

Chief Executive's Report on Submissions received
on Proposed Material Alterations
to the Draft Clane Local Area Plan 2017 – 2023



6th April 2017

Planning Department, Kildare County Council

Section 1 Introduction

1.1 Introduction

This report relates to submissions and observations received from the public and prescribed bodies following the publication of the Proposed Material Alterations to the Draft Clane LAP 2017 -2023.

1.2 Public Consultation

Notice of Proposed Material Alterations to the Draft Clane Local Area Plan 2017-2023 was given on the 21st February 2017.

The Proposed Material Alterations were placed on public display and submissions and observations were invited from the 21st February to 21st March 2017.

Copies were made available for inspection at Áras Chill Dara in Naas, and in Clane Library, The Woods, Clane. The Proposed Material Alterations were also available on the County Council's website.

The following documents were placed on public display alongside the Proposed Material Alterations;

- Environmental Report on the likely significant effects on the environment of implementing the Local Area Plan - pursuant to the Planning and Development (Strategic Environmental Assessment) Regulations 2004 – 2011;
- Appropriate Assessment Screening Report - pursuant to the EU Habitats Directive (92/43/EEC); and
- An addendum to the Strategic Flood Risk Assessment – pursuant to Section 28 of the Planning and Development Act 2000 (as amended).

Copies of the Proposed Material Alterations were also sent to prescribed bodies, including government departments and other agencies, as required by the Planning and Development Act 2000 (as amended).

1.3 Content of the Chief Executive's Report

The Chief Executive's Report must:

- List the persons or bodies who made submissions/observations.
- Summarise the issues raised by the persons or bodies in the submissions/observations.
- Give the opinions of the Chief Executive in relation to the issues raised, and his recommendations in relation to the Proposed Material Alteration to the Draft Local Area Plan, including any change to the Proposed Material Alteration as he considers

appropriate, taking account of the proper planning and sustainable development of the area, the statutory obligations of any local authority in the area and any relevant policies or objectives for the time being of the Government or of any Minister of the Government.

1.4 Next Steps

Within six (6) weeks of receiving the Chief Executive's Report, the Members of the Maynooth Municipal District must consider the Proposed Material Alterations and the Chief Executive's Report and decide whether to make LAP with all, some or none of the Material Alterations as published.

A further modification to the Material Alteration may be made where it is minor in nature and therefore not likely to have significant effects on the environment or adversely affect the integrity of a European site. A further modification to the Material Alteration may not be made where it refers to an increase in the area of land zoned for any purpose, or an addition to or deletion from the record of protected structures.

In making the LAP, the elected members, acting in the interests of the common good and the proper planning and sustainable development of the area, must, in accordance with the 'Code of Conduct for Councillors' (June 2004) prepared under the Local Government Act 2001, carry out their duties in a transparent manner, must follow due process and must make their decisions based on relevant considerations.

Section 20(3) of the Planning and Development Acts 2000 to 2014 (as amended) states that the Members of the Council are restricted to:

- Considering the proper planning and sustainable development of the area to which the development plan relates;
- The statutory obligations of the local authority; and
- Any relevant policies or objectives for the time being of the Government or any Minister of the Government.

Section 2 List of Persons/Bodies

2.1 List of Persons/Bodies who made Submissions

In total twenty-two (22) submissions were received during the public consultation period, including nine (9) from government departments and agencies.

1	Dept of Housing, Planning, Community and Local Government (DoHPCLG)
2	National Transport Authority (NTA)
3	Northern and Western Regional Assembly (NWRA)
4	Transport Infrastructure Ireland (TII)
5	Environmental Protection Agency (EPA)
6	Irish Water
7	Dublin Airport Authority (DAA)
8	An Taisce
9	Department of Education and Skills (DoES)
10	Cllr. Pádraig McEvoy
11	Birdwatch Ireland Kildare Branch
12	Clane Community Council
13	Alan Brady
14	Kildare Bat Group
15	Liffey Valley Park Alliance
16	Presentation Sisters
17	Sean Deane
18	Shay Grace
19	Tesco Ireland Ltd
20	Tim & Dan O'Brien
21	Westar Group
22	Butterstream Residents Association

Section 3 Summary of Issues Raised and Chief Executive's Response and Recommendations.

3.1 Summary of Issues Raised

This section summarises the issues raised in submissions/observations and sets out the response and recommendation of the Chief Executive to the issues raised.

Issues raised are grouped according to the relevant Proposed Material Alteration.

A full summary of each individual submission is included in Appendix 1.

Proposed Material Alteration No. 1: Amend Table 2.1 Population Growth in Clane
No submissions/observations

Proposed Material Alteration No. 2: Amendments to Section 4.1 Compliance with Core Strategy and New Table 4.1 Estimated Residential Capacity	
Summary of Issues Raised	Response & Recommendation
1: Department of Housing, Planning, Community and Local Government	
The submission notes that the Proposed Material Alterations confirm the compliance of the Local Area Plan with the core strategy of the recently adopted CDP and clarify the planned housing growth of the town over the plan period with an appropriate geographical spread of residential development sites.	<p>Chief Executive's Response: Noted.</p> <p>Chief Executive's Recommendation: No Change.</p>
9: Department of Education and Skills	
This submission states that the proposed increase in the capacity of residentially zoned land, as outlined in PMA2 from 975 to 1075 residential units, would yield a projected increase in population of 290 persons, resulting in an additional potential primary classroom requirement of up to 2 classrooms, and an additional potential post-primary school place requirement of 24 places. (Total requirements for the growth proposed in the LAP would therefore be 6 primary classrooms and 91 post-primary places).	<p>Chief Executive's Response: The initial submission to the draft LAP from the DoES indicates that 4 No. projects to augment educational provision in the existing 3 primary schools and 1 post primary school in Clane have been approved by the Department. These would provide an additional c. 16 primary school classrooms and 3 post primary classrooms in Clane, along with a planned extension of St. Farnan's Post-Primary School in Prosperous. School provision therefore remains adequate to serve the projected population growth arising from the Proposed Material Alterations.</p> <p>Chief Executive's Recommendation: No Change.</p>

Summary of Issues Raised	Response & Recommendation
<p>8: An Taisce</p> <p>The submission notes that the Draft LAP for Clane included a total of 45 hectares with a housing capacity of c. 975 units. This was considered adequate to deliver the Core Strategy allocation of 780 units for Clane under the newly adopted CDP 2017 – 2023 and included an additional capacity for 195 units. Through the changes in the Chief Executive's Report on Submissions and the Proposed Material Alterations:</p> <ul style="list-style-type: none"> • The figure for Undeveloped Residentially Zoned Land has had an increase of 13.3% on that in the draft LAP. • The figure for Housing Capacity Land has had an increase of 10.2% on that in the draft LAP. • The figure for additional capacity (over the Core Strategy Allocation of 780 units) has had an increase of 51.2% on that in the draft LAP. <p>These increases would be contrary to the proper planning and sustainable spatial planning of Clane.</p> <p>The submission states that no explanation has been given for the difference between the Chief Executive's Report and the Proposed Material Alterations in terms of the 4.4 hectare increase in the area of Residential zoned land in KDA 1 and Other Sites. In this regard the submission notes sections of the Chief Executive's Report of December 2016 prepared by technical staff including that</p> <ul style="list-style-type: none"> • the boundary of KDA1 in the Draft LAP was considered appropriate, • the draft LAP supported the achievement of the Kildare CDP 2017 – 2023 Core Strategy Allocation avoiding any excess zoning save a level of 	<p>Chief Executive's Response:</p> <p>Proposed Material Alteration No. 2 consists of changes to Section 4.1 to provide additional detail on the breakdown of residential capacity and densities across the LAP area.</p> <p>Submission Nos. 8, 10, 12, 22 refer to consequential changes to section 4.1 that arise from Proposed Material Alterations 36, 37, 41, 43 and 44. The CE's response and recommendation in relation to Proposed Material Alterations 36, 37, 41, 43 and 44 is set out below.</p> <p>It is noteworthy that the submission from the Department of Housing, Planning, Community and Local Government states that the Proposed Material Alterations confirm the compliance of the Local Area Plan with the core strategy of the recently adopted CDP and clarify the planned housing growth of the town over the plan period with an appropriate geographical spread of residential development sites.</p> <p>Chief Executive's Recommendation:</p> <p>It is recommended that the Proposed Material Alteration is accepted.</p>

<p>headroom of flexibility,</p> <ul style="list-style-type: none"> • the growth allocation for Clane in the CDP was considered to incorporate adequate headroom to ensure continuity of supply over a 9 year period to 2026. 	
<p>10: Cllr Pádraig McEvoy</p>	
<p>The submission states that the Proposed Material Alterations that led to the addition of residential zoned lands should be removed from the plan as they did not consider the impact on the Core Strategy and the impact for the planning of the town as a whole. It is stated that without appropriate evidence of such considerations it is arguable that these zoning amendments relating to over-zoning, above and beyond the provisions of the Core Strategy, do not meet the requirements of the proper planning and sustainable development of the area.</p>	
<p>12: Clane Community Council</p>	
<p>The submission notes that the Proposed Material Alterations would amend Section 4.1 and insert Table 4.1 to allow for a total of 51 hectares of undeveloped residentially zoned land with additional capacity for 295 units, compared to the recommendation of the Chief Executive of 46.6 hectares of undeveloped residentially zoned land with additional capacity for 219 units. It is stated that PMA No. 2 should not be adopted as it unnecessarily increases the area of residentially zoned land and housing capacity. The increases are not considered appropriate given the quantum of housing provided for under the Draft LAP was considered sufficient to meet the growth allocation for Clane.</p>	

22: Butterstream Residents Association

This submission expresses concern about the cumulative increase in the proposed growth of Clane through Proposed Material Alterations 2, 41, 43 and 44, which is beyond the significant but reasoned quantum of lands set out in the draft Local Area Plan, and some of which go against the explicit advice contained within the Chief Executive's report. The submission notes that National Planning Framework has recognised the over-development of the greater Dublin area in contrast with the rest of the country and as such these additional zonings are not made with the balanced consideration of the town and its role in the core strategy for the county. The submission seeks the removal of these Proposed Material Alterations from the final LAP.

Proposed Material Alteration No. 3: Amend Action under Policy R3 Public Realm.

No submissions/observations

Proposed Material Alteration No. 4: Amend Objective RO5.1 Undesirable Uses.

No submissions/observations

Proposed Material Alteration No. 5: Amend HCO1.1 Residential Development: Capacity and Delivery.

No submissions/observations

Proposed Material Alteration No. 6: Amend Section 6.3 Residential Density, Mix and Design.

No submissions/observations

Proposed Material Alteration No. 7: Amend Community Facilities table in Section 6.4.

No submissions/observations

Proposed Material Alteration No. 8: Amend Strategic Objective for Chapter 7 'Economic Development'.

No submissions/observations

Proposed Material Alteration No. 9: Amend Section 7.2.1 Availability of Zoned Lands

No submissions/observations

Proposed Material Alteration No. 10: Amend Objective EDO2.1 Non-Conforming Uses.

No submissions/observations

Proposed Material Alteration No. 11: Amend Policy MT1 Walking and Cycling.

No submissions/observations

Proposed Material Alteration No. 12: Amend Objective MTO5.1 Strategic Road Network.

No submissions/observations

Proposed Material Alteration No. 13: Insert Text under Heading 8.6 Specific Projects.

No submissions/observations

Proposed Material Alteration No. 14: Amend Table 8.1 Roads and Transportation Projects.

No submissions/observations

Proposed Material Alteration No. 15: Amend Map 8.1 Movements Objectives Map.

No submissions/observations

Proposed Material Alteration No. 16: Amend Objective IO1.4 Water Supply and Wastewater.

No submissions/observations

Proposed Material Alteration No. 17: Amend Policy I2 Surface Water and Groundwater.

No submissions/observations

Proposed Material Alteration No. 18: Replace Flood Risk Map 9.1 in Section 9.3.

No submissions/observations

Proposed Material Alteration No. 19: Amend Objective IO4.1 Energy & Communications.

No submissions/observations

Proposed Material Alteration No. 20: Insert new Action under 9.4 Energy and Communications.

No submissions/observations

Proposed Material Alteration No. 21: Amend text page 40 referring to Recycling Facilities.

No submissions/observations

Proposed Material Alteration No. 22: Amend Figure 10.1 and Table 10.1 relating to Protected Structures.

No submissions/observations

Proposed Material Alteration No. 23: Amend Objective HO3.5 Protection of Habitats.

No submissions/observations

Proposed Material Alteration No. 24: Amend Section 10.4.1 Public Realm.

No submissions/observations

Proposed Material Alteration No. 25: Rename KDA4 *Nancy's Lane* throughout the LAP.

No submissions/observations

Proposed Material Alteration No. 26: Amend boundary of KDA2 Capdoo.

No submissions/observations

Proposed Material Alteration No. 27: Insert additional text under Built Form in 12.2.1 (KDA1 Dublin Road).

No submissions/observations

Proposed Material Alteration No. 28: Insert additional text under Built Form in 12.2.2 (KDA2 Capdoo).

No submissions/observations

Proposed Material Alteration No. 29: Amend desire lines from Loughbollard in KDA3 Kilcock Road.

No submissions/observations

Proposed Material Alteration No. 30: Insert additional text under Built Form in 12.2.3 (KDA3 Kilcock Road).

No submissions/observations

Proposed Material Alteration No. 31: Insert additional text under Built Form in 12.2.4 (KDA4 Nancy's Lane).

No submissions/observations

Proposed Material Alteration No. 32: Insert additional text under Built Form in 12.2.5 (KDA5 Millicent).

No submissions/observations

Proposed Material Alteration No. 33: Amend Table 13.1 Land Use Objectives.

No submissions/observations

Proposed Material Alteration No. 34: Amend Table 13.3 Land Use Zoning Matrix.

Summary of Issues Raised

Response & Recommendation

12: Clane Community Council


The submission opposes the change for Community/Sports Buildings from "Y" to "O" under the Open Space and Amenity and Strategic Open Space zoning, as this would reduce the potential for community/sports buildings to be developed in open spaces and would place unnecessary restrictions

Chief Executive's Response:

This amendment seeks to better align the zoning matrix with the stated land-use zoning objectives for Open Space and Amenity (To protect and provide for open space, amenity and recreation) and Strategic Open Space (To preserve, provide for and improve recreational amenity, open space and green infrastructure

<p>on their location. It is proposed that the designation of "Y" be retained.</p>	<p>networks).</p> <p>Community/Sports Buildings will remain open for consideration in open spaces in circumstances where the Council is satisfied that the proposed use would not conflict with the general open space objective and the permitted or existing uses, as well as being in the interests of the proper planning and sustainable development of the area.</p> <p>Chief Executive's Recommendation:</p> <p>It is recommended that the Proposed Material Alteration is accepted.</p>
<p>The submission opposes the change for Community/Sports Buildings from "O" to "N" under the Business and Technology zoning, as this would reduce the potential for facilities such as boxing clubs/men's sheds being located in business estates would place unnecessary restrictions on their location. It is proposed that the designation of "O" be retained.</p>	<p>Chief Executive's Response:</p> <p>This amendment seeks to better align the zoning matrix with the Business and Technology zoning objective (To provide for office and high technology type uses).</p> <p>In the interest of the long-term sustainability of the town it is considered important to protect lands that are zoned for Business and Technology uses for such uses. The zoning seeks to reserve a consolidated block of land for higher order economic development, to support employment generation. It is proposed to amend the zoning matrix to protect the integrity of these lands and to maximise their potential for employment generating uses.</p> <p>Community/Sports Buildings are either permissible in Principle or Open for Consideration under all land-use zonings other than Agriculture and Business & Technology.</p> <p>Chief Executive's Recommendation:</p> <p>It is recommended that the Proposed Material Alteration is accepted.</p>

<p>The submission raises concerns regarding the change for Cemeteries from “O” to “N” under the Agriculture zoning, as this would reduce the possibility for existing cemeteries in agricultural areas to be extended.</p>	<p>Chief Executive's Response:</p> <p>This amendment seeks to better align the zoning matrix with the land-use zoning objective for Agriculture (To retain and protect agricultural uses).</p> <p>Cemeteries are permissible in principle on lands zoned Community & Educational, and Open for Consideration on lands zoned Town Centre and Open Space and Amenity. There are no cemeteries on lands zoned Agriculture with the area of the Clane LAP, therefore the potential for extensions to cemeteries is not affected.</p> <p>Chief Executive's Recommendation:</p> <p>It is recommended that the Proposed Material Alteration is accepted.</p>
<p>The submission raises concerns regarding the change for Funeral Homes from “O” to “Y” under the Community and Educational zoning, as this would encourage commercial funeral home development in sites better suited for other community purposes.</p>	<p>Chief Executive's Response:</p> <p>This amendment seeks to better align the zoning matrix with the Community and Educational zoning objective (To provide for education, recreation, community and health). Funeral homes provide an important community service and the Permissible in Principle designation is therefore considered appropriate.</p> <p>Chief Executive's Recommendation:</p> <p>It is recommended that the Proposed Material Alteration is accepted.</p>
<p>The submission raises concerns regarding the categorisation for Betting Office as “O” in Neighbourhood Centres as it would encourage their development further into residential communities, therefore it should be categorised “N”.</p>	<p>Chief Executive's Response:</p> <p>The land-use zoning objective for Neighbourhood Centres is to provide for neighbourhood retailing and associated facilities. It is considered appropriate that a range of commercial uses of a ‘neighbourhood’ scale would be open for consideration at such locations. Such uses will be considered in circumstances where the Council is satisfied that the proposed use would not conflict with the general objectives for the zone and the permitted or existing uses, as well as</p>

	<p>being in the interests of the proper planning and sustainable development of the area. Policy in relation to undesirable uses is set out separately in Chapter 5 of the LAP.</p> <p>Chief Executive's Recommendation:</p> <p>It is recommended that the Proposed Material Alteration is accepted.</p>
<p>17: Presentation Sisters</p>	
<p>This submission refers to proposed amendments to Land Use Zoning Matrix. This submission requests that restriction on Dwelling under E: Community and Education be omitted or altered as it is contrary to the assessment and decision on a previous planning application on the Presentation Sisters lands (shown below) to the effect that the lands are suitable for residential development.</p>  <p>The restriction currently outlines that the land use "dwelling" (which is open for the consideration) is restricted to "ancillary to health/community uses to meet special accommodation needs". It is stated that this should</p>	<p>Chief Executive's Response:</p> <p>The issues raised in this submission are noted. It is recommended that footnote 1 of Table 13.3 is altered to state "Ancillary to health/community use to meet special accommodation needs; or where it is demonstrated that the lands are no longer required to meet community and institutional needs".</p> <p>Chief Executive's Recommendation:</p> <p>It is recommended that the Proposed Material Alteration is altered as follows:</p> <p>Alter footnote 1 of Table 13.3 as follows: <i>"Ancillary to health/community use to meet special accommodation needs; or where it is demonstrated that the lands are no longer required to meet community and institutional needs"</i>.</p>

<p>be omitted. Alternatively it is suggested that the wording be revised as follows: <i>“Ancillary to a community and education use, except when it is clearly demonstrated that the lands have no further function as Community and Education land. In this case residential is permitted”</i>. A further alternative is suggested as follows: <i>“This restriction shall not apply to sites where planning permission has previous been granted for residential development”</i>.</p>	
<p>19: Tesco Ireland</p>	
<p>The submission states that the designation of the Tesco site as Neighbourhood Centre should not prevent it from improving its retail offer and that it should be acknowledged that Neighbourhood Centres can be developed provided they do not impact negatively on the town centre. It is proposed that the matrix outlined as part of PMA No. 34 should be amended to reflect this; that retail comparison uses can be provided at a small scale and this should be permissible provided it would not have a negative impact on the town centre. It is requested that the permitted uses for the Neighbourhood Centre zoning be reconsidered.</p>	<p>Chief Executive's Response:</p> <p>The land-use zoning objective for Neighbourhood Centres is to provide for neighbourhood retail and community facilities. It is considered appropriate that a range of uses would be open for consideration at such locations.</p> <p>The neighbourhood centre designation at the Tesco site reflects the established use and its position within a largely residential neighbourhood. Having regard to the compact scale of Clane and its designation as a Small Town and Level 3 Retail Centre, it is considered appropriate that future retail development is focused into the Town Centre.</p> <p>Chief Executive's Recommendation:</p> <p>It is recommended that the Proposed Material Alteration is accepted.</p>

<p>Proposed Material Alteration No. 35: Amend Section 13.2.1 Schedule of Phasing in KDA 1.</p>	
<p>No submissions/observations</p>	

Proposed Material Alteration No. 36: Amend Map 13.1 – Re-zone 0.7 ha at Mainham Woods from Existing Residential to New Residential, include in KDA 2.

No submissions/observations

Proposed Material Alteration No. 37: Amend Map 13.1 - Re-zone 0.7 ha on Ballinagappa Rd from Open Space/Amenity to New Residential, include in KDA 3.

No submissions/observations

Proposed Material Alteration No. 38: Amend Map 13.1 - Re-zone Tesco site from Business & Technology to Neighbourhood Centre.

No submissions/observations

Proposed Material Alteration No. 39: Amend Section 4.1 Function Population and Scale of Clane.

No submissions/observations

Proposed Material Alteration No. 40: Insert new Objective HCO4.2 and amend Map 8.1 to show access to River Liffey adjacent Alexandra Bridge.

No submissions/observations

Proposed Material Alteration No. 41: Reduction in width of F2 Strategic Open Space zoning along River Liffey from 100m to 80m on Map 13.1.	
Summary of Issues Raised	Response & Recommendation
1: Department of Housing, Planning, Community and Local Government	<p>Chief Executive's Response:</p> <p>The Draft LAP seeks to re-embrace the town's relationship with the River, the town's main recreational and environmental asset. Strategic open space is identified along the river on the land use zoning map to ensure that the distinctive character of the river setting is retained as the town grows towards it, to address an open space shortfall in Clane and to secure opportunities for new recreational areas, while protecting the natural environment. The River Liffey is a major water body in the Region, and a vital source of recreational opportunity for the region. 100 meters is considered to be an appropriate width for a protection zone along a river of this significance.</p> <p>The River Liffey is identified in the County Development Plan as an Area of High Amenity, and as a Landscape Character Area, with 'special' sensitivity. This is described as an area with low capacity to accommodate uses without significant adverse effects on the appearance or character of the landscape. Table 14.3 of the CDP identifies limited compatibility between a range of land-uses and proximity of less than 300m to the principal landscape sensitivity factor (the Liffey). The buffer is provided to reduce the impact of urban development on the character of the River setting.</p> <p>The River Liffey is also an important ecological corridor. The river itself is 15-30 metres wide and the bank is vegetated with occasional mature alder and willow trees and dense layers of brambles and hawthorn, acting as habitats for several species. An adequate buffer zone is required to protect the habitats and biodiversity and to avoid disturbance of the riparian environment. Such</p>
<p>The submission notes the proposed reduction in the width of the linear open space buffer along the river and states that this should not be further reduced in order to ensure the proper provision of a development buffer and public amenity.</p>	
8: An Taisce	<p>The River Liffey is identified in the CDP as an area of High Amenity, with Special Sensitivity and having a 'low capacity to accommodate uses without significant adverse effects on the appearance or character of the landscape having regard to special sensitivity factors'. Section 14.5-3 of the County Development Plan states that the River Liffey valley is of significance in terms of landscape and amenity value and is sensitive to development; development on the banks of the rivers can have a disproportionate visual impact, due to an inherent inability to be visually absorbed .</p> <p>The submission concurs with comments in the Chief Executive's Report in terms of the importance of the Liffey as an ecological corridor, the need to protect habitats and avoid disturbance of the riparian environment through provision of adequate buffer for which 100m is considered appropriate.</p> <p>It is stated that Table 14.3 of the CDP notes that urban expansion within 300m of major rivers and water bodies is considered to be 'compatible</p>
<p>The submission notes that the River Liffey is identified in the CDP as an area of High Amenity, with Special Sensitivity and having a 'low capacity to accommodate uses without significant adverse effects on the appearance or character of the landscape having regard to special sensitivity factors'. Section 14.5-3 of the County Development Plan states that the River Liffey valley is of significance in terms of landscape and amenity value and is sensitive to development; development on the banks of the rivers can have a disproportionate visual impact, due to an inherent inability to be visually absorbed .</p>	

<p>only in certain circumstances’.</p> <p>Any reduction in the 100m buffer may undermine the biodiversity, scenic and amenity value of the River Liffey.</p>	<p>disturbance arises from physical work close to the river, but also from nearby development, e.g. disturbance from noise and light from houses at a greater distance. 100m is considered an appropriate distance to afford adequate protection, and will also allow sufficient space to accommodate walking/cycling paths at an appropriate set back from the riverbank.</p>
<p>10: Cllr Pádraig McEvoy</p>	<ul style="list-style-type: none"> • To the north and west of the River Liffey it is recommended that the proposed 100 meter buffer, as indicated on the land use zoning map by an “F” zoning is retained to protect the river setting from development in the vicinity. • To the south and east of the River Liffey, it is recommended that the proposed 100 meter buffer that is indicated on the land use zoning map by an “F” zoning is omitted and the LAP boundary amended on all LAP Maps to accord with the administrative boundary of the Maynooth Municipal District area.
<p>The submission states that the Proposed Material Alterations that led to the addition of residential zoned lands should be removed from the plan as they did not consider the impact on the Core Strategy and the impact for the planning of the town as a whole. It is stated that without appropriate evidence of such considerations it is arguable that these zoning amendments relating to over-zoning, above and beyond the provisions of the Core Strategy, do not meet the requirements of the proper planning and sustainable development of the area.</p>	<p>Chief Executive's Recommendation:</p> <p>It is recommended that the Proposed Material Alteration is amended to omit the “F” zoned lands to the south and east of the River Liffey and that a buffer of 100 meters is retained to the north and west of the River Liffey.</p>
<p>11: Birdwatch Ireland Kildare Branch</p>	
<p>The submission requests that the buffer be maintained at 100m and Proposed Material Alteration No. 41 be withdrawn. The reduction in the buffer means the loss of a 20m wide section of nesting and feeding habitat for woodland birds and other fauna, but also means that housing, lighting and human disturbance will encroach 20m closer to the remaining woodland and river, affecting nesting and feeding options for grey heron, dipper and kingfisher.</p> <p>Proposed Material Alteration No. 41 should be removed in order to maximise the size of the Liffey Park to create a truly valuable parkland protecting river, woodland and biodiversity for the population of Clane, the broader county and beyond.</p> <p>The limit of the buffer along the River Liffey at 100m in width already</p>	

removes a swathe of valuable naturally developing woodland in the field adjacent to Alexandra walk. This newly wooded area already supports warblers, finches and more common woodland birds and protects and potentially would enhance biodiversity in Clane. The submission requests that the entire woodland in the area be protected.

12: Clane Community Council

The submission opposes the reduction in the width of the Liffeside Strategic Open Space buffer to 80m and supports the position set out in the Chief Executive's Report, i.e. that the 100m buffer is required and appropriate to re-embrace the town's relationship with the Liffey, address open space shortfall, secure recreational opportunities, retain the character of the river setting, and protect it as an ecological corridor and for its habitats/biodiversity. The submission states that reducing the buffer would diminish the chances for the community of Clane to have an amenity of the calibre of St. Catherine's Park along this stretch of the Liffey in Clane.

The submission states that the only substantial stand of native wild orchids left within the area of the Clane LAP is within the 100m biodiversity zone and a reduction in the zone to 80m will threaten the survival of the orchids as they will be within metres of the encroaching residential zoning. The retention of the 100m width would also preserve a portion of the emerging woodland habitat in the area. Every effort should be made to preserve the entire area of woodland which is the natural starting point for the development of a public park.

14: Kildare Bat Group

The submission refers to an impressive emerging woodland area just downstream of Alexandra Walk, stating that this is uncommon in Kildare. The proposed reduction in the buffer zone to 80m in width would destroy an additional significant portion of this habitat. The submission recommends that opportunities to preserve the entire woodland be considered. The submission states that preserving as much of the woodland as possible would create a standout feature for any potential Liffey Valley Park.

The submission states that the Liffey and its environs in Clane is an important foraging ground for at least four of Ireland's nine species of bat. Three of these four species select areas with broadleaf woodland, riparian habitats and low density urbanisation as habitat; the fourth shows an association with riparian habitats and woodlands and tends to select roosting habitat with areas of woodland and freshwater. Key stands of the above would be significantly diminished if the buffer zone was reduced from 100m to 80m. Also as bats are sensitive to artificial light and the reduction of the buffer zone will bring disturbance and lighting associated with Residential zoning closer to this important foraging area, its remaining integrity and value will be impacted on. Bats are a protected species under the Wildlife Act, Bern Convention and Habitats Directive.

15: Liffey Valley Park Alliance

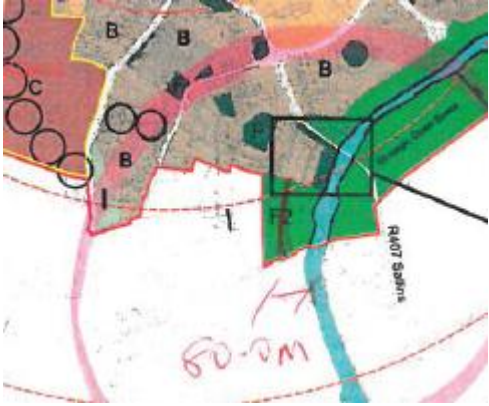
The submission states that the Liffey Valley Park Alliance (LVPA) has as its objective the conservation of the natural and built heritage of the Liffey Valley from Islandbridge to Clane and beyond.

The submission states that the draft LAP represented a significant positive

policy that would enhance the amenities of the town and conserve diverse ecology along the Liffey which aligned with the aims of the LVPA. The strategic opportunities for the Liffey recognised would also enable the areas being considered for European funding programmes (such as EnRoute Ecosystems and Green Infrastructure) to be extended to include Clane. In light of this it is stated that the achievement of a Liffey walkway and major public park should be considered as a priority and the buffer zone restored to 100m.

The submission states that the response to submission No. 31 in the Chief Executive's Report is balanced and considered, i.e. that the 100m buffer is required and appropriate to re-embrace the town's relationship with the Liffey, address open space shortfall, secure recreational opportunities, retain the character of the river setting, and protect it as an ecological corridor and for its habitats/biodiversity. It is stated that, in the absence of published minutes from the meeting where it was decided to reduce the width of the buffer, it has to be asked if a balanced case has been made for the reduction of the buffer zone, and what the impact of this proposal on the provision of zoned lands and the relationship with the Core Strategy of the CDP is. It is noted that the Capdoo Townland suffered extensive flooding in 1954 and any development there would be at risk of flood damage.

The submission states that the 100m buffer zone contains the only substantial stand of native wild orchids left within the area of the Clane LAP and the reduction of the buffer to 80m will threaten the survival of the orchids.

<p>22: Butterstream Residents' Association</p>	
<p>The submission states that Proposed Material Alteration 41 is regrettable given the strategic shortage of open lands for amenity in Clane. The re-allocation of the buffer lands to housing puts additional pressure on the ratio of developed lands to amenity lands within the town and continues to seek to develop lands near a watercourse which will add to insurance premiums around flood risk in general. Given the Draft LAP met the growth objectives for the town the over-zoning will further pressure the roads, schools and other amenities in the town.</p>	
<p>18: Shay Grace</p>	
<p>The submission states that, as Map 13.1 has been amended for the lands north of Alexandra Bridge to reflect the reduction in the 100m width of the biodiversity protection zone to 80m (as per PMA No. 41 and amended text on page 52 GIO1.6 and page 53 paragraph 4), Map 13.1 should also be amended to show a zone 80 metres in width for the lands south of Alexandra Bridge, as outlined below.</p> 	<p>Chief Executive's Response:</p> <p>The CE's recommendation in relation to MA No. 41 is set out above.</p> <p>Note: Should Members be minded to accept Proposed Material Alteration No. 41 it would be consistent to alter the width of the buffer along its full extent.</p> <p>Chief Executive's Recommendation:</p> <p>It is recommended that the Proposed Material Alteration is rejected.</p>

Proposed Material Alteration No. 42: Amend Note 2 on Page 72 (Reference to extent of parkland).
No submissions/observations

Proposed Material Alteration No. 43: Amend Map 13.1 to zone 1.9 ha land on the Prosperous Road as New Residential (Low Density).	
Summary of Issues Raised	Response & Recommendation
10: Cllr Pádraig McEvoy	<p>Chief Executive's Response:</p> <p>The recently adopted Kildare County Development Plan 2017-2023 set out a Core Strategy housing allocation of 780 units for Clane. The Draft Clane Local Area Plan incorporated adequate zoned land to deliver the Core Strategy allocation and included a level of headroom.</p> <p>The subject lands, given their backland nature, are considered less suitable for residential development than other housing lands identified in the Draft LAP.</p> <p>There is an identified history of flooding in the vicinity of the subject lands. The Planning System and Flood Risk Management Guidelines for Planning Authorities require planning authorities to avoid development in areas at risk of flooding, particularly floodplains. The site has been subject to a justification test, using the methodology set out in the Flood Risk Management Guidelines. Based on the outcome of the justification test it is considered that the zoning of these lands would contravene the terms of the Flood Risk Management Guidelines.</p> <p>While the proposed footnote prohibiting development until works to the culvert (west of the site in the hospital grounds) are completed is noted, the nature and</p>
<p>The submission states that the Proposed Material Alterations that led to the addition of residential zoned lands should be removed from the plan as they did not consider the impact on the Core Strategy and the impact for the planning of the town as a whole. It is stated that without appropriate evidence of such considerations it is arguable that these zoning amendments relating to over-zoning, above and beyond the provisions of the Core Strategy, do not meet the requirements of the proper planning and sustainable development of the area.</p>	
13: Alan Brady	
<p>This submission objects to the zoning of 1.9 hectares of lands adjacent the GAA grounds on the Prosperous Road, on the grounds that this land is flood land which has flooded on many occasions, along with Butterstream Lands/Drive/Estate. The GAA land has been raised and is much higher than Butterstream Estate, if planning permission were granted it would escalate flooding in the area, even if works are carried out to improve the drainage system. The lands in question provide a 'safe zone' for flooding for</p>	

adjacent residential development. Insurance has been refused to homeowners in the Butterstream Estate on the grounds that it is flood land. Housing is important but should not be built on lands which have flooded previously or marked as being at risk of flooding.

This submission objects to the zoning of the land based on access/egress and traffic problems. The estate already suffers from schools traffic and obstruction from parked cars and the proposed zoning would make problems worse for both residents and emergency services.

12: Clane Community Council

The submission opposes the zoning under PMA No. 43, supporting the position set out in the Chief Executive's Report, i.e. the lands are less suitable for residential development than other lands identified in the Draft LAP and given flood risk in the area. The submission notes that PMA No. 43 suggests that houses would only be built after addressing the culvert upstream, however the site will remain vulnerable to regular flooding until the entire length of the stream *downstream* of this site is addressed. Developing the land by the stream will also increase run off into the stream, increasing the likelihood of flooding downstream in Clane.

22: Butterstream Residents Association

The submission highlights consequences of PMA No. 43 for the Butterstream Estate. It is stated that infilling of part of the lands in 2005/2006 resulted in the direct flooding of housing in the estate as it raised an area which served as a flood plain and, despite the alleviation scheme implemented by the OPW to reduce flood risk, a significant flood risk remains. The zoning of the lands has not been balanced with a cost benefit or appropriate risk analysis. The decision to zone the lands does

extent of works required to address flood risk at this location has not been quantified, and as such, it is unclear if the risk can be adequately managed, without causing adverse impacts elsewhere.

Chief Executive's Recommendation:

It is recommended that the Proposed Material Alteration is rejected.

not appear to comply with the requirements of planning legislation. Flood risk arising from development of these lands has potential issues for both properties within Butterstream Estate and for any future properties which might be developed on the lands.



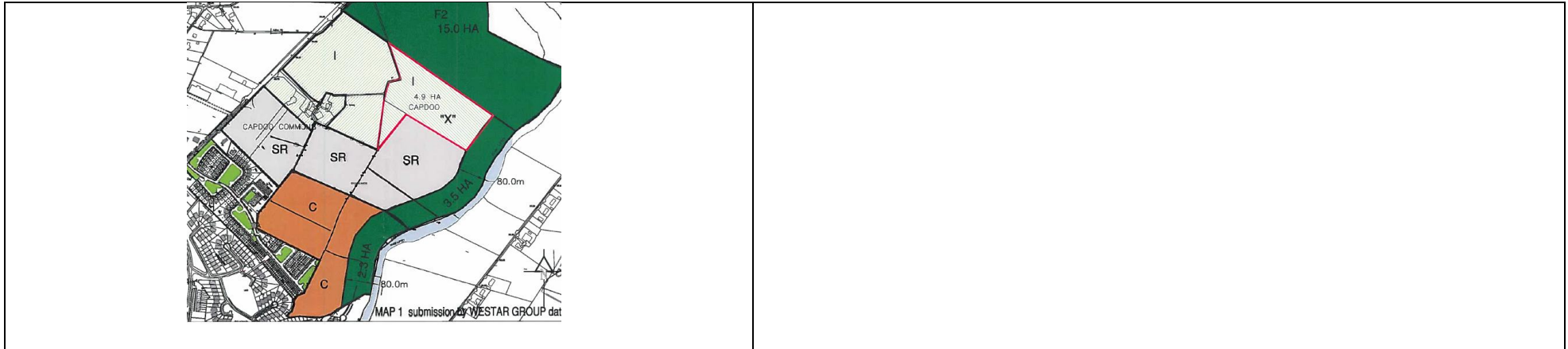
Proposed Material Alteration No. 44: Amend Map 13.1 to zone 1.8 ha land on the Ballinagappa Road as New Residential (Low Density – 12 No. Serviced Sites)	
Summary of Issues Raised	Response & Recommendation
10: Cllr Pádraig McEvoy	<p>Chief Executive's Response:</p> <p>The recently adopted Kildare County Development Plan 2017-2023 set out a Core Strategy housing allocation of 780 units for Clane. The Draft Clane Local Area Plan incorporated adequate zoned land to deliver the Core Strategy allocation and included a level of headroom.</p> <p>The subject lands are located at the northern periphery of the settlement beyond the existing footpath network serving the town. It is considered that there are adequate lands zoned for residential development under the draft LAP, which are sequentially closer to the town centre and considered more suitable for residential development.</p> <p>Chief Executive's Recommendation:</p> <p>It is recommended that the Proposed Material Alteration is rejected.</p>
<p>The submission states that the Proposed Material Alterations that led to the addition of residential zoned lands should be removed from the plan as they did not consider the impact on the Core Strategy and the impact for the planning of the town as a whole. It is stated that without appropriate evidence of such considerations it is arguable that these zoning amendments relating to over-zoning, above and beyond the provisions of the Core Strategy, do not meet the requirements of the proper planning and sustainable development of the area.</p>	
12: Clane Community Council	
<p>The submission opposes the zoning under PMA No. 44, supporting the position as set out in the Chief Executive's Report, i.e. there are adequate lands zoned for residential development, sequentially closer to the town centre and more suitable for development. It is also stated that this field suffers from flooding; a large pool forms in periods of substantial rain.</p>	

Proposed Material Alteration No. 45: Amend Map 13.1 to zone 10m wide strip as F Open Space and Amenity parallel to R403 and Alexandra Bridge
No submissions/observations

Other Issues Raised in Submissions	
Summary of Issues Raised	Response & Recommendation
5: Environmental Protection Agency	
The submission notes the position of the Local Authority regarding the need for SEA of the Proposed Material Alterations, advises that KCC should determine whether or not the implementation of future amendments/alterations would be likely to have significant effects on the environment as was undertaken for the Draft LAP, and advises on the need for a SEA Statement following adoption of the LAP.	<p>Chief Executive's Response: Noted.</p> <p>Chief Executive's Recommendation: No change.</p>
Summary of Issues Raised	Response & Recommendation
6: Irish Water	
The submission advises that in relation to the Proposed Material Alterations to zoning objectives, Irish Water will only be in a position to confirm water and wastewater availability for site specific new development through Irish Water's pre-connection enquiry process.	<p>Chief Executive's Response: Noted.</p> <p>Chief Executive's Recommendation: No change.</p>

Summary of Issues Raised	Response & Recommendation
16: Sean Deane	
<p>This submission seeks the zoning of lands to the south of the hospital as 'E - Community and Educational'. The lands were previously identified for further healthcare-related development with the requirement that any housing be ancillary to community/educational uses. The submission states that the Justification Tests states that it has not been demonstrated that there is a need for the lands for healthcare or associated residential development and that this has influenced the removal of the lands from the Community and Educational zoning. It is intended to develop a retirement village and nursing home on these lands but it was understood that such an application would be premature pending the delivery of sewage infrastructure. It is requested that the lands outlined be zoned E - Community and Educational.</p> <div data-bbox="280 869 952 1340" style="text-align: center;"> <p>JUSTIFICATION TEST 01 Lands formerly zoned Community & Educational and New Residential located to the west of the town on the Prosperous Road Map showing extent of lands being assessed superimposed on zoning objective from 2009 LAP</p> <p>R403 Prosperous</p> <p>HOGANSWOOD EAST</p> <p>existing culvert</p> <p>JOD</p> <p>red dashed line indicates extent of lands assessed under Justification Test 01</p> </div>	<p>Chief Executive's Response: This zoning proposal does not relate to a Proposed Material Alteration.</p> <p>Chief Executive's Recommendation: This submission does not relate to a Proposed Material Alteration and therefore cannot be considered at this stage. No change.</p>

20: Tim and Dan O'Brien	
<p>The submission relates to potential cycle/walkways identified in the LAP and while noting the benefits of these to the community, requests that full consultation take place with relevant landowners at design and implementation stage particularly regarding potential anti-social behaviour.</p>	<p>Chief Executive's Response: The issues raised are noted.</p> <p>Chief Executive's Recommendation: No change.</p>
21: Westar	
<p>Westar requests that 4.9 hectares of land in Capdoo Commons as shown below in red be zoned I Agriculture. The submission states that Justification Test No.8 of the Strategic Flood Risk Assessment addendum was carried out in relation to New Residential development rather than the Agricultural use. Westar sought to have 4.9 hectares of land zoned Agriculture at this location, which is water compatible development in accordance with the Flood Risk Management Guidelines for Planning Authorities and such the conclusion that the site failed the Justification test was incorrect. Westar requests that the subject lands be zoned I Agriculture, to provide a clear linear boundary to the parkland and further compliment the linear park along the Liffey.</p>	<p>Chief Executive's Response: This zoning proposal does not relate to a Proposed Material Alteration.</p> <p>Chief Executive's Recommendation: This submission does not relate to a Proposed Material Alteration and therefore cannot be considered at this stage. No change.</p>



1.5 Appendix 1: Summaries of Individual Submissions

Submission No. 1: Department of Housing, Planning, Community and Local Government

Summary:

The submission notes that the Proposed Material Alterations confirm the compliance of the Local Area Plan with the core strategy of the recently adopted CDP and clarify the planned housing growth of the town over the plan period with an appropriate geographical spread of residential development sites.

The submission notes the proposed reduction in the width of the linear open space buffer along the river and states that this should not be further reduced in order to ensure the proper provision of a proper development buffer and public amenity.

Submission No. 2: National Transport Authority

Summary:

The submission states that the Proposed Material Alterations based on the previous submission by the NTA are considered to align the plan more closely with the Transport Strategy. It is stated that the other proposed Material Alterations are not considered to be of a scale which would impact significantly on the local or strategic transport network in an adverse manner and as such no further comments are made.

Submission No. 3: Northern and Western Regional Assembly

Summary:

No comments to make on the Proposed Material Alterations

Submission No. 4: Transport Infrastructure Ireland

Summary:

No specific observations.

Submission No. 5: Environmental Protection Agency

Summary:

The submission notes the position of the Local Authority regarding the need for SEA of the Proposed Material Alterations, advises that KCC should determine whether or not the implementation of future amendments/alterations would be likely to have significant effects on the environment as was undertaken for the Draft LAP, and advises on the need for a SEA Statement following adoption of the LAP.

Submission No. 6: Irish Water

Summary:

The submission advises that in relation to the Proposed Material Alterations to zoning objectives, Irish Water will only be in a position to confirm water and wastewater availability for site specific new development through Irish Water's pre-connection enquiry process.

Submission No. 7: Dublin Airport Authority

Summary:

No observations to make.

Submission No. 8: An Taisce

Summary:

The submission notes that the Draft LAP for Clane included a total of 45 hectares with a housing capacity of c. 975 units. This was considered adequate to deliver the Core Strategy allocation of 780 units for Clane under the newly adopted CDP 2017 – 2023 and included an additional capacity for 195 units. Through the changes in the Chief Executive's Report on Submissions and the Proposed Material Alterations:

- The figure for Undeveloped Residentially Zoned Land has had an increase of 13.3% on that in the draft LAP.
- The figure for Housing Capacity Land has had an increase of 10.2% on that in the draft LAP.
- The figure for additional capacity (over the Core Strategy Allocation of 780 units) has had an increase of 51.2% on that in the draft LAP.

These increases would be contrary to the proper planning and sustainable spatial planning of Clane.

The submission states that no explanation has been given for the difference between the Chief Executive's Report and the Proposed Material Alterations in terms of the 4.4 hectare increase in the area of Residential zoned land in KDA 1 and Other Sites. In this regard the submission notes sections of the Chief Executive's Report of December 2016 prepared by technical staff including that

- the boundary of KDA1 in the Draft LAP was considered appropriate,
- the draft LAP supported the achievement of the Kildare CDP 2017 – 2023 Core Strategy Allocation avoiding any excess zoning save a level of headroom for flexibility,
- the growth allocation for Clane in the CDP was considered to incorporate adequate headroom to ensure continuity of supply over a 9 year period to 2026.

The submission notes that the River Liffey is identified in the CDP as an area of High Amenity, with Special Sensitivity and having a 'low capacity to accommodate uses without significant adverse effects on the appearance or character of the landscape having regard to special sensitivity factors'. Section 14.5-3 of the County Development Plan states that the River Liffey valley is of significance in terms of landscape and amenity value and is sensitive to development; development on the banks of the rivers can have a disproportionate visual impact, due to an inherent inability to be visually absorbed .

The submission concurs with comments in the Chief Executive's Report in terms of the importance of the Liffey as an ecological corridor, the need to protect habitats and avoid disturbance of the riparian environment through provision of adequate buffer for which 100m is considered appropriate.

It is stated that Table 14.3 of the CDP notes that urban expansion within 300m of major rivers and water bodies is considered to be 'compatible only in certain circumstances'.

Any reduction in the 100m buffer map undermine the biodiversity, scenic and amenity value of the River Liffey.

Submission No. 9: Department of Education and Skills

Summary:

This submission states that the proposed increase in the capacity of residentially zoned land, as outlined in PMA2, would yield a projected increase in population of 290 persons, resulting in an additional potential primary classroom requirement of up to 2 classrooms, and an additional potential post-primary school place requirement of 24 places. (The previous requirement generated by the Draft LAP was for 4 primary classrooms and 67 post-primary places therefore the total requirements would be 6 primary classrooms and 91 post-primary places).

Submission No. 10: Cllr Pádraig McEvoy

Summary:

The submission states that the Material Alterations that led to the addition of residential zoned lands should be removed from the plan as they did not consider the impact on the Core Strategy and the impact for the planning of the town as a whole. It is stated that without appropriate evidence of such considerations it is arguable that these zoning amendments relating to over-zoning, above and beyond the provisions of the Core Strategy, do not meet the requirements of the proper planning and sustainable development of the area.

Submission No. 11: Birdwatch Ireland Kildare Branch

Summary:

The submission requests that the buffer be maintained at 100m and Proposed Material Alteration No. 41 be withdrawn. The reduction in the buffer means the loss of a 20m wide section of nesting and feeding habitat for woodland birds and other fauna, but also means that housing, lighting and human disturbance will encroach 20m closer to the remaining woodland and river, affecting nesting and feeding options for grey heron, dipper and kingfisher.

Proposed Material Alteration No. 41 should be removed in order to maximise the size of the Liffey Park to create a truly valuable parkland protecting river, woodland and biodiversity for the population of Clane, the broader county and beyond.

The limit of the buffer at 100m already removes a swathe of valuable naturally developing woodland in the field adjacent to Alexandra walk. This newly wooded area already supports warblers, finches and more common woodland birds and protects and potentially would enhance biodiversity in Clane. The submission requests that the entire woodland in the area be protected.

Submission No. 12: Clane Community Council

Summary:

The submission notes that the Proposed Material Alterations would amend Section 4.1 and insert Table 4.1 to allow for a total of 51 hectares of undeveloped residentially zoned land with additional capacity for 295 units, compared to the recommendation of the Chief Executive of 46.6 hectares of undeveloped residentially zoned land with additional capacity for 219 units. It is stated that PMA No. 2 should not be adopted as it unnecessarily increases the area of residentially zoned land and housing capacity. The increases are not considered appropriate given the quantum of housing provided for under the Draft LAP was considered sufficient to meet the growth allocation for Clane.

The submission opposes the change for Community/Sports Buildings from "Y" to "O" under the Open Space and Amenity and Strategic Open Space zoning, as this would reduce the potential for community/sports buildings to be developed in open spaces and would place unnecessary

restrictions on their location. It is proposed that the designation of “Y” be retained.

The submission opposes the change for Community/Sports Buildings from “O” to “N” under the Business and Technology zoning, as this would reduce the potential for facilities such as boxing clubs/men’s sheds being located in business estates would place unnecessary restrictions on their location. It is proposed that the designation of “O” be retained.

The submission raises concerns regarding the change for Cemeteries from “O” to “N” under the Agriculture zoning, as this would reduce the possibility for existing cemeteries in agricultural areas to be extended.

The submission raises concerns regarding the change for Funeral Homes from “O” to “Y” under the Community and Educational zoning, as this would encourage commercial funeral home development in sites better suited for other community purposes.

The submission raises concerns regarding the categorisation for Betting Office as “O” in Neighbourhood Centres as it would encourage their development further into residential communities, therefore it should be categorised “N” .

The submission opposes the reduction in the width of the Liffeside Strategic Open Space buffer to 80m and supports the position set out in the Chief Executive’s Report, i.e. that the 100m buffer is required and appropriate to re-embrace the town’s relationship with the Liffey, address open space shortfall, secure recreational opportunities, retain the character of the river setting, and protect it as an ecological corridor and for its habitats/biodiversity. The submission states that reducing the buffer would diminish the chances for the community of Clane to have an amenity of the calibre of St. Catherine’s Park along this stretch of the Liffey in Clane.

The submission states that the only substantial stand of native wild orchids left within the area of the Clane LAP is within the 100m biodiversity zone and a reduction in the zone to 80m will threaten the survival of the orchids as they will be within metres of the encroaching residential zoning. The retention of the 100m width would also preserve a portion of the emerging woodland habitat in the area. Every effort should be made to preserve the entire area of woodland which is the natural starting point for the development of a public park.

The submission opposes the zoning under PMA No. 43, supporting the position set out in the Chief Executive’s Report, i.e. the lands are less suitable for residential development than other lands identified in the Draft LAP and given flood risk in the area. The submission notes that PMA No. 43 suggests that houses would only be built after addressing the culvert upstream, however the site will remain vulnerable to regular flooding until the entire length of the stream *downstream* of this site is addressed. Developing the land by the stream will also increase run off into the stream, increasing the likelihood of flooding downstream in Clane.

The submission opposes the zoning under PMA No. 44, supporting the position as set out in the Chief Executive’s Report, i.e. there are adequate lands zoned for residential development, sequentially closer to the town centre and more suitable for development. It is also stated that this field suffers from flooding; a large pool forms in periods of substantial rain.

Submission No. 13: Alan Brady

Summary:

This submission objects to the zoning of 1.9 hectares of lands adjacent the GAA grounds on the Prosperous Road, on the grounds that this land is flood land which has flooded on many occasions, along with Butterstream Lands/Drive/Estate. The GAA land has been raised and is much higher than Butterstream Estate, if planning permission were granted it would escalate flooding in the area, even if works are carried out to improve the drainage system. The lands in question provide a 'safe zone' for flooding for adjacent residential development. Insurance has been refused to homeowners in the Butterstream Estate on the grounds that it is flood land. Housing is important but should not be built on lands which have flooded previously or marked as being at risk of flooding.

This submission objects to the zoning of the land based on access/egress and traffic problems. The estate already suffers from schools traffic and obstruction from parked cars and the proposed zoning would make problems worse for both residents and emergency services.

Submission No. 14: Kildare Bat Group

Summary:

The submission states that the Liffey and its environs in Clane is an important foraging ground for at least four of Ireland's nine species of bat. Three of these four species select areas with broadleaf woodland, riparian habitats and low density urbanisation as habitat; the fourth shows an association with riparian habitats and woodlands and tends to select roosting habitat with areas of woodland and freshwater. Key stands of the above would be significantly diminished if the buffer zone was reduced from 100m to 80m. Also as bats are sensitive to artificial light and the reduction of the buffer zone will bring disturbance and lighting associated with Residential zoning closer to this important foraging area, its remaining integrity and value will be impacted on. Bats are a protected species under the Wildlife Act, Bern Convention and Habitats Directive.

The submission refers to an impressive emerging woodland area just downstream of Alexandra Walk, which is uncommon in Kildare. The proposed reduction in the buffer zone to 80m in width would destroy an additional significant portion of this habitat.

The submission recommends that opportunities to preserve the entire woodland be considered. The submission states that preserving as much of the woodland as possible would create a standout feature for any potential Liffey Valley Park.

Submission No. 15: Liffey Valley Park Alliance

Summary:

The submission states that the Liffey Valley Park Alliance (LVPA) has as its objective the conservation of the natural and built heritage of the Liffey Valley from Islandbridge to Clane and beyond and comments in particular on PMA No. 41. The submission states that the draft LAP represented a significant positive policy that would enhance the amenities of the town and conserve diverse ecology along the Liffey which aligned with the aims of the LVPA. The strategic opportunities for the Liffey recognised would also enable the areas being considered for European funding programmes (such as EnRoute Ecosystems and Green Infrastructure) to be extended to include Clane. In light of this it is stated that the achievement of a Liffey walkway and major public park should be considered as a priority and the buffer zone restored to 100m.

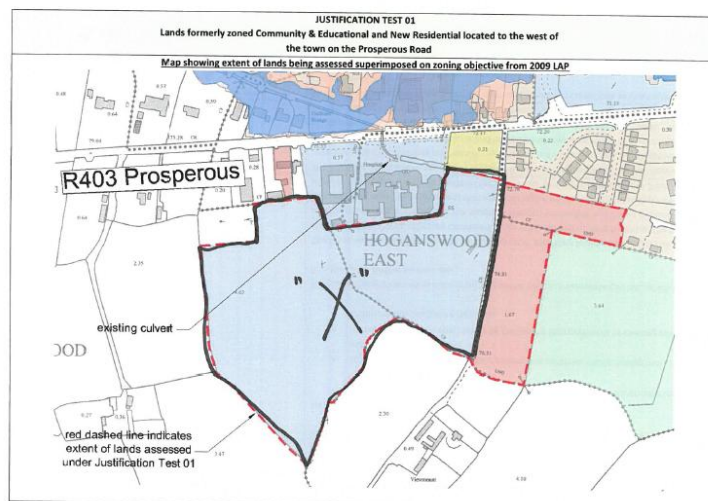
The submission states that the response to submission No. 31 in the Chief Executive's Report is balanced and considered, i.e. that the 100m buffer is required and appropriate to re-embrace the town's relationship with the Liffey, address open space shortfall, secure recreational opportunities, retain the character of the river setting, and protect it as an ecological corridor and for its habitats/biodiversity. It is stated that in the absence of published minutes from the meeting where it was decided to reduce the width of the buffer it has to be asked if a balanced case has been made for the reduction of the buffer zone, and what the impact of this proposal on the provision of zoned lands and the relationship with the Core Strategy of the CDP is. It is noted that the Capdoo Townland suffered extensive flooding in 1954 and any development there would be at risk of flood damage.

The submission states that the 100m buffer zone contains the only substantial stand of native wild orchids left within the area of the Clane LAP and the reduction of the buffer to 80m will threaten the survival of the orchids.

Submission No. 16: Sean Deane

Summary:

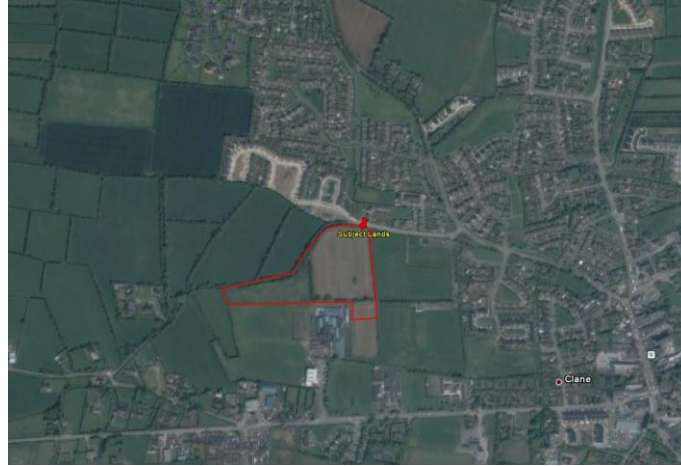
This submission seeks the zoning of lands to the south of the hospital as 'E - Community and Educational'. The lands were previously identified for further healthcare-related development with the requirement that any housing be ancillary to community/educational uses. The submission states that the Justification Tests states that it has not been demonstrated that there is a need for the lands for healthcare or associated residential development and that this has influenced the removal of the lands from the Community and Educational zoning. It is intended to develop a retirement village and nursing home on these lands but it was understood that such an application would be premature pending the delivery of sewage infrastructure. It is requested that the lands outlined be zoned E - Community and Educational.



Submission No. 17: Presentation Sisters

Summary:

This submission requests that restriction on Dwelling under E: Community and Education be omitted or altered as it is contrary to the assessment and decision on a previous planning application on the Presentation Sisters lands (shown below) to the effect that the lands are suitable for residential development.

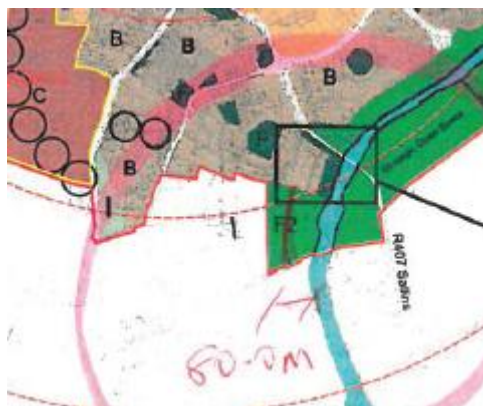


The restriction currently outlines that the land use “dwelling” (which is open for the consideration) is restricted to “ancillary to health/community uses to meet special accommodation needs”. It is stated that this should be omitted. Alternatively it is suggested that the wording be revised as follows: *“Ancillary to a community and education use, except when it is clearly demonstrated that the lands have no further function as Community and Education land. In this case residential is permitted”*. A further alternative is suggested as follows: *“This restriction shall not apply to sites where planning permission has previous been granted for residential development”*.

Submission No. 18: Shay Grace

Summary:

The submission states that as Map 13.1 has been amended for the lands north of Alexandra Bridge, to reflect the reduction in the 100m width of the biodiversity protection zone to 80m (as per PMA No. 41 and amended text on page 52 GIO1.6 and page 53 paragraph 4), that Map 13.1 should also be amended to show a zone 80 metres in width for the lands south of Alexandra Bridge, as outlined below (PMA No. 41).



Submission No. 19: Tesco Ireland

Summary:

The submission welcomes PMA No. 38 and associated change to the Land Use Zoning Matrix.

The submission states that the designation of the Tesco site as Neighbourhood Centre should not prevent it from improving its retail offer and that it should be acknowledged that Neighbourhood Centres can be developed provided they do not impact negatively on the town centre. It is proposed that the matrix outlined as part of PMA No. 34 should be amended to reflect this; that retail comparison uses can be provided at a small scale and this should be permissible provided it would not have a negative impact on the town centre. It is requested that the permitted uses for the Neighbourhood Centre zoning be reconsidered.

Submission No. 20: Tim and Dan O'Brien

Summary:

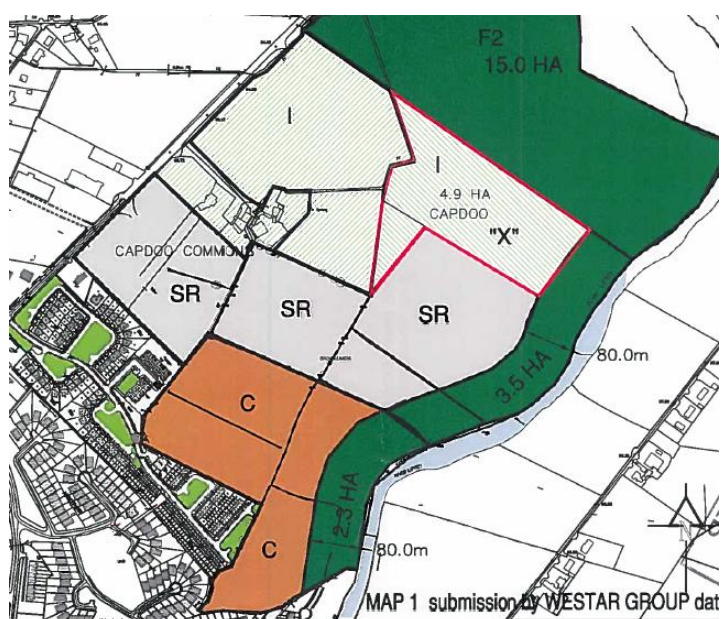
The submission relates to potential cycle/walkways identified in the LAP and while noting the benefits of these to the community, requests that full consultation take place with relevant landowners at design and implementation stage particularly regarding potential anti-social behaviour.

Submission No. 21: Westar

Summary:

Westar requests that 4.9 hectares of land in Capdoo Commons be zoned I Agriculture as shown below.

The submission states that Justification Test No.8 of the Strategic Flood Risk Assessment addendum was carried out in relation to New Residential development rather than the Agricultural use. Westar sought to have 4.9 hectares of land zoned Agriculture at this location, which is water compatible development in accordance with the Flood Risk Management Guidelines for Planning Authorities and such the conclusion that the site failed the Justification test was incorrect. Westar requests that the subject lands be zoned I Agriculture, to provide a clear linear boundary to the parkland and further compliment the linear park along the Liffey.



Submission No. 22: Butterstream Residents Association

Summary:

This submission expresses concern about the cumulative increase in the proposed growth of Clane through Proposed Material Alterations 2, 41, 43 and 44, which is beyond the significant but reasoned quantum of lands set out in the draft Local Area Plan, and some of which go against the explicit advice contained within the Chief Executive's report. The submission notes that National Planning Framework has recognised the over-development of the greater Dublin area in contrast with the rest of the country and as such these additional zonings are not made with the balanced consideration of the town and its role in the core strategy for the county. The submission seeks the removal of these Proposed Material Alterations from the final LAP.

The submission highlights consequences of PMA No. 43 for the Butterstream Estate. It is stated that infilling of part of the lands in 2005/2006 resulted in the direct flooding of housing in the estate as it raised an area which served as a flood plain and, despite the alleviation scheme implemented by the OPW to reduce flood risk, a significant flood risk remains. The zoning of the lands has not been balanced with a cost benefit or appropriate risk analysis. The decision to zone the lands does not appear to comply with the requirements of planning legislation. Flood risk arising from development of these lands has potential issues for both properties within Butterstream Estate and for any future properties which might be developed on the lands.

The submission states that Proposed Material Alteration 41 is also regrettable given the strategic shortage of open lands for amenity in Clane. The re-allocation of the buffer lands to housing puts additional pressure on the ratio of developed lands to amenity lands within the town and continues to seek to develop lands near a watercourse which will add to insurance premiums around flood risk in general. Given the Draft LAP met the growth objectives for the town the over-zoning will further pressure the roads, schools and other amenities in the town.