		Drawn By:	J. McCree

THIS DRAWING IS TO BE READ IN CONJUNCTION WITH THE WRITTEN STATEMENT

