



# Chief Executive's Report on Submissions/Observations received to Proposed Variation (No.1): Kilcullen Settlement Plan





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## **GLOSSARY OF ACRONYMS**

AA	Appropriate Assessment
ABTA	Area Based Transport Assessment
BUA	Built Up Area
EMRA	Eastern & Midlands Regional Assembly
EPA	Environmental Protection Agency
KCC	Kildare County Council
KCDP	County Development Plan
LAP	Local Area Plan
LTP's	Local Transportation Plan's
NPF	National Planning Framework
NTA	National Transport Authority
OPR	Office of the Planning Regulator
OPW	Office of Public Works
RSES	Regional Spatial & Economic Strategy
SEA	Strategic Environmental Assessment
SFRA	Strategic Flood Risk Assessment
SIA	Social Infrastructure Audit
SWMS	Surface Water Management Strategy
TIA	Traffic Impact Assessment
TII	Transport Infrastructure Ireland



## **Abstract**

The proposed Kilcullen Settlement Plan will replace the expired *Kilcullen Local Area Plan 2014-2020* when incorporated into Kildare County Development Plan 2023 – 2029 (hereafter referred to as the “Kildare CDP”) by means of a statutory Variation to the Plan under s13 of the *Planning and Development Act 2000* (as amended). The proposed Settlement Plan will provide a coherent planning policy and framework which can guide the future planning and sustainable development of the town up to Q4, 2028.

The proposed *Kilcullen Settlement Plan* is aligned with current National, Regional and County growth targets and policy objectives, including the Core Strategy of the Kildare CDP. The proposed plan presents an opportunity to ensure forthcoming development is consistent with compact growth guidelines (NPO3c) ensuring the sequential development of the town. Notably, the Settlement Plan proposes a reduction in land zoned for the purposes of residential use to align with the CDP Core Strategy housing and population targets set out in the higher order plans.

The proposed Kilcullen Settlement Plan will be incorporated into Volume 2: Settlement Plans of the CDP as Volume 2A: Kilcullen Settlement Plan.

The Plan is comprised of a written statement and mapped objectives.

Kildare County Council's statutory consultation was complemented by a Public Information Evening held at Kilcullen Town Hall on Tuesday 5 November 2024, which was attended by more than 75 participants.

In response to the statutory consultation on the Proposed Variation Kildare County Council received 30 submissions from the OPR, prescribed bodies, Elected Members and members of the public. A range of issues were raised, including:

- the provision of sustainable transport measures and active travel infrastructure; social infrastructure/services;
- measures to support the vitality of the town centre; and regeneration/improvement of the public realm.

Other submissions raised concern relating to green infrastructure provisions, flood risk management and the safeguarding of the River Liffey Corridor from inappropriate development. A number of submissions were also received in respect of proposed land use zoning objectives, including a number of residential zoning requests for the delivery of additional/alternative housing provision.

This Chief Executive's Report considers the issues raised in the submissions received and recommends 16 Proposed Material Amendments, and also recommends 3 non-material / consequential amendments.

## 1.0 Introduction

This report relates to the issues raised in submissions and observations received from members of the public, prescribed bodies and key stakeholders following the publication of *Proposed Variation No. 1: Kilcullen Settlement Plan* of the *Kildare County Development Plan 2023-2029* pursuant under Section 13(2) of the Planning and Development Act 2000 (as amended).

The Proposed Variation will provide a Settlement Plan for Kilcullen to replace the *Kilcullen Local Area Plan 2014 – 2020* (LAP), to include a written statement and mapped objectives to provide a coherent planning policy framework for Kilcullen to guide the future planning and sustainable development of the town. The Settlement Plan aligns with current National, Regional and County growth targets and policy objectives, including the Core Strategy of the Kildare County Development Plan 2023-2029. The Settlement Plan presents an opportunity to provide a coherent land use and planning strategy for Kilcullen. The land use strategy is based on a sequential approach and consistent with compact growth (NPO 3c) guidelines.

The Proposed Variation will require consequential amendments to Volume 1: Written Statement and Volume 2: Small Towns, Environs, Villages and Rural Settlements of the Kildare County Development Plan 2023-2029. It is essential that this Draft Settlement Plan is read in tandem with Volume 1: of the Kildare County Development Plan 2023-2029, including the Kilcullen LAP 2014-2020.

This report is being furnished to the Elected Members of Kildare County Council for their consideration.

### 1.1. Legislative Requirements

In accordance with Section 13(4) of the *Planning and Development Act 2000* (as amended), the Chief Executive is required to prepare a report on the submissions or observations received during the public consultation period in respect of the Draft Plan. This report should:

- List the persons who made submissions or observations,
- Summarise the recommendations, submissions and observations made by the Office of the Planning Regulator (OPR),
- Summarise the issues raised in all submissions or observations made by any other persons,
- Contain the opinion of the Chief Executive in relation to the issues raised and recommendations in relation to the proposed local area plan, taking account the proper planning and sustainable development of the area, the statutory obligations of the local authority and relevant policies or objectives of the Government or of any Minister of the Government.

## **1.2. Public Consultation**

*Proposed Variation No. 1: Kilcullen Settlement Plan of the Kildare County Development Plan 2023-2029* was placed on public display from Tuesday, 22<sup>nd</sup> October 2024 to Wednesday 20<sup>th</sup> November 2024. The Kilcullen Settlement Plan and accompanying documents were displayed at the offices of the Planning Department in Áras Chill Dara, Naas, Co. Kildare, in the Kilcullen Branch Community Library and on the County Council's dedicated online public consultation portal at: <https://consult.kildarecoco.ie/en/browse>

The *Kilcullen Settlement Plan* comprises a written statement with maps and is accompanied by:

- An Appropriate Assessment (AA) Screening Report pursuant to the EU Habitats Directive (92/43/EEC),
- A Strategic Environmental Assessment Screening Report pursuant to the Planning and Development (Strategic Environmental Assessment (SEA) Regulations 2004 - 2011.
- An addendum to the Strategic Flood Risk Assessment (SFRA) Report of the Kildare County Development Plan 2023-2029, pursuant to Section 28 of the *Planning and Development Act 2000* (as amended); and
- A Surface Water Management Strategy (SWMS) for the Kilcullen Settlement Plan area.

A public notice was published in the Kildare Nationalist and Leinster Leader on Tuesday 22<sup>nd</sup> October 2024 notifying members of the public that *Proposed Variation No. 1: Kilcullen Settlement Plan of the Kildare County Development Plan 2023-2029* would be placed on public display from the 22<sup>nd</sup> of October 2024 to 20<sup>th</sup> of November 2024.

Submissions and Observations were invited during the public consultation period. Copies of the Proposed Variation, Kilcullen Settlement Plan, associated documents and public notice were issued to the prescribed bodies and environmental authorities, including Government Departments and other agencies, as required by the Planning and Development Act 2000 (as amended).

In total, 30 submissions or observations were received during the public consultation period, including ten (10) from public bodies.

The Members are advised that submissions are available for public viewing at:

[Variation 1 of Kildare County Development Plan 2023 - 2029 - Kilcullen Settlement Plan - Submissions | Kildare County Council](#)

### 1.2.1. Consultation 'Drop-in' Event



A public consultation event in the form of a drop-in evening was held to provide the opportunity for the public to view the Draft Settlement Plan and speak with KCC staff from the Planning and Transportation and Mobility Teams. The event was held at Kilcullen Town Hall, Kilcullen on Tuesday, November 5<sup>th</sup> from 4-7pm. Approximately 75 people attended the event to inspect the *Proposed Variation No.1: Kilcullen Settlement Plan* and associated documents and to discuss issues that mattered to them.

### 1.3. Contents of the Chief Executive's Report

The Chief Executive's Report is set out, as follows:

- Section 1:** Introduction to the Chief Executive Report (this section).
- Section 2:** List of persons or bodies who made submissions or observations.
- Section 3:** Submission from the Office of the Planning Regulator (OPR).
- Section 4:** Submissions in respect of the Prescribed Authorities and public bodies.
- Section 5:** Issues raised by themes in submissions or observations from all other persons or bodies.
- Section 6:** Submissions from landowners relating to requests for re-zoning of land and land use zoning objectives within County Kildare.
- Section 7:** Composite List of Chief Executive's Recommended Material Alterations
- Section 8:** List of Chief Executive's Recommended Non-Material Alterations.
- Appendix A: Submission from the Office of the Planning Regulator**
- Appendix B: Summary of Individual Submissions Received**

## **Appendix C: Landowner Submission Map – Site Locations**

**Note:** All sections of this report (including Appendices) should be read in their entirety in conjunction with the *Proposed Variation Document, Draft Settlement Plan* including the Kildare County Development Plan 2023-2029.

### **1.4. Next Steps**

Within six weeks of receiving the Chief Executive's Report, the Elected Members of the Kildare County Council must consider *Proposed Variation No. 1: Kilcullen Settlement Plan* of the *Kildare County Development Plan 2023-2029* and the *Chief Executive's Report (this report)*. Following consideration of both, the Elected Members may, as they consider appropriate, by resolution, adopt the variation to the Kildare County Development Plan 2023-2029.

Section 13(7) of the *Planning and Development Act 2000* (as amended) states that the Members of the Council are restricted to:

- Considering 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 any Minister of the Government (e.g. the *Climate Action Plan*).

In addition, 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*' (July 2019) prepared under the *Local Government Act 2001* (as amended), carry out their duties in a transparent manner, must follow due process and must make their decisions based on relevant considerations.



## 2.0 List of Persons/Bodies Who Made Submissions

### 2.1. Submissions or Observations Received

During the public consultation period a total of 30 submissions or observations were received. The list of persons, prescribed bodies, groups, and stakeholders who made valid submissions are listed in Table 2-1.

Kildare County Council would like to take the opportunity to thank those who made written submissions on the Proposed Variation No. 1: Kilcullen Settlement Plan of Kildare County Development Plan 2023 – 2029.

**Table 0-1 Persons/Organisations Who Made Submissions or Observations**

Ref. No <sup>1</sup> .	Name/Organisation	Ref. No.	Name/Organisation
01	Environmental Protection Agency (EPA)	12	Sunbury Close Residents Association
02	Transport Infrastructure Ireland (TII)	13	National Transport Authority (NTA)
03	Ronan Murray	14	Ann Cashman
04	Eastern and Midlands Regional Assembly (EMRA)	15	Kilcullenbridge Developments Limited
05	Meath County Council	16	JJ Warren
06	Howard Berney	17	Office of the Planning Regulator (OPR)
07	Department of Housing, Local Government and Heritage	18	Oakway Homes
08	Department of Education	19	Noel Clare
09	Nolan Family	20	Nyle Rafferty
10	Uisce Éireann (Irish Water)	21	Ann Cashman
11	Ray Kelly	22	Kilcullen Community Action
23	JJ Warren	27	Mark Dyer

<sup>1</sup> Each reference number associated with a submission or observation starts with KCC-C311 and the unique reference is the last digits which are reflected in Table 2-1.



<b>Ref. No<sup>1</sup>.</b>	<b>Name/Organisation</b>	<b>Ref. No.</b>	<b>Name/Organisation</b>
24	Orla O'Neill	28	Murphy Design & Build Solutions Ltd.
25	Office of Public Works (OPW)	29	Andrew Nolan
26	Tracey O'Dwyer	30	Niall McDonnell & Donal Flanagan

## 3.0 Submission from the Office of the Planning Regulator

This section of the Chief Executive's report outlines the evaluation and assessment by the Office of the Planning Regulator (OPR) of *Proposed Variation No. 1: Kilcullen Settlement Plan of the Kildare County Development Plan 2023-2029* in accordance with Sections 31AO(1) and 21AO(2) of the *Planning and Development Act 2000* (as amended). In accordance with Section 13(4) of the *Planning and Development Act 2000* (as amended) the recommendations, submissions and observations made by the OPR are detailed in this section of the report. The Chief Executive's Response in relation to the issues raised by the OPR and recommendations in relation to the Proposed Variation are also detailed in Table 3-1, below. A copy of the submission from the OPR is attached in Appendix A of this report.

**Table 0-1 Submission from the Office of the Planning Regulator**

Office of the Planning Regulator (OPR) (Ref. No. KCC-C311-17)	
Issues raised	Chief Executive's Response
<p>The OPR notes the Draft Settlement Plan has been assessed and comments / recommendations have been provided under the provision of Sections 31 AM (1) and (2) of the Planning and Development Act 2000, as amended (The Act) accordingly;</p> <p>The submission acknowledges the proposed Variation and the timely benefit of providing an updated land use zoning and policy objectives on a statutory footing within the Kildare County Development Plan 2023-2029 (KCDP). It further states the Settlement Plan sets out a well-balanced approach to the future development of the town promoting compact growth and sustainable development, whilst also addressing a legacy of poorly located zoned land which was an issue raised during the preparation of the KCDP. The submission includes 2 recommendations.</p>	<p>The comments of the OPR are welcomed and noted.</p> <p><b>Chief Executive's Recommendation</b></p> <p>No change.</p>

Issues raised	Chief Executive's Response
<p><b>Core Strategy and Housing Supply Target</b></p> <p>The submission notes the Settlement Plans proposed additional provision of residential land to address the unmet social housing demand for the town. It contends this approach is considered reasonable in principle under the methodology set out in the Housing Supply Target Methodology for Development Planning, Guidelines for Planning Authorities (2020), however the increase applied relates to the core strategy and number of homes to be delivered. The submission notes the guidance on making “Additional Provision” outlined under section 4.4.3 of the Development Plans, Guidelines for Planning Authorities (2022), is a separate matter which relates specifically to the amount of land required to meet the housing target in the core strategy.</p> <p><b><u>Recommendation 1</u></b></p> <p>The submission states the OPR is satisfied with the quantum and location of new residential lands in the Draft Settlement Plan, however it requires the Planning Authority to clarify the above matter and to provide for the ‘unmet demand’ within the housing target set out in the core strategy. It further requires the amending of Section 2.4 of the Draft Settlement Plan for Kilcullen regarding ‘additional provision’.</p>	<p>The planning authority acknowledges the contents of the submission and recommendations outlined, in particular the recommendation to amend the Core Strategy table (Chapter 2, Table 2.8) within the existing Kildare County Development Plan 2023 – 2029, to reflect the additional provision outlined in the proposed settlement plan for Kilcullen.</p> <p>To provide clarity to the issue with respect the additional provision in the Draft Settlement Plan, attention is drawn to Section 2.4 of the Proposed Variation published on the 22<sup>nd</sup> of October 2024. This highlights that a Housing Needs Demand Assessment (HNDA) was prepared in tandem with and to inform the Kildare County Development Plan 2023-2029. The HNDA estimates future housing need and demand across the county and was prepared in with the Planning and Housing Departments within Kildare County Council. The HNDA also informed the Housing Delivery Action Plan prepared by the Council and submitted to the Department of Housing, Local Government and Heritage as a key action under Housing for All.</p> <p>Under the agreed and adopted HNDA, it is stated that Kilcullen is a first area of choice for 142 social housing applicants/cases on the housing list. This figure rose to <b>195 applicants/cases by March 2024</b>. A significant number of these applicants currently reside in Kilcullen and therefore are not considered to be “additional population growth” in the context of the Core</p>

	<p>Strategy. In this regard, additional provision is required. As referenced under Section 2.4 of the Draft Settlement Plan, there is one planning permission at the early stages of development which will deliver additional units for the period between 2023 and Q4 2028 through which 12 units will be acquired under Part 5 (Table 2.5). In this regard, a simple calculation illustrates that a significant deficit in the provision and delivery of social housing units will remain, and it is the intention of the Council that the additional provision within the Draft Settlement Plan will address a further portion of this existing unmet demand.</p> <p>Furthermore, a series of additional amendments are proposed to the Land Use Zoning and Future Development Strategy for Kilcullen which may result in further changes to the housing yield from lands zoned for New Residential development in the draft Settlement Plan and therefore, amendments to Table 2.8 of the KCDP are not considered necessary given the potential infinitesimal surplus which will result from future residential development in Kilcullen, should all sites comes forward for development.</p> <p>In this regard it should be noted that the housing yield is estimated based on a range of variables, including but not limited to, density, housing mix, site topography, infrastructure provision etc. <u>This is not a definitive housing return.</u> Proposals for development on lands zoned New Residential will be assessed having regard to quantitative and qualitative factors which may result in a varied housing delivery for specific sites.</p> <p>It should also be noted that it is considered best practice for land use zonings, where possible and practical, to follow</p>
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	<p>existing field boundaries and natural landscape features and in that respect land use zonings do not run along an illogical boundary across existing fields to ensure exact compliance with a specified housing target. The LUZ Maps for Kilcullen (and all other settlements in County Kildare) take this approach, which ensures the proposed development considers the receiving environment from concept to delivery.</p> <p><b>Chief Executive's Recommendation</b></p> <p>No change recommended.</p>
Issues raised	Chief Executive's Response
<p><b>Regeneration and Retail Provision</b></p> <p>The submission notes the specific objective ST KL15 in respect of the future Mart Opportunity Site (OP1) which sets out the development objectives for the lands, including the provision of a landmark mixed use/retail development. The submission highlights the importance of the Core Retail Area (Main Street) and notes the scale and proximity of the proposed opportunity site which has the potential to negatively affect the vibrancy and vitality of the main street. It states that an appropriate balance needs to be struck and recommends a threshold and quantum of floor space allowed for retail to serve the community should be appropriate to the size of the town and should be outlined in advance.</p> <p><b><u>Recommendation 2</u></b></p> <p>The submission states a requirement for the quantum of retail floor space allowed to be defined in the Settlement Plan. This</p>	<p>The Planning Authority notes the comments outlined by the OPR and understands retailing is a fundamental element of town centre activity and it is important that these centres are supported and protected as a core function.</p> <p>Under the KCDP and County Retail Hierarchy, Kilcullen is designated as Level 3 in the strategic framework which has the capability to provide large scale convenience and middle order comparison stores, not excluding higher order comparison related to tourism. The Retail Strategy for The Greater Dublin Area (2008-2016) further states (S.6.31) that when considering scale, Local Authorities should ensure the size of developments within new growth areas is designed to serve that area and must not erode existing centres by drawing trade from an extended area outside of the new core population.</p> <p>Any planning application for this site will be subject to: KCDP policy; ST KL.15 (requiring a masterplan and specific design</p>

<p>will provide clarity to the public and prospective applicants whilst providing a robust framework for decision making at the development management stage.</p>	<p>outcomes); and Retail Impact Assessment in accordance with <i>Guidelines for Planning Authorities, Retail Planning</i> (April, 2012). It is also noted that the RSES for the Eastern Midlands Regional Assembly highlights that these Guidelines for Planning Authorities are designed to ensure retail development is plan-led, to promote city centre vitality through the sequential approach to development, enable good quality development in appropriate locations, facilitate a modal shift; all to deliver quality urban design outcomes. It is considered that this provides the necessary framework for determining an appropriate approach to developing the site and quantum of retail floorspace to align with the Level 3 centre designation at a Masterplan and Development Management level.</p> <p>It is not considered appropriate to define a quantum of retail floorspace (comparison and / or convenience) without a strong evidence base to justify a particular target range.</p> <p><b>Chief Executive's Recommendation</b></p> <p>No change recommended.</p>
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## 4.0 Submissions from the Prescribed Authorities and Public Bodies

During the public consultation period 10 submissions were received from Prescribed Authorities and Public Bodies (in addition to the OPR) as follows:

**Table 4-1 Prescribed Authorities and Public Bodies Who Made Submissions or Observations**

Ref. No.	Prescribed Authority/Public Body
01	Environmental Protection Agency (EPA)
02	Transport Infrastructure Ireland (TII)
04	Eastern and Midlands Regional Assembly (EMRA)
05	Meath County Council
07	Department of Housing, Local Government and Heritage
08	Department of Education
10	Úisce Eireann (Irish Water)
13	National Transport Authority (NTA)
25	Office of Public Works (OPW)

The response and recommendations of the Chief Executive in relation to the main issues raised are set out under each submission.

**Table 4-2 Summary of Submissions from Prescribed Authorities and Public Bodies**

<b>Environmental Protection Agency (EPA) (Ref. No. KCC-C311-01)</b>	
<p>The submission from the EPA outlines its role as one of the statutory environmental authorities under the SEA Regulations, focusing on the transparent integration of the findings of the Environmental Assessment into plans and programmes. The submission makes reference to the 'self-service approach' via the guidance document 'SEA of Local Authority Land Use Plans – EPA Recommendations and Resources', which should take into account and incorporate the relevant recommendations as relevant and appropriate to the plan or programme.</p> <p><b>SEA Determination</b></p> <p>The submission notes that the SEA Regulations, <i>Schedule 2A (S.I. No. 436 of 2004, as amended) or Schedule 1 (S.I. No. 435 of 2004, as amended)</i>, as appropriate, sets out the 'Criteria for determining whether a Plan is likely to have significant effects on the environment' and recommends the use to determine whether the plan or programme would likely to have significant effects on the environment. The submission notes that in making our SEA Screening Determination, reference should be taken of guidance on SEA-related monitoring which is available on the EPA website at: <a href="https://www.epa.ie/our-service/monitoring-assessment/assessment/strategic-environmental-assessment/sea-resources-and-guidance/">https://www.epa.ie/our-service/monitoring-assessment/assessment/strategic-environmental-assessment/sea-resources-and-guidance/</a></p> <p><b>EPA SEA Screening Guidance</b></p>	<p><b>Chief Executive' Response</b></p> <p>The issues raised in the EPA submission are noted and accepted.</p> <p><b>Chief Executive's Recommendation</b></p> <p>No change recommended.</p>

The submission states that the EPA's guidance document 'Good Practice Guidance for Strategic Environmental Assessment (SEA) Screening (EPA, 2021)' provides specific stand-alone guidance to assist plan or programme makers and SEA practitioners. The guidance focuses primarily on plans/programmes in the non-land use sector in Ireland and includes an elaboration of the steps needed for screening, the legislative landscape underpinning SEA screening, and step-by-step process and templates to assist in preparing the required documentation.

**Strategic Environmental Assessment: Guidelines for Planning Authorities (DHLGH 2022)**

The submission states the above Guidelines provide advice on carrying out SEA in the land use planning sector, with particular reference to plans listed in S.I. No. 436 of 2004, as amended. The plans it specifically focuses on comprise regional, county and local plans including Regional Spatial and Economic Strategies, County or City Development Plans, Variations of Development Plans, Local Area Plans and planning schemes for SDZ.

**Sustainable Development**

It recommends that the proposed plan and programme is consistent with the need for proper planning and sustainable development, ensuring appropriate critical service infrastructure is in place, or required to be delivered in order to service any development proposals in the lifetime of the plan. It notes that any plan should align with national commitment on climate change mitigation and adaptation, including the

incorporation of any relevant recommendations in sectoral, regional and local climate adaptation plans. It states that all plans and programmes must align with the relevant higher-level plans and programmes and be consistent with the relevant objectives and policy commitments of the National Planning Framework (NPF) and Regional Spatial & Economic Strategy (RSES).

### **Ireland's State of the Environment Report 2024**

The submission highlights the EPA's latest iteration of its 4-yearly state of the Environment Report. It recommends the report should be considered and integrated as appropriate in implementing the proposed plans. The report is available to review at:

<https://www.epa.ie/our-services/monitoring--assessment/assessment/state-of-environment-report/>

### **Available Guidance & Resources**

The submission highlights a number of SEA resources and guidance available on the EPA website to support and assist local authorities in the SEA screening and assessment process;

- EPA SEA WebGIS Tool: Updated recently, this tool allows public authorities to produce indicative reports on key aspects of the environment in a specific area, whilst assisting in the SEA screening and scoping exercises.

<https://gis.epa.ie/EPAMaps/SEA>

- Catchments.ie: Provides a single point access to water quality and catchment data from the National WFD monitoring programme.

<https://www.catchments.ie/maps/>

### **Future Amendments to the plan or programme**

It notes that any changes to the plan prior to adoption, or where amendments are proposed thereafter, these should be screened for potential likely significant effects in accordance with the criteria set out in Schedule 2A (S.I. No. 436 of 2004, as amended) or Schedule 1 (S.I. No. 435 of 2004, as amended) of the SEA Regulations, as appropriate.

### **Appropriate Assessment**

It states that any plan should comply with the requirements of the Habitats Directive, and where an Appropriate Assessment is required, the key findings and recommendations should be incorporated into the SEA and plan.

### **EPA AA Geo Tool**

It notes this tool has been developed in partnership with the National Parks and Wildlife Service, allowing users to gather information for European sites in a specific location.

<https://gis.epa.ie/EPAMaps/AAGeoTool>

### **Environmental Authorities**

States that under the SEA Regulations, prior to making your SEA determination, the Council should consult with:

- Environmental Protection Agency;
- Minister for Housing, Local Government and Heritage,

<ul style="list-style-type: none"> <li>• Minister for Environment, Climate and Communications, and</li> <li>• Minister for Agriculture, Food and the Marine.</li> </ul> <p>For land use plans covered under S.I. No. 436 of 2004, as amended, the Council should also consult with: • Any adjoining planning authority whose area is contiguous to the area of a planning authority which prepared a draft plan, proposed variation or local area plan</p> <p><b>SEA Determination</b></p> <p>The submission states that when a determination on the requirements for an SEA is required or not, and if appropriate, make a copy of the reasons available for public inspection in office and online. A copy of the determination should also be issued to the relevant environmental authorities consulted.</p>	
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Transport Infrastructure Ireland (TII) (Ref. No. KCC-C311-02)	
<p>The submission acknowledges the referral of notice and the proposed variation. It states TII has no observations to make at this time having regard to the variation and the provisions of the official national roads policy as set out in DoECLG <i>Spatial Planning and National Roads Guidelines for Planning Authorities</i> (2012).</p>	<p><b>Chief Executive's Response</b></p> <p>The issues raised in the Transport Infrastructure Ireland submission are noted and accepted.</p> <p><b>Chief Executive's Recommendation</b></p> <p>No change recommended.</p>



Eastern and Midlands Regional Assembly (EMRA) (Ref. No. KCC-C311-04)	
<p>The submission welcomes the Proposed Variation to the Development Plan and notes the Regional Assembly's role under the provisions of the Planning and Development Act 2000 (as amended) and is obliged to prepare submissions/observations to the relevant planning authority and share a copy with the Office of the Planning Regulator (OPR). It notes that submissions are made to investigate whether in the opinion of the Regional Assembly, the draft variation of the development plan and its Core Strategy, is consistent with the objectives of the Regional Spatial and Economic Strategy.</p> <p><b>Submission</b></p> <p>The submission notes the proposed settlement plan outlines how it hopes to deliver compact growth, ensuring the plan provides for a greater proportion of residential development to be focused on urban infill, regeneration and revitalisation of the town centre urban sites. The submission welcomes this proposal acknowledging the proposed settlement plan can achieve the 30% target for new development to be delivered within the Built-Up Area of the town which is in accordance with objective RPO 3.2 of the RSES.</p> <p>In relation to Section 2.4 of the proposed plan, it notes the Council's proposal to provide 25% additional housing units to the existing target as set out in the Core Strategy of the Kildare County Development Plan, to assist in meeting the unmet demand in terms of social housing requirements in the area. The submission notes this additional provision is justified under Section 4.3.3 of the Development Plan Guidelines for Planning Authorities (2022), however it notes this additional provision</p>	<p><b>Chief Executive' Response</b></p> <p>The contents of the submission are acknowledged, and recommendations outlined, in particular the recommendation to amend the Core Strategy table (Chapter 2, Table 2.8) within the existing Kildare County Development Plan 2023 – 2029, to reflect the additional provision outlined in the proposed Settlement Plan for Kilcullen are noted</p> <p>Additional provision in this instance was provided to address unmet social housing demand in the area.</p> <p><b>Chief Executive's Recommendation</b></p> <p>See Response to Submission from the Office of the Planning Regulator for clarity and further direction.</p>

<p>must be identified and amended in the Core Strategy table contained in the Kildare County Development Plan 2023 - 2029 (KCDP) upon adoption of the final variation. Overall, it notes the proposed variation to be consistent with the objectives of the RSES and it is considered the proposed plan including housing, population targets and land use zoning is consistent and aligned with the KCDP in providing an updated settlement plan and land use zoning (subject to additional provision being included in an updated core strategy table).</p> <p>The submission notes that RSO 2 (Regional Strategic Outcome) 'Compact Growth and Urban Regeneration' supports the proposed variation, and which aligns with the National Strategic Outcome 1 of the National Planning Framework (NPF). It states, the Regional Assembly has no objection to the proposed variation as it is generally consistent with the RSES for the Eastern and Midland Region 2019-2031.</p> <p><b>Environmental Assessments</b></p> <p>The submission also acknowledges the Strategic Environmental Assessment (SEA) and the Appropriate Assessment (AA) Screenings which were undertaken in support of the proposed variation and notes the conclusions and results in not having any significant environment effects to the plan area. It also notes a Strategic Flood Risk Assessment (SFRA) report has been undertaken in support of the proposed variation.</p> <p><b>Recommendations</b></p> <p>The submission recommends the Core Strategy table in the KCDP 2023-2029 be amended having regard to the additional provision being proposed, ensuring the final variation is consistent with RSES and relevant ministerial guidance for</p>	
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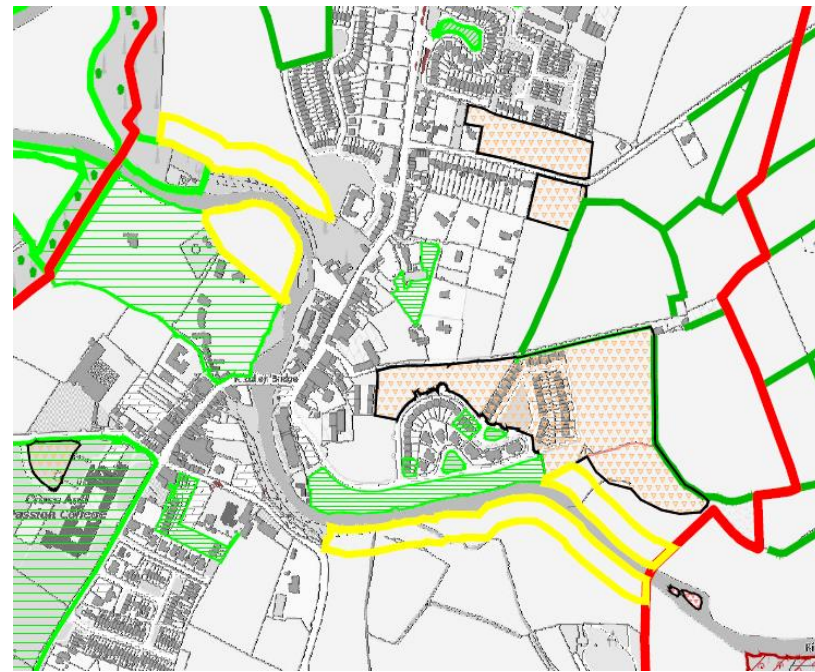
'additional provision' provided in the Development Plan Guidelines for Planning Authorities.	
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<b>Meath County Council (Ref. No. KCC-C311-05)</b>	
The submission acknowledges the referral of notice and the proposed variation. The submission notes that Meath County Council have no comments to make in relation to proposed Variation No. 1 of the Kildare County Development Plan 2023-2029.	<b>Chief Executive's Response</b> The submission is noted and accepted. <b>Chief Executive Recommendation</b> No change recommended

Department of Housing, Local Government and Heritage (Ref. No. KCC-C311-07)	
Issues Raised	Chief Executive's Response
<p>The submission makes the following observations noting its role as the authority with responsibility for nature conservation and the nature Directives (the EU Birds and Habitats Directives) and as an environmental authority under the SEA legislation. Its states the observations made are offered to assist Kildare County Council in meeting its obligations in relation to nature conservation, European sites, biodiversity and environmental protection in the preparation of this Settlement plan.</p> <p><b>Green Infrastructure and River Liffey Corridor</b></p> <p>The submission notes the importance of the Liffey Corridor within the context of Kildare and its function as an ecosystem providing connection between habitats, plants and animals. The submission highlights the following recommendations as follows;</p> <ul style="list-style-type: none"> <li>It notes that some areas of the Liffey Corridor within the Town are not included in the Green Infrastructure map published, recommending the inclusion of the entire river and riparian zone on both banks in accordance with Objectives (BI 070, BI P8 and BI P13) of the Kildare County Development Plan 2023-2029 (KCDP) and Article 10 of the EU Habitats Directive (92/43/EC).</li> </ul>	<p><u>River Liffey Corridor</u></p> <p><b>Land Use Zoning Objective Map (V2A-1)</b> - It is important to note that Land Use Zoning Map of the <i>Draft Kilcullen Settlement Plan</i> has identified and zoned both sides of the River Liffey Corridor within the town boundary as 'F - Open Space and Amenity', where appropriate. DHLG may not have seen this map before making their submission.</p> <p><b>Green Infrastructure Map (Map V2A-5):</b> The points in relation to the protection of the River Liffey Corridor, including the recommendation for the mapping of the entire river corridor and riparian zones on both banks on the Green Infrastructure Map are accepted. This will ensure alignment with objectives BI O70, BI P8 and BI P13 of the KCDP.</p> <p><b>Chief Executive recommendation:</b></p> <p><u>Map V2 - A-5 – Green Infrastructure</u></p> <p>Amend map to include and identify additional 'Recreation and Amenity Spaces' along the River Liffey Corridor to the east and west of the town within the settlement boundary.</p> <p>Note: (See areas outlined in yellow on map below)</p>

The submission makes reference to objective BIO45 which does not correspond with footnote provided, correct objective to footnote 1 is BI 070.

- It recommends the zoning of the riverside area south of Kilcullenbridge to open space and amenity to protect the river corridor and habitat fragmentation.



The proposed amendment will require Minor Non-Material consequential amendments to Map V2A-5.

Issues Raised	Chief Executive's Response
<p><b>Development Objectives</b></p> <p>The submission highlights concern in relation to the following proposed objectives which relate specifically to the River Liffey;</p> <p><b>STKL48 – Riparian Buffers</b></p> <ul style="list-style-type: none"> <li>• The submission recommends the riparian buffers for specific watercourses such as the River Liffey should be included in the Settlement Plan to avoid confusion and generalisation.</li> <li>• It further states that development within the outlined buffer zones will only be considered for water compatible developments – it notes however that National Policy in terms of compatible development relates to flood zones and not riparian zones which is contained in the OPW 'The Planning System and Flood Risk Management 2009' guidance document. The submission refers to the OPW guidance noting planning authorities when preparing development plans, should preserve riparian strips alongside river channels free of development and of adequate distance to allow access for river maintenance.</li> <li>• It states this does not align with Inland Fisheries Ireland Guidance 'Planning for Watercourses in the Urban Environment (2020)' noting walking trails should not run through ecologically sensitive areas and that proposals</li> </ul>	<p><b>Riparian Buffers</b></p> <p>The Kildare County Development Plan 2023-2029 provides a very robust policy framework in Chapter 12: Green Infrastructure and Biodiversity. Once adopted, the Kilcullen Settlement Plan will form part of the County Development Plan, and therefore it is not considered necessary to duplicate policy framework.</p> <p>It is considered appropriate to simplify the objective to cross-reference to the KCDP policy framework and to ensure alignment with the guidance set by the OPW (The Planning System and Flood Risk Management) and the specific guidance from Inland Fisheries Ireland Guidance 'Planning for Watercourses in the Urban Environment' to ensure no ambiguity or conflict.</p> <p><b>Chief Executive recommendation:</b></p> <p><b>(Section V2 2.7.10 Surface Water Drainage and Flood Alleviation)</b></p> <p>Amend Objective ST KL48 as follows;</p> <p><del>ST KL48 Ensure that development along urban watercourses must comply with the Inland Fisheries Ireland Guidance 'Planning for Watercourses in the Urban Environment' (2020), including the maintenance of a minimum riparian zone of 35 metres for river channels greater than 10 metres in width, and 20 metres for rivers channels less than 10 metres in width. Development within this zone will only be considered for water compatible developments.</del></p> <p><b>ST KL48 Ensure all development proposals along the River Liffey Corridor comply with Chapter 12: Biodiversity and Green</b></p>



<p>for such use should be determined by an ecologist and flood risk specialist.</p> <ul style="list-style-type: none"> <li>The submission recommends review of this objective to more specific alignment to best practise guidance and policy of development within riparian buffer zones.</li> </ul>	<p>Infrastructure (notably BI O41 and Table 12.4), The Planning System and Flood Risk Management (OPW, 2009) and 'Planning for Watercourses in the Urban Environment' (Inland Fisheries Ireland, 2020)</p>
Issues Raised	Chief Executive's Response
<p><b>Active Travel Measures - ST KL20 &amp; ST KL17</b></p> <ul style="list-style-type: none"> <li>The submission recommends and advises that any future cycling and pedestrian routes along the riverside must be compatible with objective BIO30 of the KCDP in avoiding the development of walking/cycling trails through ecological sensitive habitats. It recommends all proposals should seek the advice of an ecologist and flood risk specialist. The submission makes reference to objective BIO30 which does not correspond with text provided, correct objective is BI048.</li> <li>The submission notes that any proposed new cycleways should be considered in the context of a new road development. It states the development of cycle ways and roads alongside watercourses can lead to sediment input as a result of earth removal, exposed soil banks and vegetation removal. It contends that this type of work and replacement with hard infrastructure can lead to risk of flooding during storm events.</li> </ul>	<p><b>Active Travel</b></p> <p>Objectives STKL17 and STKL 20 of the Draft Kilcullen Settlement Plan have been informed by the higher order plan which is the KCDP. All future development proposals in Kilcullen must align to the adopted Settlement Plan, including the higher order objectives set out within the KCDP, RSES and NPF planning frameworks. Section 15.17.4.1 Development Management Standards of the KCDP also ensure a multi-disciplinary team including an ecologist and flood risk specialist expert shall review all riverine sites to determine the appropriate zonation and permissible uses.</p> <p>Where a development proposal is in the vicinity of watercourses, objective BIO46 aims to prohibit infilling of land adjacent rivers, including natural flood plains prior to or during any development. BIO45 also aims to ensure that any run-off from developed areas does not result in any deterioration of downstream watercourses or habitats and requires that pollution generated is treated within the development area prior to discharge. The planning authority in assessment of such applications can require an ecological</p>

<ul style="list-style-type: none"> <li>The submission recommends that areas previously unlit along watercourses should remain to protect existing biodiversity but particularly bats. It states proposed routes should be kept along routes where lighting exists and should only be introduced where a safety risk is concerned. This decision should be supported by light spill modelling and appropriate ecological impact assessment by a suitably qualified expert, which is in accordance with objective BI044 of the KCDP and Inland Fisheries Ireland Guidance 'Planning for Watercourses in the Urban Environment' (2020).</li> </ul>	<p>assessment including mitigation measures to ensure areas of biodiversity value and natural heritage are adequately protected.</p> <p>While objective ST KL20 refers to the eventual event of lighting being proposed along the Liffey corridor, all development proposals must align and satisfy objective BIO44 of the KCDP, including Inland Fisheries Ireland Guidance 'Planning for Watercourses in the Urban Environment' (2020).</p> <p><b>Chief Executive's Recommendation:</b></p> <p><u>Section V2 2.7.3 Tourism Development</u></p> <p>Amend Objective ST KL17 as follows;</p> <p>ST KL17 Maximise the potential of the River Liffey for tourism and recreational purposes by improving public access to the river, including the provision of a linear park (in conjunction with the relevant statutory authorities) and subject to appropriate environmental and ecological assessments.</p>
Issues Raised	Chief Executive's Response
<p><b>Invasive Species - Himalyan Balsam (Impatiens glandulifera)</b></p> <ul style="list-style-type: none"> <li>The submission notes that presence of the above invasive species which has been recorded on the River Liffey bankside and should be carefully considered in terms of the removal/dispersal of this species when assessing riverside development in the plan area.</li> </ul>	<p><b>Invasive Species</b></p> <p>The submission also highlights the presence of the Invasive Species 'Himalayan Balsam' which was recorded on the River Liffey bankside in a number of locations. It notes that prohibitions for this listed species are in place in relation to its introduction and dispersal. Objective BI058 of the KCDP requires all development proposals in the presence of such species must submit and Invasive Species Management Plan to comply with the provisions of the</p>

	<p>European Communities (Birds and Natural Habitats) regulations 2011-2015.</p> <p><b>Chief Executive's Recommendation</b></p> <p>No change recommended.</p>
Issues Raised	Chief Executive's Response
<p><b>Surface Water Management Strategy</b></p> <ul style="list-style-type: none"> <li>The submission commends the Council and its consultant RPS on the production of a Surface Water Management Strategy for the settlement and recommends and advises its recommendations are included as objectives of the final Settlement Plan.</li> </ul>	<p>The commendation of DHLGH on preparation of the Surface Water Management Strategy is noted and welcomed. Most of the recommendations in the SWMS are addressed by SuDS policies in the KCDP.</p> <p>The need to separate storm water drainage from foul drainage to avoid network surcharging during storm events is a widely acknowledged need. There is currently no KCC programme to separate storm water networks, apart from in isolated circumstances where this is part of the recognised solution to avoid local flood risks.</p> <p><b>Chief Executive's Recommendation</b></p> <p>Insert new objective as follows;</p> <p><u>V2. 2.7.10 Surface Water Drainage and Flood Alleviation</u></p> <p>ST KLXX: Collaborate and support Uisce Éireann and other inter agency service departments with the preparation and implementation of future Storm Water Separation Programs/Drainage Area Plans for Kilcullen where feasible.</p>

Department of Education (Ref. No. KCC-C311-08)	
<p>The submission states it has considered the Draft Settlement Plan and notes its purpose is to replace the expired Kilcullen Local Area Plan 2014 – 2020 and now be incorporated into Volume 2 of the Kildare County Development Plan 2023 – 2029 (KCDP) as its own separate documents and settlement plan.</p> <p>The submission notes objective ST KL21 and ST KL27 of the Settlement Plan which proposes to facilitate and co-operate in the provision of educational and childcare services, along with facilitating the improvement and expansion of existing educational, sporting and recreational facilities at St Brigid's Primary School and the Cross and Passion College Secondary School.</p> <p>The submission acknowledges there are no immediate changes to the projected school requirements for the town due to no change in projected population growth, which re-affirms the departments previous submission during the Draft Kildare KCDP process.</p> <p>The submission acknowledges the importance of ensuring sufficient and appropriate land is zoned for educational needs during the preparation of future development plans in Kildare.</p>	<p><b>Chief Executive' Response</b> This submission is noted and accepted.</p> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>

<b>Uisce Éireann (Ref. No. KCC-C311-10)</b>	
<p>The submission notes the purpose of the Settlement Plan for Kilcullen which is to replace the expired Kilcullen Local Area Plan 2014-2020 with an updated zoning map which will be incorporated as a separate volume into the Kildare County Development Plan 2023-2029.</p> <p>The submission provides the following updates in relation to Water Services Infrastructure availability and will continue to engage with the Planning Authority as the plan progresses.</p> <p><b>Water Supply</b></p> <p>The submission notes Uisce Eireann's Water Supply Capacity Register which is published annually with the 2024 update due to be published shortly. It further states the Kilcullen water supply is from the Barrow/Poulaphouca Greater Dublin Area Resource Zone, which from time to time can experience some constraints. It further states the existing supply is sufficient to meet the projected growth with some local improvements being required.</p> <p>The submission highlights the Water Supply Project, which is the long-term solution for the Greater Dublin Area, and which has also been identified as a National Strategic Outcome in the National Planning Framework and key 'Strategic Investment Priority' of the National Development Plan.</p>	<p><b>Chief Executive' Response</b></p> <p>This submission is noted and accepted.</p> <p><b>Chief Executive's Recommendation</b></p> <p>No change recommended.</p>

### **Wastewater Treatment Capacity**

The submission notes Kilcullen's wastewater effluent is pumped forward to Osberstown Treatment Plant in Naas via Newbridge which is deemed to have capacity to cater for the future population uplift. It also highlights the Wastewater Capacity Register available online which is being updated and due to be published shortly to give an indication of available capacity at a point in time.

### **Sewer Network**

The submission notes Kilcullen is part of the Upper Liffey Valley Sewerage Scheme (ULVSS) and states a drainage area plan is on-going for the overall catchment to understand wider constraints and the impact for future development. It further states there are no short-medium term indications of network constraints of the town at present, however a full survey of the towns terminal pumping station in respect of future growth may be necessary.

The submission notes any future connections will undergo local constraints assessment and local upgrades if required will be facilitated with developer agreements in advance.

National Transport Authority (NTA) (Ref. No. KCC-C311-13)	
Issues Raised	Chief Executive's Response
<p>The submission welcomes the opportunity to review the Draft Settlement Plan and on the basis of the Transport Strategy for the Greater Dublin Area 2022 – 2042 submits the following comments;</p> <p><b>TM A2 – Chapter 5, Sustainable Mobility &amp; Transport (Volume 1, Kildare County Development Plan 2023-2029)</b></p> <p>The submission notes a new objective will replace the existing text, and which relates to the preparation of Local Transport Plans for Key Towns and Self-Sustaining Growth Towns which is welcomed by the NTA. The objective states that Transport and Mobility Strategies will be prepared for smaller scale settlements, however the submission recommends that although the full Area Based Transport Assessment (ABTA) may not be required for smaller settlements, the process should be considered at a scale commensurate to the settlement requirements. The submission further states and highlights a settlement such as Celbridge as an example where the ABTA process should be followed.</p> <p>The submission recommends the following re-wording of TM A2 as follows;</p>	<p>The submission and its contents are noted. The submission notes and welcomes the changes to objective TM A2 of the KCDP which relates to the preparation of Local Transport Plans / ABTA's for its Key Towns and Self-Sustaining Growth Towns. The Local Authority are committed to preparing Transport and Mobility Strategies for its smaller settlements, however the requirement for a more detailed ABTA process will be assessed on a case by case basis.</p> <p>The Submission notes and recommends a minor amendment to the text of the objective to ensure all Transport and Mobility Strategies are prepared based on the ABTA process, and where such settlements are outside the defined hierarchy but warrant a more comprehensive assessment (ABTA) due to their scale and complexity, then this should be supported. The submission highlights the example of Celbridge which is defined a Self-Sustaining Town and is an example of a settlement that warrants an ABTA due to its proximity to Dublin and its population size. This is accepted and agreed.</p>

*TM A2 Prepare, implement and review (where appropriate) transport and mobility strategies for each settlement commensurate to their scale and complexity to provide an evidence-base for objectives and actions included within settlement plans. Local Transport Plans (LTPs)/ Area Based Transport Assessments (ABTAs) shall be prepared for the Key Towns and Self-Sustaining Growth Town settlements in County Kildare in consultation with TII and the NTA. Smaller settlements will benefit from the preparation of a Transport and Mobility Strategy, **based on the ABTA process commensurate to their scale and complexity**, to support their settlement plans and objectives / actions. Transport and mobility strategies will be developed to provide a framework for the movement of pedestrians, cyclists, public transport services and private vehicles which are aligned with the hierarchy of users and modal shift targets set out in this Plan. Transport and mobility strategies will include measures for pedestrian, cycle, public transport infrastructure and services, road / street corridor enhancement, demand management and freight management. LTPs/ABTAs/**Transport and Mobility Strategies**, will be prepared in accordance with appropriate national guidelines, such as the ABTA 'How to Guide', Pilot Methodology (September, 2021) and the Area Based Transport Assessment Advice Note (December, 2018) published by NTA / TII.*

## **Chief Executive's Recommendation**

Volume 1: Written Statement, Kildare County Development Plan 2023-2029

### **Chapter 5, Sustainability Mobility & Transport**

#### **Amend objective TM A2 as follows;**

Prepare, implement and review (where appropriate) transport and mobility strategies for each settlement commensurate to their scale and complexity to provide an evidence-base for objectives and actions included within settlement plans. Local Transport Plans (LTPs)/ Area Based Transport Assessments (ABTAs) shall be prepared for the Key Towns and Self-Sustaining Growth Town settlements in County Kildare in consultation with TII and the NTA. Smaller settlements will benefit from the preparation of a Transport and Mobility Strategy, **based on the ABTA process commensurate to their scale and complexity**, to support their settlement plans and objectives / actions. Transport and mobility strategies will be developed to provide a framework for the movement of pedestrians, cyclists, public transport services and private vehicles which are aligned with the hierarchy of users and modal shift targets set out in this Plan. Transport and mobility strategies will include measures for pedestrian, cycle, public transport infrastructure and services, road / street corridor enhancement, demand management and freight management. LTPs/ABTA's/**Transport and Mobility Strategies**, will be prepared in accordance with appropriate national guidelines, such as the ABTA 'How to Guide', Pilot Methodology (September, 2021) and the Area Based Transport Assessment Advice Note (December, 2018) published by NTA / TII.



Issues Raised	Chief Executive's Response
<p><b>Public Transport Infrastructure</b></p> <p>The submission welcomes objective ST KL83 to facilitate a bus turning point in the town to facilitate existing Local Link and public transport service providers. It further states and would encourage additional objectives such as improved bus stop facilities that are fully accessible, including improved permeability to accessing bus stops and pedestrian crossing points which makes the experience of public transport safer and easier.</p>	<p>The Draft Plan includes a number of objectives which seek to improve pedestrian facilities with the improvement and construction of new footpaths, crossing points and the identification of new connections and links which improve access around the town. The Draft Plan also seeks to promote and implement new permeability links in the town following the recently published Kildare 'Permeability Guidelines' which seek to deliver the '10-minute settlement' concept.</p> <p><b>Chief Executive's Recommendation</b></p> <p><u>Section V2. 2.7.15 Movement and Transport</u></p> <p>Insert new objective as follows;</p> <p>ST KL86 Collaborate with the National Transport Authority (NTA) and Transport for Ireland (TFI) Local Link Service providers to improve existing bus stop facilities and supporting infrastructure, including the identification of alternative bus stop facilities which can become fully accessible.</p>
Issues Raised	Chief Executive's Response
<p><b>ST KL77 – Proposed Relief Road</b></p> <p>The submission notes the objective to examine the requirement for a relief road to the east of the town, however it states no such justification is included within the Settlement</p>	<p>Objective TM 066 of Chapter 5: Sustainable Mobility and Transport seeks to ensure the delivery of the priority road projects set out in Table 5.4, which includes "Y. Examine the feasibility of developing a ring road at Kilcullen".</p>

<p>Plan. It further states the relief road does not appear to be needed in order to facilitate future development of land going forward and considering the settlements size and proximity to the M7 and M9 motorways.</p> <p>The submission recommends the objective should be changed to <i>examine the requirement for a relief road</i> in the absence of a justification test.</p>	<p>In order to be consistent with Chapter 5 it is therefore considered appropriate to retain Objective ST KL77, as currently framed.</p> <p><b>Chief Executive's Recommendation</b></p> <p>No change recommended.</p>
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Office of Public Works (OPW) (Ref. No. KCC-C311-25)	Chief Executive's Response
<p>Submission is made specifically regarding flood risk and the application of the Guidelines on the Planning System and Flood Risk Management.</p> <p>The submission welcomes the acknowledgement of the Guidelines and the amendment of the Kildare County Development Plan (KCDP) Strategic Flood Risk Assessment (SFRA) to inform land use zoning in Kilcullen. It further acknowledges and welcomes the preparation of the supporting Surface Water Management Strategy and the recommendation requiring applicants to consult with the Planning Authority to determine the best surface water solution before a development proposal.</p> <p><b>Justification Tests</b></p> <ul style="list-style-type: none"> <li>• It notes the justification test for Kilcullen justifies development in the Town Centre zoned lands.</li> <li>• It further states that lands zoned for Agriculture and Open Space/Amenity do not require a justification test being water compatible lands and cannot satisfy part 2 of the plan making justification test.</li> <li>• Agriculture zoned lands within Flood Zones A and B do not satisfy all criteria of the plan making justification test. It states that less vulnerable uses that are permitted in this zoning (stable yards, cattle sheds, broiler houses) might be restricted in Flood Zone A.</li> </ul> <p>The submission notes Part 3 of the justification test and requirements for this under the Guidelines which states;</p>	<p>This submission and its contents are noted. IN O33 of the KCDP refers, any development proposals within lands identified as flood risk in the SFRA, will be required to be accompanied by a site-specific flood risk assessment to an appropriate level of detail, addressing all potential sources of flood risk demonstrating compliance with the Guidelines.</p> <p><b>Chief Executive's Recommendation</b></p> <p>No change recommended.</p>

*“Flood risk assessment to an appropriate level of detail has been carried out as part of the Strategic Environmental Assessment as part of the development plan preparation process, which demonstrates that flood risk to the development can be adequately managed, and the use or development of the lands will not cause unacceptable adverse impacts elsewhere”*

It states to satisfy the justification test, it must be demonstrated that it is feasible to carry out any development in a safe manner, and that all requirements, mitigations and limitations necessary are transposed as policy objectives in this final Settlement Plan.

## 5.0 Issues raised by themes in submissions or observations from all other persons or bodies.

### 5.1 Introduction, Vision & Context

Submission Number			
14	22	24	28

A number of submissions highlighted concern with a lack of reference to the recently published Kilcullen Design Statement, a community driven report, outlining the principles and vision for the future development of the town. Submissions highlight the need for the realignment of the Draft Plan to the actions and objectives set out in Kilcullen Design Statement, including the importance of regular consultation with community stakeholders ensuring transparency of future plans with community needs. It also notes the views and inputs of local stakeholders and community groups should be involved in the planning and development stages of future proposals in the town.

One submission notes the large-scale rezoning within the Draft Plan insisting future development of the town needs to be sympathetic and aligned to the town's character, natural resources, existing green spaces and its infrastructure and services. It states the planning authority should review the existing zoning plans to ensure the necessary infrastructure required is delivered as a priority before any development occurs.

#### Chief Executive's Response

The contents of the submissions are noted and acknowledged.

Whilst the Draft Plan does not specifically reference the Kilcullen Design Statement in its written text, this has informed the overall preparation of the Draft Plan, and its development objectives set out for the plan period. The Planning Authority acknowledges the innovative work and content of the design statement, including its specific objectives and actions outlined for the future development of the town. It is important to note the Kilcullen Design Statement is not a Statutory Plan or Legislative Guidance / Framework prepared under the Planning and Development Acts for the proper planning and sustainable development of the town, however every effort has been made by the planning authority to encapsulate the pertinent issues and actions set out (e.g. youth services facility).

The local community/public are entitled to make observations and submissions on individual planning applications within a specified period or make a submission on appeal to An Bord Pleanála if necessary. Any future development plans, local area

plans or development proposals (Part 8<sup>2</sup>) being carried out by the Local Authority must involve public consultation and invite submissions and observations within a specific statutory timeframe.

One of the main objectives of the Draft Plan is to consolidate growth by reviewing all existing residential zonings, ensuring the future population targets and housing targets for Kilcullen are aligned to the targets set out in the Kildare County Development Plan Core Strategy. The preparation of the Draft Settlement Plan has triggered a timely response to the towns legacy of over zoning, resulting in a reduction of residential land and the potential housing output for this plan period. The planning authority is not aware of any physical infrastructure or social infrastructure capacity issues within the town at this time, noting the recent submissions made by the Department of Education, Uisce Eireann and the National Transport Authority during this consultation period. Any future development proposals on the lands identified will be accessed accordingly by the planning authority to ensure the necessary physical infrastructure and service upgrades, including community facilities required will be aligned with its delivery and consent.

## **Chief Executive's Recommendation**

### **Section 3. Development Objectives**

Insert new paragraph and footnote as follows,

### **3. Development Objectives**

The Kilcullen Settlement Plan will be incorporated into the framework set out in Vol. 2 of the County Development Plan, this plan aims to ensure the town develops as a thriving area where people want to live as well as having a key economic and social function for its community. The following objectives aim to support the sustainable growth of the town, support appropriate economic opportunities and build on the towns unique character and natural assets. Associated land use objective maps are included in Appendix A.

In preparation of this plan, the Kilcullen Design Statement (2023) has provided a valuable reference into the local community's vision and aspirations for the town, including its regeneration and sustainable development going forward. The principles and actions outlined in this design statement has informed the development objectives set out below in the Kilcullen Settlement Plan.

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<sup>Footnote</sup> The Kilcullen Design Statement, researched and written by Paul Hogarth Company was commissioned by Kilcullen Community Action (KCA) in 2021 with funding from Kildare LEADER Partnership and Kildare County Council

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<sup>2</sup> Where a project is being progressed by the local authority, planning permission is applied for under Part 8 of the Planning and Development Regulations 2001-2015, and the procedure is set out in Part 11, Section 179 of the Planning and Development Act 2000 as amended.

## 5.2 Regeneration, Public Realm & Built Heritage

Submission Number		
19	24	26

Three submissions were received in relation to the enhancement and protection of the main street and existing businesses to ensure Kilcullen has an attractive and vibrant town centre. One submission welcomes the objectives in the Draft Plan for the removal of on-street parking, however, expresses the importance of now identifying a stronger ambition to provide a designated public car park.

One submission highlights the importance of protecting the existing retail presence within the town, noting retail zoning within residential lands/developments should be discouraged. Submissions also question the omission of the recent Market Square Part 8 Plan which is not referenced or supported in any of the objectives set out within the Draft Plan. One submission welcomes objective ST KL52 which aims to investigate the designation of an ACA (Architectural Conservation Area) to protect the historic urban core which can resist the demolition and the conservation of buildings of significance.

### Chief Executive's Response

The issues and comments highlighted are noted. The Draft Settlement Plan acknowledges the importance of promoting and continued enhancement of the town centre. Objective ST KL11 aims to improve the main street where practical, with the new paving, mature trees, high quality street furniture, whilst also encouraging the re-use and regeneration of any derelict land and buildings within the core area of the town (ST KL14).

To improve the existing main street experience, it is accepted the provision and reduction of on-street parking will need to be assessed. The Draft Plan identifies road/footpath improvements (ST KL79) on all routes leading to and from the town centre. For such works and improvements to be carried out, objective (ST KL68 and ST KL3) seeks to carry out an audit of existing pedestrian/cycle infrastructure to ensure the reduction/removal in on street parking, universal accessibility and the necessary infrastructure designs in promoting active travel are in accordance with the principles and standards required.

The requirement for a designated public car park is noted and objective ST KL84 of the Draft Plan aims to consider alternative town centre parking solutions whilst investigating the feasibility of such proposals and the wider preparation of parking strategy for the town.

Whilst the Draft Plan does not specifically outline or reference the recently approved Market Square Public Realm Plan as this consent is currently in place, objective ST KL12 aims to leverage funding from relevant national or other appropriate sources to support projects and proposals which aim to improve the civic spaces and public realm of the town.

In respect of future retail zoning within residential lands, the Draft Settlement Plan does not identify any future retail zones in any new residential lands as outlined in supporting Land Use Zoning Objective Map (Map V2A-1). The Draft Settlement Plan recognises the importance of supporting and encouraging retail development within the town centre to ensure its viability. Under the KCDP, Kilcullen is designated as Level 3 in accordance with the RSES Retail Hierarchy, which states the opening of further retail space outside the town centre has the potential to significantly alter the retail dynamic of the town and undermine the towns' identity (RET 052). In local centres and larger residential schemes, it is a requirement to maintain a balance of appropriate commercial service and residential uses. However, it is important to note, Section 15.13.2 of the KCDP which requires the Planning Authority to have regard to the impact of any proposed retail development on the primacy of the existing town centre when considering its determination.

### **Chief Executive's Recommendation**

#### Section V2 2.7.2 Regeneration/Public Realm

Amend **Objective ST KL11**, as follows;

ST KL11 Improve, where feasible and practical, the quality of Kilcullen Main Street with new paving, mature trees, streetlamps, high quality seating, street furniture, **community notice boards** and reduction in on-street car parking to mark the importance of this area as the heart of the town centre. (see Town Centre Map)

### **Chief Executive's Recommendation**

Amend **Objective ST KL12**, as follows;

ST KL12 To leverage funding from relevant national or other appropriate sources to support the development of projects/proposals which will serve to improve the public realm and other civic spaces within the town, **including the Market Square and Bentley's Lane Regeneration Plans**.



## 5.3 Education, Social and Community Infrastructure

Submission Number					
14	19	22	24	26	28

A number of submissions raised concern with the existing lack of educational, healthcare and recreational/community facilities, including supports for older residents in the town. These submissions highlight that proposed future growth will inevitably put further pressure on inadequate services and recommends that future development should be aligned with the delivery of community infrastructure.

Two submissions also highlight a requirement for lands to be identified in the north of the town for education/ community/ recreational services to cater for existing and future population growth.

### Chief Executive's Response

The contents of the submissions are noted. It is important to note that a Settlement Plan sets out the appropriate locations for various land uses and infrastructure (physical and social), it is not accompanied with a specific budget to deliver projects and services as, in many cases, these services are outside of the remit of the local authority and responsibility for same sits with the HSE and Department of Education etc. Notwithstanding that the delivery of community services, particularly educational and healthcare are a matter for many agencies, inter alia; Government Departments, private developers and specialist providers, objective ST KL21 of the Draft Plan aims to facilitate and co-operate in the provision of community services, sports and school facilities, including the necessary childcare facilities in tandem with all new residential developments.

The preparation of a Social Infrastructure Audit (SIA) is used to inform land use plans; however this is not a statutory requirement in the plan making process. A further, application specific, SIA is required for residential schemes greater than 20 units and will be required to identify such deficiencies, with the developer required to outline actions and proposals to address such deficits. SIA's must be accompanied with all planning applications and where a large-scale development is being proposed, objective SC 015 of the KCDP requires community facilities to be provided on a phased basis or front loaded in delivery of residential schemes if deficiencies are identified.

It is also pertinent to note the submission from the Department of Education (**Ref: KCC-C311-01**) which notes no immediate changes to the projected school requirements for the town, due to no significant change in projected population growth, re-affirming the department's position. ST KL27 of the Draft Plan aims to facilitate future expansion and improvements of existing schools and adjoining facilities if required during the immediate plan period.

## **Chief Executive's Recommendation**

### **Section V2 2.7.4 Education, Social and Community Infrastructure**

Insert **New Objective** and update reference order accordingly as follows;

ST KL XX Facilitate and support the provision of a new youth hub centre/suitable space at an appropriate and accessible town centre location.

## 5.4 Infrastructure and Services

Submission Number		
3	19	22

One submission highlights the importance of future undergrounding of existing overhead cables along the main street which would improve the existing streetscape and public realm. One submission also highlights concern with the existing poor condition of footpaths from Moanbane Park leading to the town along the Naas Road. It states the adjacent trees have damaged the path surfaces which makes access dangerous for people with mobility challenges.

Another submission recommends future development proposals should prioritize green spaces, energy efficient buildings including sustainable waste practices. It also highlights the requirement for a pollution and mitigation strategy for the town to monitor emissions and review more sustainable practices in transport and energy.

### Chief Executive's Response

The contents of the submission are noted. ESB Networks are responsible for investigation and upgrading where possible of ducting and underground routing of overhead powerlines. It is an objective of the Draft Plan (ST KL59) to support and liaise with the ESB to investigate and encourage these works where feasible.

The Draft Settlement Plan also outlines a series of roads/cycleway/footpath objectives along the Naas Road and throughout the town. Objective ST KL65 aims to provide improved pedestrian facilities through the improvement and refurbishment of footpaths and the construction of new facilities where required.

In assessing residential and mixed-use development proposals, the planning authority will have regard to the content, policies and objectives contained in Chapters 3, 14 and 15 of the KCDP, along with the relevant Section 28 Ministerial Guidelines, including the Sustainable Residential Development in Urban Areas (Cities, Towns and Villages) Guidelines for Planning Authorities (DEHLG 2009) and the accompanying Urban Design Manual. It is worth noting, all new development must conform to the EU Nearly Zero Energy Buildings (NZEB's) technical standards as contained in the Building Regulations Technical Guidance 2021<sup>3</sup>. This guidance now ensures buildings achieve a very high energy performance, including the energy required to be covered from a significant extent of renewable sources. The Draft Settlement Plan also aims to support and co-operate with local stakeholders such as

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<sup>3</sup> Building Regulations, Technical Guidance Document L 2022 – Conservation of Fuel and Energy – Dwellings  
<https://www.gov.ie/en/publication/d82ea-technical-guidance-document-l-conservation-of-fuel-and-energy-dwellings/>

Kilcullen Community Action in the preparation of an energy masterplan which can assist in the future development of a sustainable energy community for Kilcullen.

EU directives set out air quality standards in Ireland for a variety of pollutants. The EPA is responsible for the monitoring of air quality in our towns and cities. It is a policy and action (IN P8) of the KCDP to implement the provisions of EU and National Legislation on air, noise and light pollutants and other legislative requirements as appropriate.

### **Chief Executive's Recommendation**

No change recommended.

## 5.5 Green Infrastructure, Open Space and Amenity

Submission Number		
19	26	28

One submission refers to the supporting Green Infrastructure map and notes their private home is identified as Amenity and Recreation. The submission is requesting to have this changed and identified as a residential site suggesting it could impact the property value. One submission also identifies an old beech tree on New Abbey Road and is requesting its inclusion on the tree preservation list.

Two submissions highlight the requirement for a large public park / open space to cater for the existing population and the future growth envisaged in the coming years. The submissions highlight the lack of recreation and public open space available in the north of the town and recommends the identification of such use in the plan. One submission also notes that future developments if progressed, need to provide green buffer zones or well-designed public open spaces for its residents as a minimum requirement going forward.

### Chief Executive's Response

The contents of the submissions are noted. Green infrastructure mapping comprises an interconnected network of natural, semi natural and artificial habitats, green spaces and ecological areas that traverse the urban and rural landscape. Green Infrastructure sites have an important role to play when these sites are linked, strengthened and enhanced into a network. Existing areas of green infrastructure as identified in the Draft Settlement Plan highlight important areas for biodiversity, nature and wildlife, including the identification of areas to provide green buffers/green wedges between built up areas and rural areas. Objective ST KL55 requires that all proposed developments identified within existing green infrastructure assets should contribute to their protection and enhancement. It is important to note, the Draft Settlement Plan can only apply land use zoning principles to lands within the plan area / town boundary. Sites or lands outside the town boundary are deemed to be rural and outside the specific Settlement Plan area and are subject to the relevant policies and objectives of Volume 1 of the KCDP.

One submission has requested the inclusion of one mature Beech tree along the New Abbey Road on the Tree Preservation List. It is not fully clear the location of this tree as no supporting map was provided, however a desktop survey was carried out to identify its location. KCC will only consider the use of Tree Preservation Orders in accordance with the Department Guidelines for Trees of exceptional amenity, landscape or heritage value. KCC assess these requests on a case-by-case basis, taking the appropriate action when required under a separate provision in the Planning Act However, objective ST KL54 of the Draft Settlement Plan will ensure development that requires the felling of mature trees of amenity value, conservation

value or special interest, notwithstanding the fact that they may not be listed in this plan, will be discouraged.

The comments in relation to the requirement and lack of recreation and public park/open space in the north of the town are noted. The zoning of land for 'open space' is an important element of land use planning and should be identified and provided where appropriate in the preparation of statutory plans. Considering the size of the settlement, existing population and projected population growth, it is appropriate to identify a site which could facilitate the provision of a future 'small park' or 'pocket park' as defined in (Section 6.1 Hierarchy of Public Open Space<sup>4</sup>) at a suitable location.

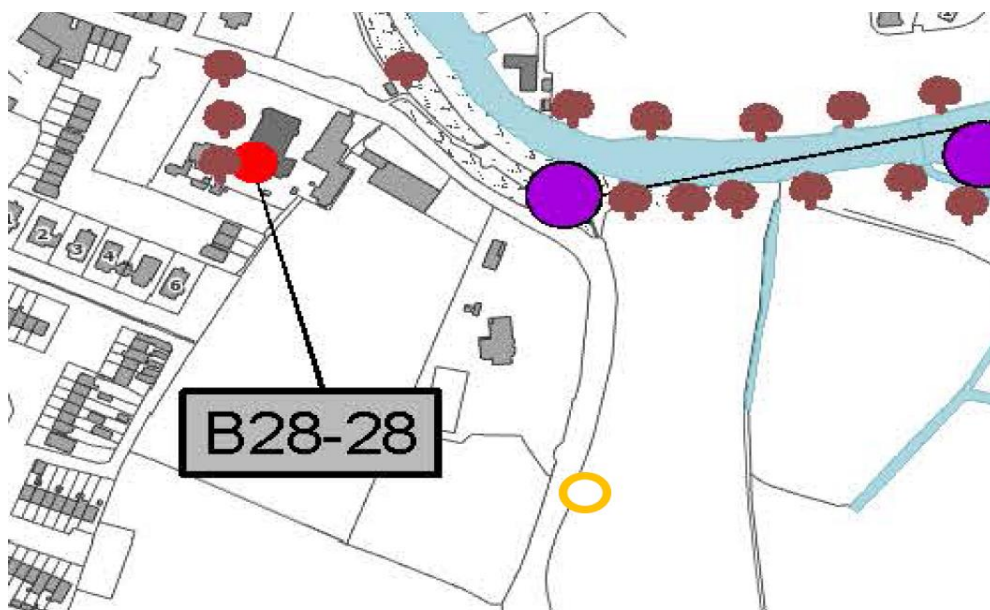
The provision of accessible open space is a key part in the design of all residential schemes and mixed-use developments from the outset. All development proposals must include a detailed landscape plan which shall have regard to the standards and requirement set out in Parks Section, 'Open Space & Landscaping Pre-Planning Guidance for Applicants' and have regard to the qualitative standard outlined in Section 4.18 of the 'Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities, DEHLG (2009)'.

## Chief Executive's Recommendation

### Section V2 2.7.13 Natural Heritage

Amend **Objective ST KL53** as follows;

STKL53 (xii) **Mature Beech Tree on the New Abbey Road (R413) adjacent River Lodge House (See Heritage Map for Location).** Update Map V2A-6 (Natural and Built Heritage) as follows (proposed inclusion outlined in yellow)

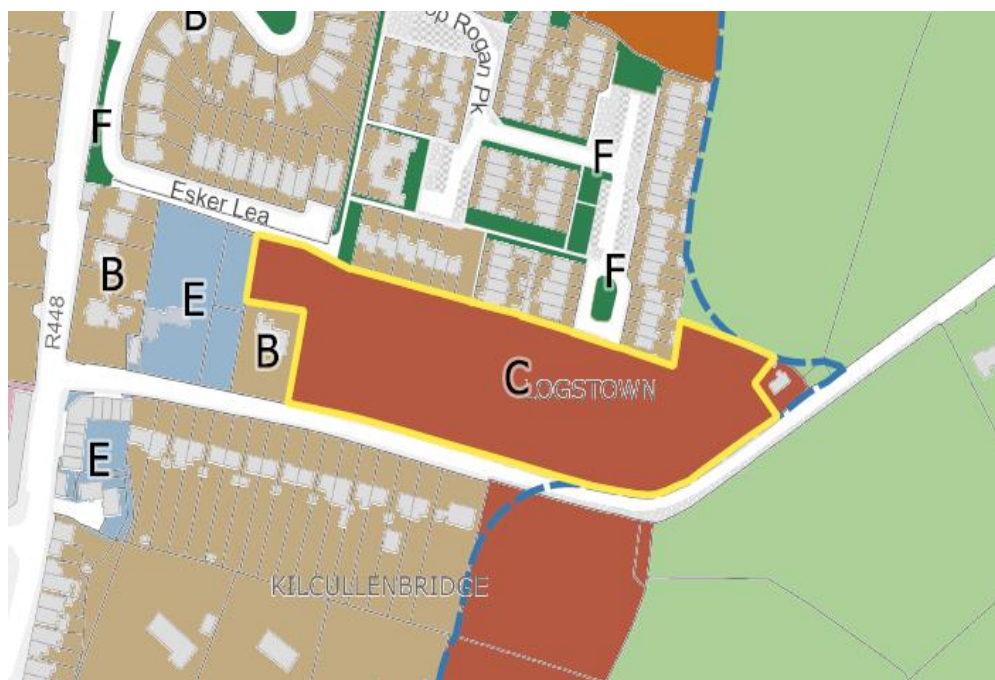


<sup>4</sup> Appendix 3, Open Space and Outdoor Recreation Strategy, Kildare County Development Plan 2023-2029

## Chief Executive's Recommendation

### Map V2A-1 – Land Use Zoning

Lands Measuring 1.48 hectares, **amend from 'C(2) New Residential' to 'F – Open Space & Amenity'**.



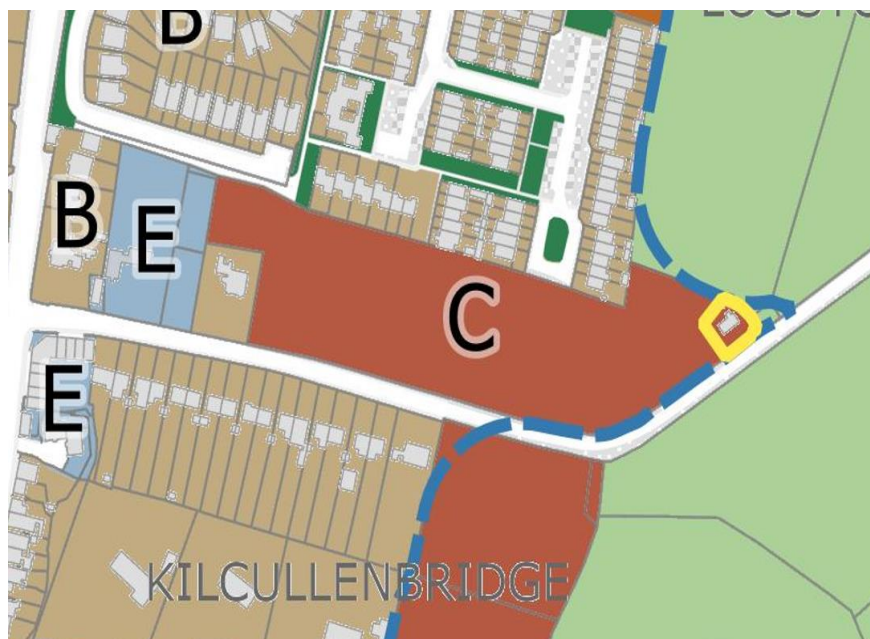
Note: The above proposed amendment will require consequential amendments to Table 2.7 of the Proposed Variation.

## Chief Executive's Recommendation

### Map V2A-1 – Land Use Zoning

Lands Measuring 0.04 hectares, **amend from 'C(2) New Residential' to 'I-Agriculture'**.





Note: The above proposed amendment will require consequential amendments to Table 2.7 of the Proposed Variation.

## 5.6 Movement and Transport

Submission Number									
06	11	12	14	16	21	22	24	26	28

A number of submissions raised issues in respect of Transport and Movement objectives in the Draft Settlement Plan. Four submissions related to objective STKL77 and the proposed relief road to the east of the town, recognizing its importance in addition to the challenges in its delivery. A number of submissions highlight the existing traffic problems and infrastructure deficits in the town and the importance of addressing these issues in advance of any future growth. Three submissions relate to issues with the lack of active travel infrastructure, proposed greenway links and the issue of creating permeability links with future developments. Other issues addressed include the lack of available public parking facilities and the impact of traffic congestion on the main street.

### Chief Executive's Response

#### Relief Road

The contents of the submissions are noted. Several submissions refer to the proposed relief road (STKL77) and the importance of its delivery to the town and the impact this can have on congestion issues, and this is a matter addressed through the inclusion of an objective related to same. The importance of carrying out a feasibility study in a timely manner to engage with affected landowners and identify definite route options is also noted. The NTA Submission (**Ref: KCC-C311-13**) questions the justification and requirement for a relief road in the town given its current population and position adjacent a motorway network. In this regard, Table 5.4 (Priority Road and Bridge Projects<sup>5</sup>) of the adopted KCDP identifies Project Y - to examine the feasibility of developing a ring road at Kilcullen. However, these projects are not in order of priority and are subject to approval of funding and available resources. One submission proposes a further link road/connection from the Riverside development eastwards towards the proposed relief road. This proposal is considered premature at this point as the proposed route and objective is indicative only with route options and engagement not yet commenced.

#### Permeability

One submission highlights concern in relation to a proposed permeability and future link connecting Sunbury Close to adjacent lands which is the subject of a recently submitted residential application. It should be noted, KCC are in receipt of an application for development at this location. However, the documents submitted does not include detailed design proposals in terms of landscaping, street lighting and

<sup>5</sup> Table 5.4 Chapter 5, Sustainable Mobility & Transport, Kildare County Development Plan 2023-2029

passive surveillance. Any issues with respect to the design etc of permeability links through existing developments will be addressed through the Development Management process.

It should be noted, however, that the KCDP sets out a series of clear objectives to ensure all new developments are fully permeable for walking and cycling complying to the '10-minute settlement concept'<sup>6</sup>. Under the recently adopted Permeability Guidelines<sup>7</sup>, KCC recommends that all applicants consult with the relevant stakeholders who may be impacted by such measures at the pre-planning stage. For further details on the process and how KCC seeks to ensure transparency in the delivery of these connections, refer to Section 4 of the Permeability Guidelines. It should be noted, the planning process affords all stakeholders to have their concerns outlined when a formal application is lodged with the planning authority.

### Greenway Objectives

Submissions in respect of the proposed greenway connections and new streets identified are noted and welcomed. However it should be noted, the routes identified on the Map 2VA-3 (Mobility Map) are indicative only and are subject to further investigation and necessary assessments, particularly in respect of land undeveloped or greenfield in nature. Any proposed schemes and future streets/greenway designs must comply with the particulars set out in 'Design Manual for Urban Roads and Streets' (DMURS) from the Department of Transport, Tourism and Sport, and the 'Rural Cycleway Design (Offline & Greenway)' publication from Transport Infrastructure Ireland (TII).

### Parking

Two submissions highlighted the existing parking problems in the town, particularly the lack of public car parking which is causing illegal on-street parking which in turn is creating congestion problems on the main street. The challenge of safeguarding the town centre with the trade-off and removal of on-street parking is widely accepted. In response, the Draft Settlement Plan (ST KL84) seeks to consider alternative town centre parking solutions and investigate the feasibility of such proposals with the preparation of a parking strategy for the town. Objective TM0114 of the KCDP also aims to support the delivery of parking facilities on suitable

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<sup>6</sup> A 10-minute neighbourhood can be described as a neighbourhood where a range of community facilities and services are accessible within short walking and cycling timeframes from homes or are accessible by high-quality public transport to these services in larger settlements.

<sup>7</sup> Kildare County Council Permeability Guidelines – 'Reconnecting our Communities'

<https://kildarecoco.ie/AllServices/Planning/DevelopmentGuidelines/PermeabilityGuidelines/KildareCoCo%20Permeability%20Guidelinesweb.pdf>

backland sites that would not jeopardise the vitality and vibrancy of the relevant core centre within a town.

### Infrastructure

Whilst the issue of traffic congestion was noted in most submissions, the Draft Plan includes objectives which can help alleviate the pressures faced by residents when accessing or passing through the town. It is important to note, the Settlement Plan is a land use plan only and is not accompanied with a specific budget to deliver projects and services. However, it does outline several objectives in respect of new active travel measures, road/footpath improvements, infrastructure delivery and the removal of on street parking which are all progressive steps to the filtering out of car traffic and the creation of an environment that supports walking and cycling. Considering the settlement size, the existing and projected population to the end of the plan period (Q4, 2028), KCC will not be undertaking to prepare an Area Based Transport Plan (ABTA) or Local Transport Plan (LTP). These plans are normally prepared to inform the Local Area Plan process, however the requirements for such a plan are assessed on a case-by-case basis at review stages. The planning authority may request a Traffic Impact Assessment (TIA) for large development proposals in the town if deemed necessary, however these are normally attributed to enterprise and industrial sites.

In relation to existing road infrastructure in the town, objectives STKL80 and STKL81 seek to provide road and junction improvements where necessary at a number of locations such as the Sunnyhill Road, New Abbey Road and Newbridge Road at Castlemartin Stud. There are currently no plans or justification for the identification of a second bridge or an additional alternative relief road in the town due to the size of the settlement. Objective TMO116 of the KCDP supports and facilitates the provision of public charging points (EV) with the NTA and TII at appropriate locations. The recommendation of a future 'Park and Ride' facility is noted. KCC will continue to support TMO90 and the provision of such facilities with other agencies if identified.

## **Chief Executive's Recommendation**

### Section V2. 2.7.15 Movement and Transport

Insert **New Objective** as follows

ST KL85 Support the provision of charging infrastructure for electric vehicles (EVs) on public and private land in accordance with County Development Plan standards.

## 5.7 Implementation – Land Use Zoning

This section will deal with a number of submissions that have specifically requested changes to land use zoning objectives. To provide clarity, each site and associated issue will be dealt with individually in this report.

### *Issue: H Zoning – Nicholastown*

Submission Number		
11	26	28

Three submissions refer to the proposed 'H – Industry and Warehousing' at Nicholastown stating the location of such use is not suitable for the area given the existing lands are not accessible and the proposed relief road has not yet been progressed. It has also been suggested that the proposed employment zoning should be located to the north of the town along the Naas Road, adjacent existing industrial type uses. The submissions also note the adjacent Kilcullen Business Campus, highlighting this should be built out in full before any further employment lands are zoned in this location.

### **Chief Executive's Response**

While the subject land is not currently accessible, it does benefit from future access from the R418 (Athy Road) and Nicholastown Road making it easily serviceable if the lands were to be activated. The proposed lands and any consequent development proposals are not subject to the delivery of the proposed relief road, however objective ST KL77 aims to ensure any future proposals preserve a potential route free of development.

It is envisaged that the proposed zoning would likely deliver low intensity employment uses such as distribution, warehouse, storage, light industry and logistics facilities where accessibility to major road networks will be a central consideration. By its nature, this type of use would result in increased volumes of traffic including associated heavy good vehicles, however the site is conveniently situated close to the M7 and M9 motorway which will allow journeys to avoid the town centre, relieving existing congestion pressures.

Although there are existing industrial estates to the north of the town along the Naas Road, it is considered that any future development of this nature should be located within easy access of the motorway, and also where access through the town centre is not required. Whilst the adjacent Kilcullen Business Campus is not yet fully developed out, the Draft Settlement Plan aims to support and promote this centre (ST KL33) as an appropriate location to develop employment opportunities. However, it is important the plan provides alternative/competitive site options to encourage economic development and facilitate future jobs growth.

## Chief Executive's Recommendation

No change recommended.

### *Issue: C5 Zoning – Kilcullenbridge*

Submission Number	
11	15

Two submissions refer to the proposed zoning change from 'H Industry & Warehousing' to 'C New Residential', with one submission welcoming the change of land use and supportive of the approach to facilitate potential housing. Another submission has highlighted concern with the relocation of the existing employment lands to an area which is not accessible at present and states it should remain close to existing industrial uses.

## Chief Executive's Response

The issues and comments in relation to the proposed zoning change at Kilcullenbridge are noted. Under the NPF, planning authorities are required to promote compact growth within settlements, which also requires that at least 30% of all new residential units are constructed within the Built-Up Area (BUA). The NPF also promotes the sequential development of our settlements and the avoidance of sprawling development for housing where possible. The subject land has been zoned for employment uses since the Kilcullen LAP 2001 which has led to a legacy of leapfrog development along this gateway to the town. Considering this, the subject site is deemed to be a suitable and viable option for residential development, offering an alternative land use for the landowner which may lead to the activation of a legacy infill site within the BUA.

Although the subject site is adjacent to the existing Kilcullen Industrial Estate, it is not accepted that further clustering of industrial and warehouse type development in this area is the most sustainable use and appropriate land use planning approach. Any future development of low intensity employment uses in this location will require access through the town centre in accessing major road networks, which will inevitably lead to further congestion problems. It is important to note, relocating this employment use will not impact on the potential delivery of a relief road, however the proposed site if activated could be the catalyst for delivery of a large section of this future infrastructure.

Note: One submission included an aerial image outlining the full extent of the site and ownership of the subject lands. This has identified a small section of land

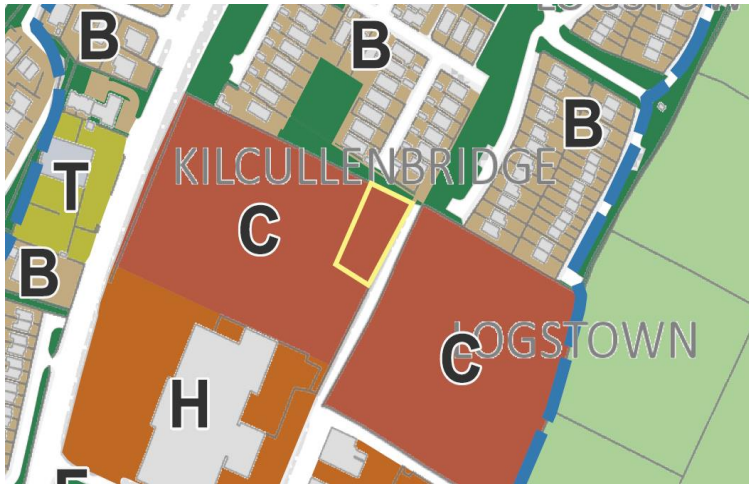


adjacent to the connecting pathway which is part of the existing Moanbane Park Estate.

### Chief Executive's Recommendation

#### Map V2A-1 – Land Use Zoning

**Amend zoning** on Lands Measuring 0.17 hectares, from 'C(5) New Residential' to 'F – Open Space and Amenity' (see area highlighted in yellow on map below)



The above proposed amendment will require consequential amendments to Table 2.7 of the Proposed Variation.

#### Issue: C4 Zoning – Logstown Road South

Submission Number
26

One submission refers to the proposed residential zoning C4 at Logstown Road South. It highlights that this site measuring 1.91ha is most likely never to be activated for residential development.

#### Chief Executive's Response

The issue raised in relation to the Logstown Road South zoning is acknowledged. The subject site is registered to two landowners currently, with potential access to the site and surrounding lands fronting the road being in the ownership of one party. An assessment of existing residential lands in the town was carried out which resulted in a reduction of the subject site from 5.5ha to 1.91ha to allow for consolidation and alignment of housing targets and the Core Strategy. It is important to note the site is outside the BUA and it has also been identified for residential development since the Kilcullen LAP 2001 with no planning activity recorded in this time.

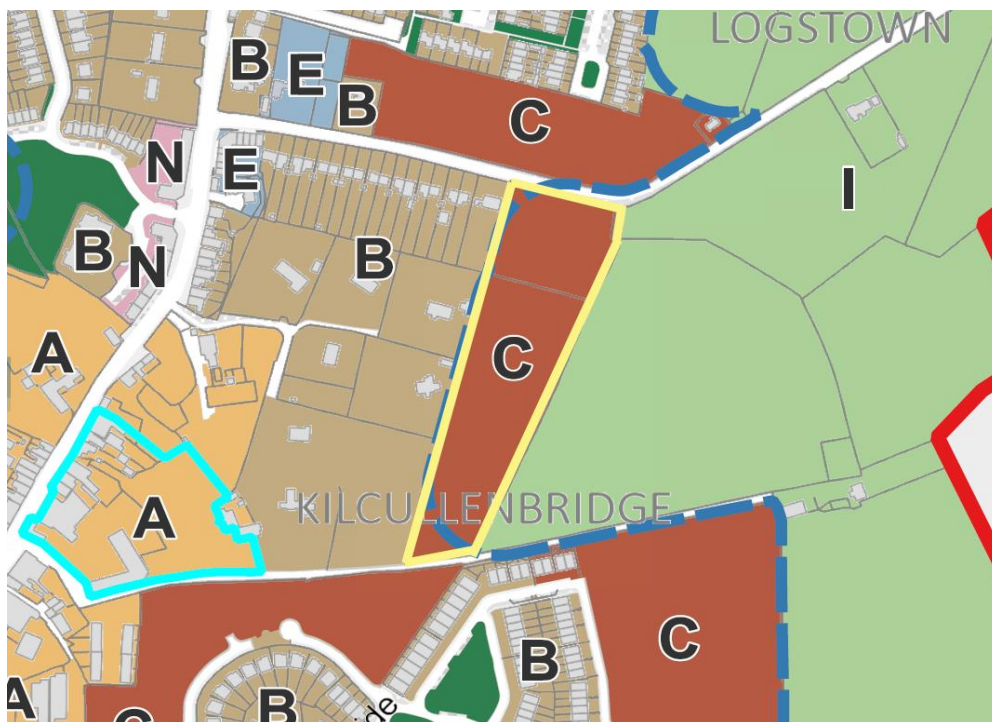


Table 2-7 outlines the potential delivery of 67 units for this site, whilst also highlighting the wider delivery of 436 units for all residential zoned sites in the Draft Settlement Plan. The planning authority recognize the importance of having choice of residential lands in a housing market, however considering the above and the legacy of over zoning and activation issues in the town, an assessment of the need for an alternative viable site can be considered.

### Chief Executive's Recommendation

#### Map V2A-1 – Land Use Zoning

Lands Measuring 1.91 hectares, **amend from 'C(4) New Residential' to 'I – Agriculture'.**



The above proposed amendment will require consequential amendments to Table 2.7 of the Proposed Variation.

### **Issue: C2 Zoning – Logstown Road North**

Submission Number
26

One submission refers to the proposed residential zoning C2 at Logstown Road North. It highlights that this site measuring 1.52ha is most likely never to be activated for residential development.

#### **Chief Executive's Response**

The issue raised in relation to Logstown Road North zoning is noted. The subject site (C2) is owned by one landowner who is also part owner of lands C(4) at Logstown Road South. Upon assessment at the plan making stage, this site was deemed to be suitable for future housing development under compact growth guidelines, whilst also being an infill/edge site within the BUA boundary. Similar to Zoning C(4) Logstown Road South, this site has been zoned for residential development since 2001 with no planning activity recorded in this period.

The Draft Plan aims to consolidate growth and housing targets in a town that has seen a legacy of over zoning and little activation. Whilst the subject site has the potential to deliver 53 units (Table 2-7), an assessment of its need in the wider context of the KCDP core strategy and housing targets should be considered. The relocation of this land use and housing target can be re-accessed to identify the requirement for an alternative site. This will also allow for an alternative land use to be considered in its place (**\*Note: Refer to Chief Executive's Recommendation's – Section 5.5 (Green Infrastructure, Open Space and Amenity).**

#### **Chief Executive's Recommendation**

##### Map V2A-1 – Land Use Zoning

*Note: Refer to Chief Executive's Recommendation's – Section 5.5 (Green Infrastructure, Open Space and Amenity) in respect of this site.*

### **Issue: SS Zoning – New Abbey Road**

Submission Number				
11	16	18	23	26

Five submissions were received in respect of the proposed 'SS - Service Sites' zoning. Most submissions highlight the inappropriate zoning use and underutilization of such central lands in the town which could result in the delivery of a significantly lower volume of housing units. Two submissions note the ongoing correspondence and pre-planning meetings held with the Planning Authority to date, including a pending application which is due to be submitted by the landowners based on the existing new residential zoning in the Kilcullen LAP. The submission from the current landowner includes a proposed site layout and rationale for this type of development at this specific location.

In terms of road infrastructure and access, one submission noted the existing New Abbey Road is not sufficient to cater for increased access, whilst another submission states the development of these lands could encourage the delivery of a much-needed relief road. Whilst a number of submissions highlight the proposed site as inappropriate for Service Sites, they do recommend the need for an alternative site be identified in the plan. Submissions note the proposed residential scheme will have the potential to deliver new active travel and permeable links to the town, however this was highlighted as a concern in respect of potential pedestrian and vehicle links through Nicholastown estate.

One submission highlights an area used for open space at the end of the Conroy Park estate which is currently registered to the adjoining landowner and subject lands. The submission asserts this land was donated to the residents almost 50 years ago and is requesting this is re-zoned for public amenity space.

### **Chief Executive's Response**

The submission and observations in respect of the proposed New Abbey Road (SS) zoning are noted.

Having regard to the amendments to proposed new residential lands at Logstown Road, it is proposed to amend the land use zoning to C- New Residential. Although the lands are located outside the BUA, the lands are located immediately adjacent to the town centre and are proximate to the schools, church and retail provisions. Rezoning to new residential will be sequential in its approach ensuring alignment with the compact growth of the town. The rezoning of this site to new residential and the removal of two sites at Logstown Road (C2, C4) will facilitate a more targeted and viable option in terms of potential housing delivery, as well as an acceptable adjustment in the overall housing output.

As no formal planning application has been submitted to the planning authority in respect of these lands, it cannot comment on any proposed site layout or specific design and how this may affect adjoining estates or adjacent infrastructure and services. In respect of future links and connections with existing estates, TMO20 of the KCDP requires the design of future development to improve and create links between old, new and adjacent developments creating safe, attractive and universally accessible connections in our towns. Under the recently adopted 'Permeability Guidelines', KCC recommends that all applicants consult with the relevant stakeholders who may be impacted by such measures at the pre-planning stage. One submission has highlighted the open space currently being used by the residents of Conroy Park, which is part of the subject service site zoning and current ownership. The existing Conroy Park estate is taken in charge by the Council, however this section of open space has not been transferred but has been an integral part of the existing estate for a number of years.

## Chief Executive's Recommendation

### Map V2A-1 – Land Use Zoning

**Amend zoning** on Lands Measuring 4.3 hectares, from 'SS Service Sites' to 'C – New Residential' (see area highlighted in yellow on map below).



The above proposed amendment will require consequential amendments to Table 2.7 of the Proposed Variation.

## Chief Executive's Recommendation

### Map V2A-1 – Land Use Zoning

**Amend zoning** on Lands Measuring 0.1 hectares, from 'SS Service Sites' to 'F – Open Space and Amenity' (see area highlighted in yellow on map below).



The above proposed amendment will require consequential amendments to Table 2.7 of the Proposed Variation.



## 6.0 Zoning Requests – Submissions on Draft Plan from Landowners in Kilcullen

During the public consultation period 3 submissions were received from the landowners in the town seeking re-zoning. This section includes a summary of the submission received which contained requests for alternative land use zoning, including any miscellaneous issues raised.

The Chief Executive's opinion and any recommended amendments to the Draft Kilcullen Settlement Plan are set out under each submission. See Map (Appendix C) which illustrates the location of sites relating to the individual submissions received.

### *Issue: Brownstown Rezoning – The Nolan Family*

Submission Number
09

The submission prepared by David Mulcahy Planning Consultants on behalf of landowner the Nolan Family, seeking the new residential zoning of 9.23ha. It states the subject site has the potential to deliver 282 units in two phases (110 + 172), including 20% Part V provision if required. It states the lands support a high suitability for such zoning due to its location within the town boundary, including adjacent housing developments and proximity to public transport links. It notes the activation of the subject lands can encourage and aid the delivery of the proposed relief road (STKL72) outlined in the Draft Plan. In terms of services, it states all necessary services are available and the lands are not likely to be affected by the risk of flooding.

The submission queries the requirement for the preparation of a Settlement Plan considering the NPF review and updated housing targets are expected to be released in 2025. It notes this is expected to require further amendment to housing targets in Kildare and associated statutory plans.

### **Chief Executive's Response**

The observations raised in this submission are noted. The request to amend the zoning from 'I: Agriculture' to C: New Residential' is noted, however not accepted. An important aim of the Kilcullen Settlement Plan and KCDP Variation is to address a legacy of over zoning, consolidate growth and align population and housing targets with higher level plans such as the KCDP. It should be noted that as outlined in Table 2-7 of the Draft Plan, the estimated capacity of residential zoned lands is slightly higher than the residential unit target required for the duration of the plan period, which is acceptable in the context of the Development Plan Guidelines (2022). The site identified may be easily accessed and serviceable, however it is outside the BUA boundary which does not align with compact growth and the

sequential development (*developing from the centre of the settlement outwards and avoiding leapfrogging undeveloped lands*) of the town. A number of submissions have been received during the consultation highlighting the lack of social infrastructure and servicing infrastructure in the town, any further increase in residential development of this scale would negatively impact the town's ability to sustainably accommodate additional unforeseen growth in population.

It is suggested the rezoning of the subject lands will aid and encourage the delivery of the potential relief road as shown indicatively on objective Map V2A-3. Whilst it is an objective of draft plan to support the delivery of a potential new route, it is not the planning authority's intention to over zone land for residential purposes to act as a precursor and catalyst for delivery of this infrastructure.

The potential for increased housing targets for local authorities on foot of the Draft Review of the NPF is acknowledged. However, it should be noted that as per legislative requirements, the Draft Plan must comply with the core strategy Kildare County Development Plan 2023 – 2029 as currently stands and cannot prejudice the outcome of any future variations and population allocations.

### **Chief Executive's Recommendation**

No change recommended.



### ***Issue: Brownstown Rezoning – Nyle Rafferty***

Submission Number
20

The submission is prepared by Mark Byrne Engineering Ltd. on behalf of landowner Nyle Rafferty in respect of lands measuring 2.4ha north of the town at Brownstown. The submission is requested the re-zoning of the subject site for the purposes of new residential which includes a supporting site layout for service sites presenting 9 detached dwellings. Whilst the submission and letter from Mark Byrne Engineering Ltd. does not specify the type of zoning requested, it is assumed from the site layout drawing supporting, it is for Service Sites. It notes the proposed site is within the town boundary with all necessary services available. It further notes the lands are not affected by the potential risk of flooding.

#### **Chief Executive's Response**

The observations raised in this submission are noted. The request to amend the zoning from 'I Agriculture to SS Service Sites is not accepted.

The site is not required by KCC for the purposes of providing a serviced site. Additionally, whilst it is the planning authority's objective (HO P22) to promote and facilitate the provision of sustainable alternatives to one off housing through service sites in small towns and villages, it must contribute to the principle of compact growth within the existing footprint. Under the County Kildare Service Sites Scheme (May 2023) guidelines, it sets out criteria for the selection of sites (Section 2) in respect of distance and proximity to educational, recreational and social activities, including the presence of good physical infrastructure (footpaths, lighting). Considering the criteria set out, the subject site is on the outskirts of the town, approximately 1.5km from the town centre and is currently not serviced with footpaths and public lighting. The subject site is outside the BUA boundary which does not align with compact growth and sequential development. If the site was to be rezoned, this would lead to a continued outwards development of the settlement, leapfrogging undeveloped more favourable greenfield sites at this current time.

#### **Chief Executive's Recommendation**

No change recommended.

### **Issue: New Abbey Road Rezoning - Andrew Nolan**

Submission Number
29

The submission is prepared by Murphy Design & Build Solutions Ltd. on behalf of landowner Andrew Nolan in respect of lands measuring 3.73ha located at New Abbey Road. The submission is requesting the rezoning of the subject lands for Serviced Sites, noting the potential for the site to provide 13 detached units for the local community to construct their own home. The submission also highlights the willingness to provide an active travel green link from the site along the adjoining boundary towards the graveyard which could be incorporated into any adjoining future developments.

#### **Chief Executive's Response**

The observations raised in this submission are noted. The request to amend the zoning from 'I Agriculture' to 'SS Service Sites' is not accepted.

The site is not required by KCC for the purposes of providing a serviced site. Additionally, whilst it is the planning authority's objective (HO P22) to promote and facilitate the provision of sustainable alternatives to one off housing through service sites in small towns and villages, it must contribute to principle of compact growth within the existing footprint. Under the County Kildare Service Sites Scheme (May 2023) guidelines, it sets out criteria for the selection of sites (Section 2) in respect of distance and proximity to educational, recreational and social activities, as well the presence of good physical infrastructure (footpaths, lighting). Although the site is approximately 600m from the town centre, the site location is in a rural setting, surrounded by one off ribbon development. The site is not serviced with footpaths and street lighting.

As noted above in response to **Submission 20**, the site is outside the BUA boundary which does not align with the principles of compact growth as set out in the National Planning Framework, Regional Spatial and Economic Strategy and the KCDP. The zoning of this site contravenes the principle of sequential development, resulting in the leapfrogging of more favourable undeveloped lands closer to the town.

#### **Chief Executive's Recommendation**

No change recommended.

***Issue: Brownstown Rezoning – Niall Mc Donnell & Donal Flanagan***

Submission Number
30

The submission is requesting the rezoning of lands measuring 4.72ha at Melon Hill, Brownstown from 'I – Agriculture' to Q – Enterprise and Employment'. The subject lands are adjacent to the proposed zoned employment lands with permission for a retail/car showroom facility, including the existing Kilcullen Link Business Park. It notes the subject lands were previously used as a sand and gravel quarry until 2003 which has since been refilled and completed in 2007.

**Chief Executive's Response**

The observations in this submission are noted. The request to amend the zoning from 'I Agriculture' to 'Q – Enterprise and Employment' is not accepted.

The Draft Settlement Plan has included an appropriate provision of land zoned for employment purposes which can sustainably facilitate the forecast future jobs growth for Kilcullen.

Although there is an existing industrial estate and the potential for a further retail/showroom to be developed adjoining the subject lands, the Settlement Plan has placed stronger emphasis on facilitating future employment growth to the south of the town. The subject site is currently not accessible by footpath or serviced in terms of street lighting. It is considered that the activation of these lands would not deliver a sequential approach in the town resulting in further development of potential urban sprawl. In respect of economic development and considering the town's positioning on a strategic road corridor, it is envisaged future employment growth is likely to deliver low intensity employment uses which would require warehouse and industrial style premises. This type of use will require easy access to the major road network and by its nature, will result in increased volumes of traffic which will add to existing main street congestion pressures if located in the north of the town.

**Chief Executive's Recommendation**

No change recommended.

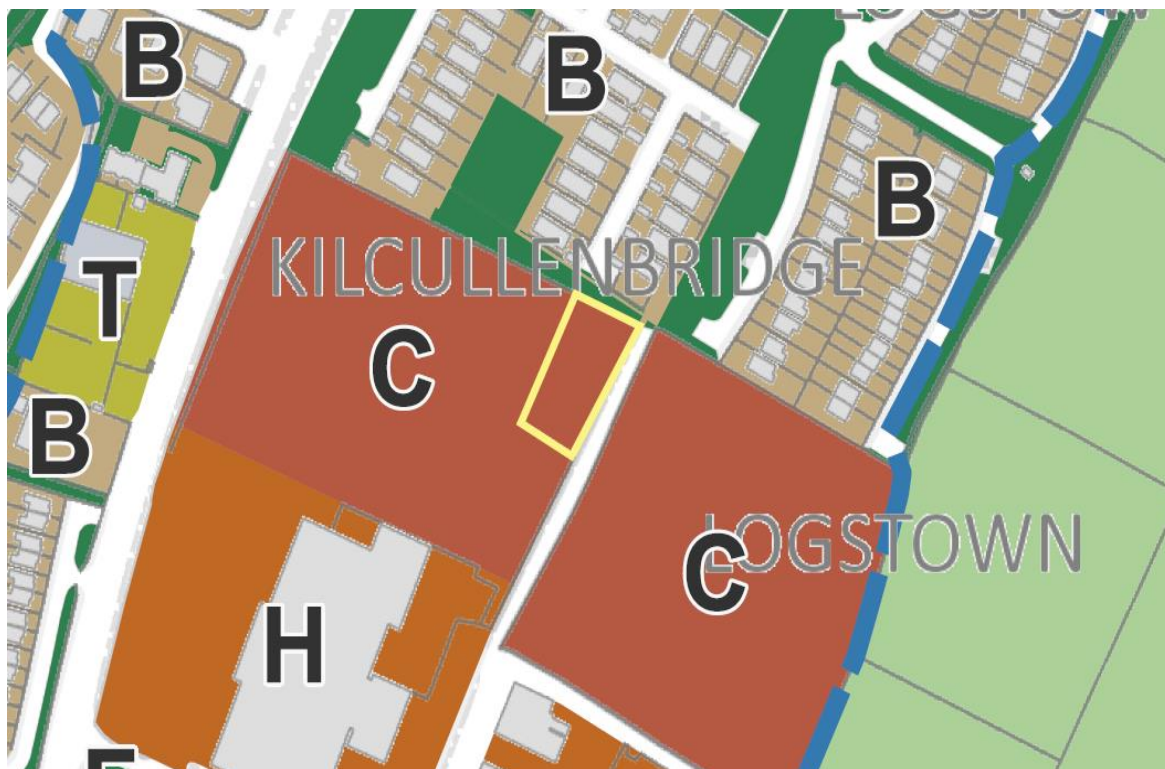
## 7.0 Composite List of Chief Executive's Recommended Material Alterations

Following a review of the Draft Settlement Plan the following material alterations are recommended. It should be noted these include recommendations made outside those received as a result of a submission/observation during the consultation period.

### **Proposed Material Alteration No.1**

#### **Map V2A-1 – Land Use Zoning**

Amend zoning on Lands Measuring 0.17 hectares, from 'C(5) New Residential' to 'F – Open Space and Amenity' (see area highlighted in yellow on map below),



The proposed amendment will require consequential amendments to Table 2.7 of the Proposed Variation.

## **Proposed Material Alteration No. 2**

**Table 2-7 Residential Development Capacity Audit**

Amend table to reflect zoning changes and amend site labels as follows;

Site Ref.	Location	Site Area (Ha.)	Site in Built-up area (CSO boundary)	Residential Yield	Net Density
N/A	Infill Sites within CSO Built-Up Area	-	Yes	14 <sup>8</sup>	35-40
C (1)	*Riverside	2.49	Yes	<b>92</b> (part of the site permitted under 22312861 is zoned Town centre (Site ref A1). Currently 9 Units complete	40*
<del>C (2)</del>	<del>Logstown Road north</del>	<del>1.52</del>	<del>Yes</del>	<del>53</del>	<del>35-40</del>
C (2)	Nicholastown	4.3	No	121 (as per site layout under current application ref. 2461327	35-40
C (3)	Market Square Road south	2.14	Yes	86	35-40
<del>C (4)</del>	<del>Logstown Road south</del>	<del>1.91</del>	<del>No</del>	<del>67</del>	<del>35-40</del>
C (4)	Kilcullenbridge	1.97	Yes	78	35-40
C (5)	Kilcullenbridge	<del>3.94</del> 1.8	Yes	<del>138</del> -72	35-40
	<b>Total</b>	<del>12</del> <b>12.7</b>		<del>436</del> -449	

A (1)	*Riverside	0.23	Yes	17 (this site was permitted under 22312861 and is zoned Town centre)	78*
A (2)	Newbridge Road (Mart Site)	6.6	Yes (2.18ha inside BUA CSO)	231	35-40
A (3)	Market Square Road north	1.2	Yes	42	35-40
A (4)	New Abbey Road	1.9	Partially (most of it is outside the CSO) BUA)	<del>66</del> 59 (as per site layout under current live application ref. 2461327)	35-40
A (5)	Naas Road	0.8	Yes	28	35-40
	Total	10.73		<del>384</del> 377	
	Overall Total			<del>820</del> 826	

### **Proposed Material Alteration No. 3**

#### **Section V2 2.7.4 Education, Social and Community Infrastructure**

Insert new objective and update reference order accordingly;

ST KL XX Facilitate and support the provision of a new youth hub centre/suitable space at an appropriate and accessible town centre location.

### **Proposed Material Alteration No. 4**

#### **Section V2 2.7.10 Surface Water Drainage and Flood Alleviation**

Amend Objective ST KL48 as follows;

~~ST KL48 Ensure that development along urban watercourses must comply with the Inland Fisheries Ireland Guidance 'Planning for Watercourses in the Urban Environment' (2020), including the maintenance of a minimum riparian zone of 35 metres for river channels greater than 10 metres in width, and 20 metres for rivers channels less than 10 metres in width. Development within this zone will only be considered for water compatible developments.~~

ST KL48 Ensure all development proposals along the River Liffey Corridor comply with Chapter 12: Biodiversity and Green Infrastructure (notably BI O41 and Table 12.4), The Planning System and Flood Risk Management (OPW, 2009) and

'Planning for Watercourses in the Urban Environment' (Inland Fisheries Ireland, 2020)

### **Proposed Material Alteration No. 5**

#### **V2. 2.7.10 Surface Water Drainage and Flood Alleviation**

Insert new objective as follows;

ST KLXX Collaborate and support Uisce Éireann and other inter agency service departments with the preparation and implementation of future Storm Water Separation Programs / Drainage Area Plans for Kilcullen where feasible.

### **Proposed Material Alteration No.6**

#### **Section 3. Development Objectives**

Add the following text to existing paragraph;

The Kilcullen Settlement Plan will be incorporated into the framework set out in Vol. 2 of the County Development Plan, this plan aims to ensure the town develops as a thriving area where people want to live as well as having a key economic and social function for its community. The following objectives aim to support the sustainable growth of the town, support appropriate economic opportunities and build on the towns unique character and natural assets. Associated land use objective maps are included in Appendix A.

In preparation of this plan, the Kilcullen Design Statement (2023) has provided a valuable reference into the local community's vision and aspirations for the town, including its regeneration and sustainable development going forward. The principles and actions outlined in this design statement has informed the development objectives set out below in the Kilcullen Settlement Plan.

Footnote: The Kilcullen Design Statement, researched and written by Paul Hogarth Company was commissioned by Kilcullen Community Action (KCA) in 2021 with funding from Kildare LEADER Partnership and Kildare County Council



### **Proposed Material Alteration No.7**

#### **Section V2 2.7.2 Regeneration/Public Realm**

Amend Objective ST KL12, as follows;

ST KL12 To leverage funding from relevant national or other appropriate sources to support the development of projects/proposals which will serve to improve the public realm and other civic spaces within the town, **including the Market Square and Bentley's Lane Regeneration Plan.**

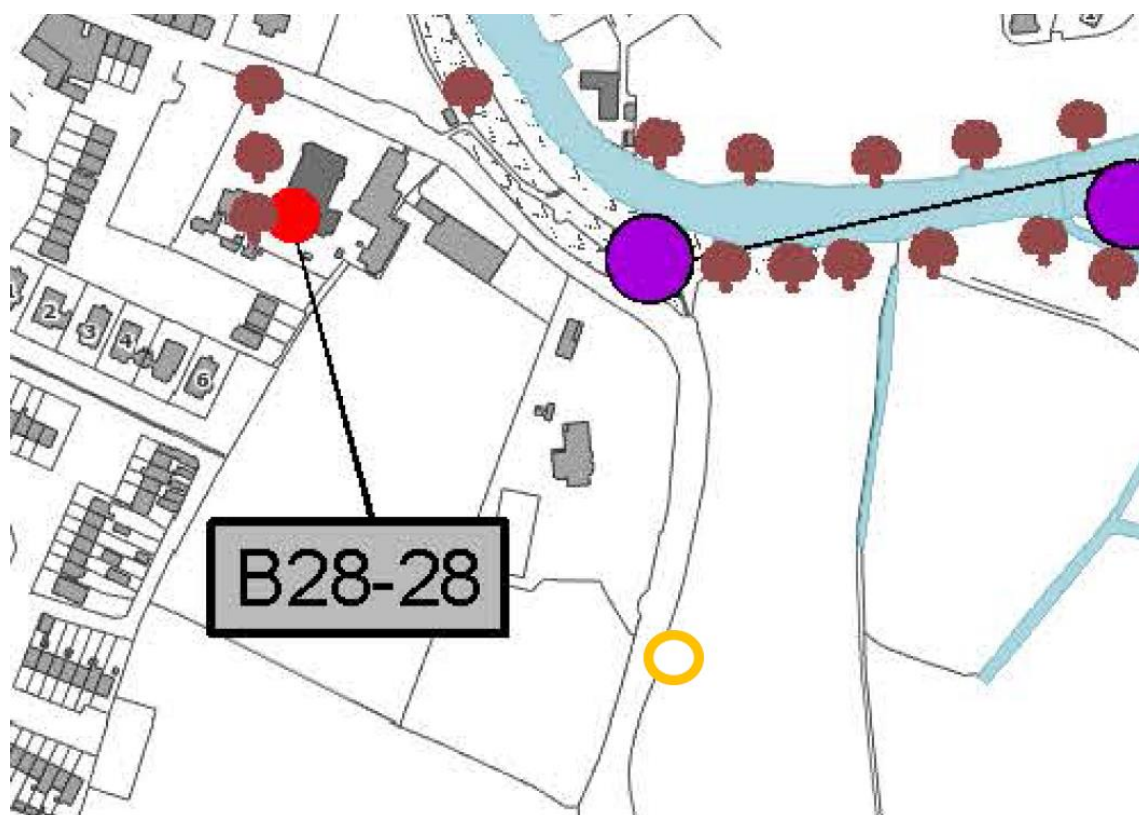
### **Proposed Material Alteration No. 8**

#### **Section V2 2.7.13 Natural Heritage**

Amend Objective ST KL53 as follows;

STKL53 (xii) **Mature Beech Tree on the New Abbey Road (R413) adjacent River Lodge House (See Heritage Map for Location)**

***Note: Update Map V2A-6 (Natural and Built Heritage) as follows (Proposed inclusion outlined in yellow);***



### **Proposed Material Alteration No. 9**

#### **Section V2. 2.7.15 Movement and Transport**

Insert new objective as follows;

ST KLXX Collaborate with the National Transport Authority (NTA) and Transport for Ireland (TFI) Local Link Service providers to improve existing bus stop facilities and supporting infrastructure, including the identification of alternative bus stop facilities which can become fully accessible.

### **Proposed Material Alteration No. 10**

#### **Section V2. 2.7.15 Movement and Transport**

Insert new objective as follows;

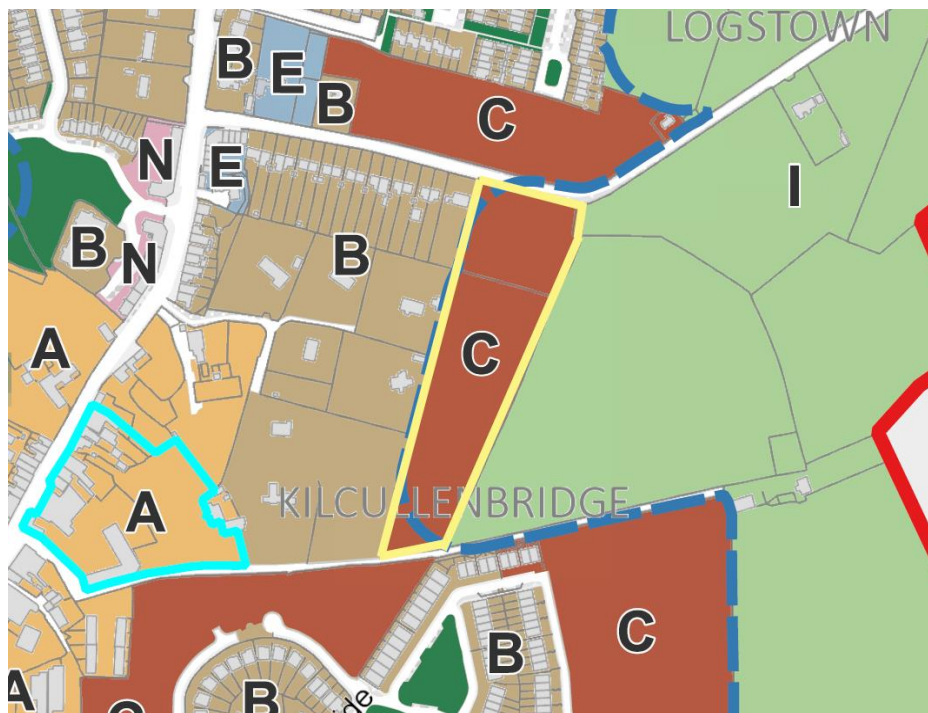
ST KLXX Support the provision of charging infrastructure for electric vehicles (EVs) on public and private land in accordance with County Development Plan standards.

### **Proposed Material Alteration No. 11**

#### **C4 Zoning – Logstown Road South**

Map V2A-1 – Land Use Zoning

Lands Measuring 1.91 hectares, amend from 'C (4) New Residential' to 'I – Agriculture'.



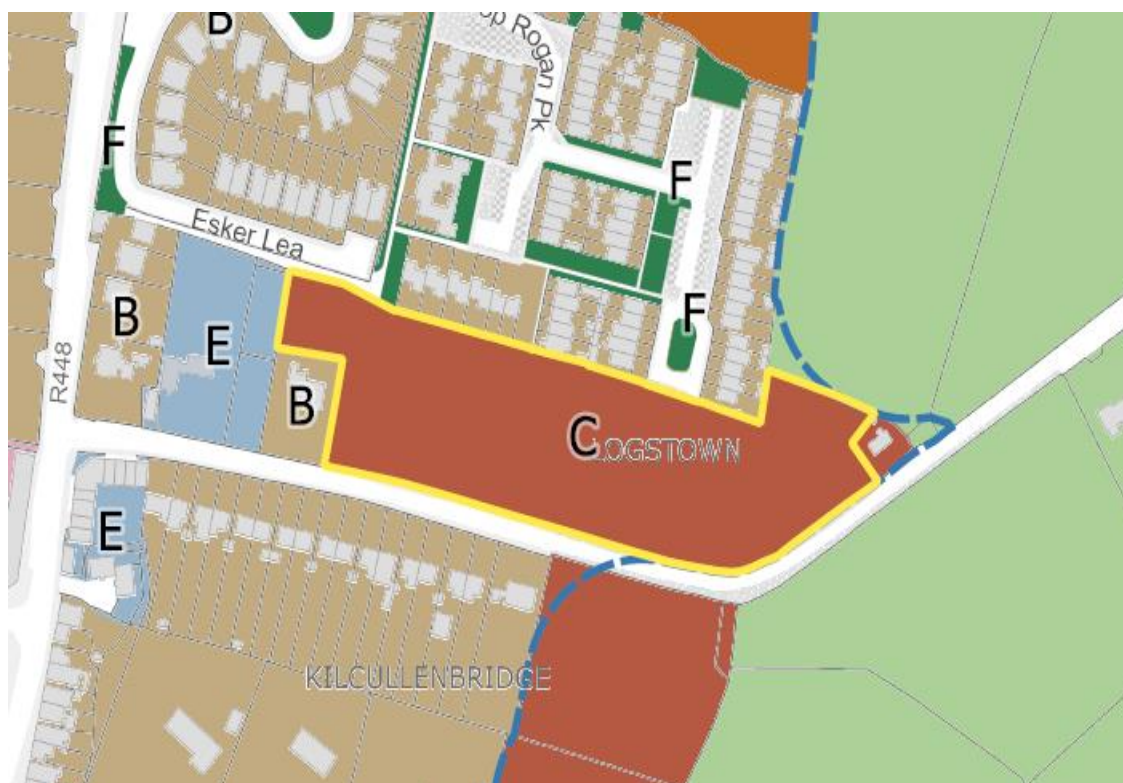
The proposed amendment will require consequential amendments to Table 2.7 of the Proposed Variation.

### **Proposed Material Alteration No.12**

#### **C2 Zoning – Logstown Road North**

Map V2A-1 – Land Use Zoning

Lands Measuring 1.48 hectares, amend from 'C(2) New Residential' to 'F – Open Space & Amenity'.



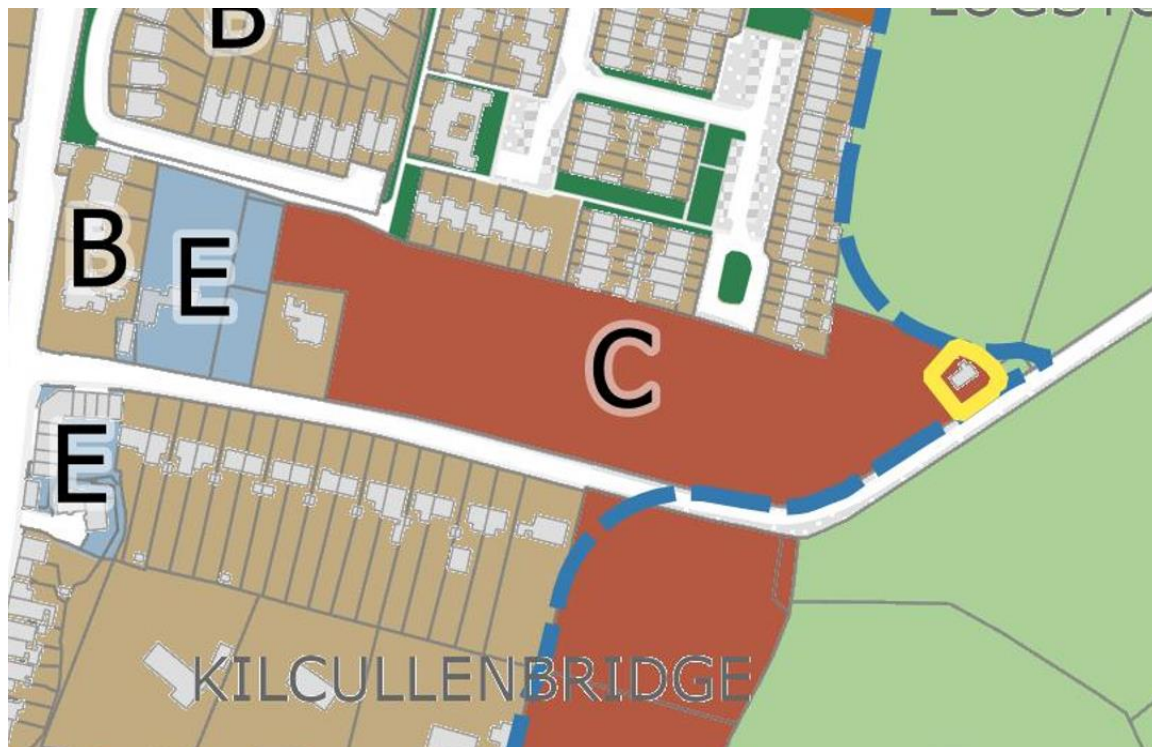
Note: The proposed amendment will require consequential amendments to Table 2-7 of the Proposed Variation.

### **Proposed Material Alteration No. 13**

#### **C2 Zoning – Logstown Road North**

Map V2A-1 – Land Use Zoning

Lands Measuring 0.04 hectares, amend from 'C(2) New Residential' to 'I – Agriculture'.



Note: The proposed amendment will require consequential amendments to Table 2-7 of the Proposed Variation.

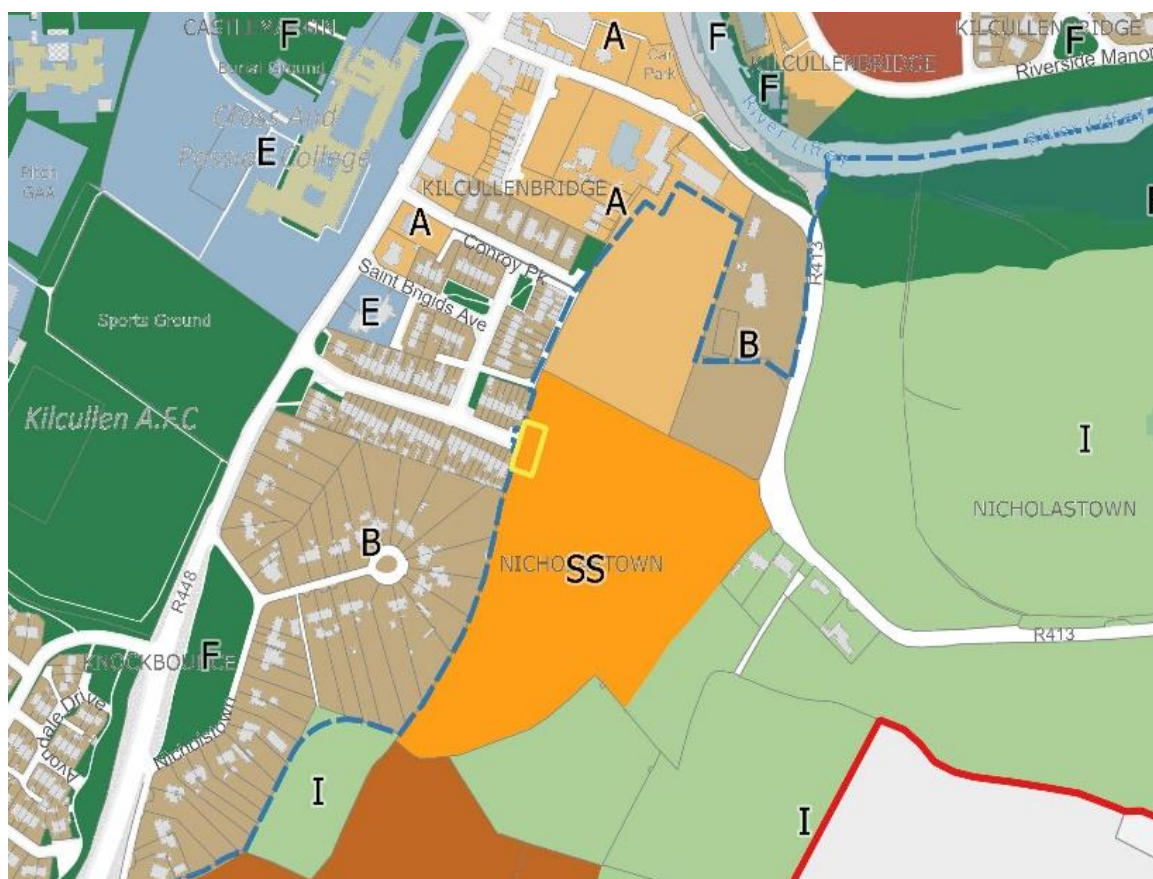


### **Proposed Material Alteration No. 14**

#### **SS Zoning – New Abbey Road**

##### Map V2A-1 – Land Use Zoning

Amend zoning on Lands Measuring 0.1 hectares, from 'SS Service Sites' to 'F – Open Space and Amenity' (see area highlighted in yellow on map below).



Note: The proposed amendment will require consequential amendments to Table 2-7 of the Proposed Variation.

**Proposed Material Alteration No. 15**

## SS Zoning – New Abbey Road

## Map V2A-1 – Land Use Zoning

Amend zoning on Lands Measuring 4.3 hectares, from 'SS Service Sites' to 'C – New Residential' (see area highlighted in yellow on map below).

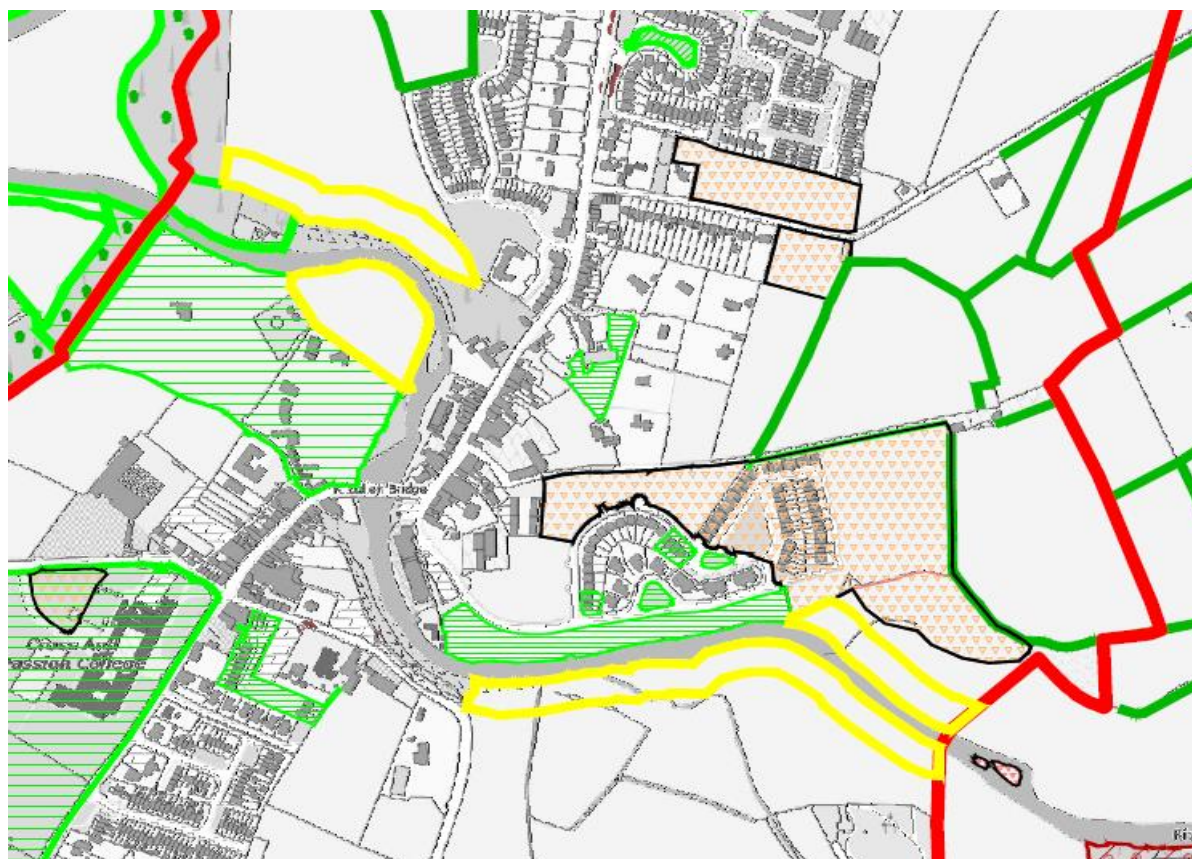


The proposed amendment will require consequential amendments to Table 2.7 of the Proposed Variation.

### **Proposed Material Alteration No. 16**

#### **Map V2A-5 – Green Infrastructure**

Amend existing map to include and identify additional 'Recreation and Amenity Spaces' (see areas outlined in yellow) along the River Liffey Corridor to the east and west of the town within the settlement boundary.





## 8.0 List of Chief Executive's Recommend Non-Material Alterations

### **Proposed Non-Material Alteration No.1**

#### **Volume 1: Written Statement, Kildare County Development Plan 2023-2029**

##### **Chapter 5, Sustainability Mobility & Transport**

Amend proposed objective TM A2 as follows;

Prepare, implement and review (where appropriate) transport and mobility strategies for each settlement commensurate to their scale and complexity to provide an evidence-base for objectives and actions included within settlement plans. Local Transport Plans (LTPs)/ Area Based Transport Assessments (ABTAs) shall be prepared for the Key Towns and Self-Sustaining Growth Town settlements in County Kildare in consultation with TII and the NTA. Smaller settlements will benefit from the preparation of a Transport and Mobility Strategy, **based on the ABTA process commensurate to their scale and complexity**, to support their settlement plans and objectives / actions. Transport and mobility strategies will be developed to provide a framework for the movement of pedestrians, cyclists, public transport services and private vehicles which are aligned with the hierarchy of users and modal shift targets set out in this Plan. Transport and mobility strategies will include measures for pedestrian, cycle, public transport infrastructure and services, road / street corridor enhancement, demand management and freight management. LTPs/ ABTA's/**Transport and Mobility Strategies**, will be prepared in accordance with appropriate national guidelines, such as the ABTA 'How to Guide', Pilot Methodology (September, 2021) and the Area Based Transport Assessment Advice Note (December, 2018) published by NTA / TII.

### **Proposed Non-Material Alteration No.2**

#### **Section V2 2.7.2 Regeneration/Public Realm**

Amend Objective ST KL11, as follows;

ST KL11 Improve, where feasible and practical, the quality of Kilcullen Main Street with new paving, mature trees, streetlamps, high quality seating, street furniture, **community notice boards** and reduction in on-street car parking to mark the importance of this area as the heart of the town centre. (see Town Centre Map)

### **Proposed Non-Material Alteration No.3**

#### **Section V2 2.7.3 Tourism Development**

Amend Objective ST KL17 as follows;

ST KL17 Maximise the potential of the River Liffey for tourism and recreational purposes by improving public access to the river, including the provision of a linear park (in conjunction with the relevant statutory authorities) and subject to appropriate environmental and ecological assessments.

## **Appendix A - Submission from the Office of the Planning Regulator**

20<sup>th</sup> November 2024

Senior Executive Officer,  
Planning Department,  
Kildare County Council,  
Áras Chill Dara,  
Devoy Park,  
Naas,  
Co. Kildare

**Re: Proposed Variation No. 1 to the Kildare County Development Plan 2023-2029**

A chara,

Thank you for your authority's work in preparing the proposed Variation No. 1 (the proposed Variation) to the Kildare County Development Plan 2023-2029 (the County Development Plan).

As your authority is aware, a key function of the Office of the Planning Regulator (the Office) is the assessment of statutory plans to ensure consistency with legislative and policy requirements relating to planning. The Office has evaluated and assessed the draft Plan under the provisions of sections 31AM(1) and (2) of the Planning and Development Act 2000, as amended (the Act) and this submission has been prepared accordingly.

Recommendations issued by the Office relate to clear breaches of the relevant legislative provisions, of the national or regional policy framework and/or of the policy of Government, as set out in the Ministerial guidelines under section 28. As such, the planning authority is required to implement or address recommendation(s) made by the Office in order to ensure consistency with the relevant policy and legislative provisions.

Observations take the form of a request for further information, justification on a particular matter, or clarification regarding particular provisions of a plan on issues that are required to

ensure alignment with policy and legislative provisions. The planning authority is requested by the Office to action an observation.

A submission also can include advice on matters that the Office considers would contribute positively to the proper planning and sustainable development of the area. The planning authority is requested by the Office to give full consideration to the advice contained in a submission.

On adoption of the plan, the Office will consider whether the plan has been made in a manner consistent with the recommendations of the Office and whether the plan sets out an overall strategy for the proper planning and development of the area concerned.

## **Overview**

The Office acknowledges the benefits of the proposed Variation in providing a Settlement Plan for Kilcullen following the expiration of the Kilcullen Local Area Plan 2014-2020 (Local Area Plan) and placing the land use zoning and policy objectives on a statutory footing within the County Development Plan.

The draft Kilcullen Settlement Plan (the Settlement Plan) sets out a well balanced approach to the future development of the town, with an appropriate focus on the continued development of the town centre and the zoning of residential land close to the town centre in proximity to existing services and in a manner that promotes compact growth and sustainable development.

The Office also commends the Planning Authority's efforts to address the amount of poorly located zoned land from the previous Local Area Plan, an issue which was raised by this Office during the preparation of the County Development Plan.

The Office does, however, consider that a tighter policy framework for Opportunity Site 1 would protect the existing retail core of Kilcullen. In addition, the Office requires changes to the Settlement Plan in how it provides for the unmet housing demand in Kilcullen in accordance with national planning policy.

## 1. Compliance with planning policy

### 1.1 Development plan and core strategy

The proposed Variation proposes additional provision of residential land to address the unmet social housing demand for Kilcullen.

While this is considered reasonable in principle, and in accordance with the provision for 'unmet demand' within the methodology set out in the Housing Supply Target Methodology for Development Planning, Guidelines for Planning Authorities (2020), this increase in the housing demand relates to the core strategy housing target (i.e. the number of homes required to be delivered). The Additional Provision under section 4.4.3 of the Development Plans, Guidelines for Planning Authorities (2022), is a separate matter which relates to the extent of zoned land required to meet the housing target in the core strategy.

The Planning Authority is therefore required to clarify this matter in the proposed Variation, and to provide for the 'unmet demand' within the housing target set out in the core strategy.

Notwithstanding, the Office is satisfied that the quantum and location of New Residential zoned lands in the draft Settlement Plan is consistent with national and regional policy for compact and sequential growth, and sustainable mobility.

#### Recommendation 1 – Core strategy and housing supply target

Having regard to:

- NPO 36 of the NPF;
- the Section 28 Guidelines, Housing Supply Target Methodology for Development Planning (2020); and
- Section 4.4.3 of the Development Plans, Guidelines for Planning Authorities (2022),

the Planning Authority is required to:

- (i) clarify that the provision for 'unmet demand' relates to the housing supply target in the core strategy; and

(ii) amend section 2.4 of the Settlement Plan for Kilcullen regarding ‘additional provision’.

## 1.2 Regeneration and retail

The Settlement Plan identifies the former mart site on the Newbridge Road as an opportunity site. The site is well located, across from the existing school and in proximity to a mix of uses and services. The site is zoned A: Town Centre which provides for the ‘development and improvement of appropriate town centre uses’. The Settlement Plan includes a specific Policy Objective ST KL15 setting out the development objectives for the lands, including the provision of a landmark mixed used / retail development.

Policy Objective RET 052 and section 8.7.2.8 of the County Development Plan prioritise the Core Retail Area as the priority location for new retail development (see map no. V1 – 8.5). The Core Retail Area is focused on Main Street, the area immediately north and south of the bridge. The opportunity site is to the west of this Core Retail Area and given the size of the site, 6.6 ha, a landmark retail development has the potential to negatively affect the vibrancy and vitality of Main Street.

It is important, therefore, that an appropriate balance is struck between promoting development on the site, providing for essential retail and services to serve the communities and protecting the vibrancy and vitality of the town core. As such the opportunity site would benefit from providing a threshold for the amount of retail floorspace allowable on the site. This quantum should be of a scale appropriate to the size of the town and its core in order to minimise the potential of adverse impact, as per the Retail Planning Guidelines for Planning Authorities (2012). Such a provision would provide clarity for the public and prospective applicants and would provide a robust policy framework to support decision making at the development management stage.

### Recommendation 2 – Regeneration and retail provision

Having regard to the compact and sustainable growth of the town, while protecting the vibrancy and vitality of the town core and in particular to:

- NPO 35 of the NPF;



- Policy Objective RET 052 and section 8.7.2.8 of the Kildare County Development Plan 2023-2029; and
- the Retail Planning Guidelines for Planning Authorities (2012),

the Planning Authority is required to define the quantum of retail floorspace allowable on Opportunity Site 1 of the Kilcullen Settlement Plan.

## Summary

The Office requests that your authority addresses the recommendations outlined above. As you are aware, the report of the Chief Executive of your authority prepared for the elected members under section 13 of the Act must summarise these recommendations and the manner in which they will be addressed.

At the end of the process, your authority is required to notify this Office **within five working days** of the decision of the Planning Authority in relation to the proposed Variation. Where your authority decides not to comply with the recommendations of the Office, or otherwise makes the plan in such a manner as to be inconsistent with the recommendations made by this Office, then the chief executive shall inform the Office and give reasons for this decision.

Please feel free to contact the staff of the Office in the context of your authority's responses to the above, which we would be happy to facilitate. Contact can be initiated through [plans@opr.ie](mailto:plans@opr.ie).

Is mise le meas,



**Anne Marie O'Connor**


Deputy Regulator and Director of Plans Evaluations

## Appendix B – Summary of Individual Submissions Received

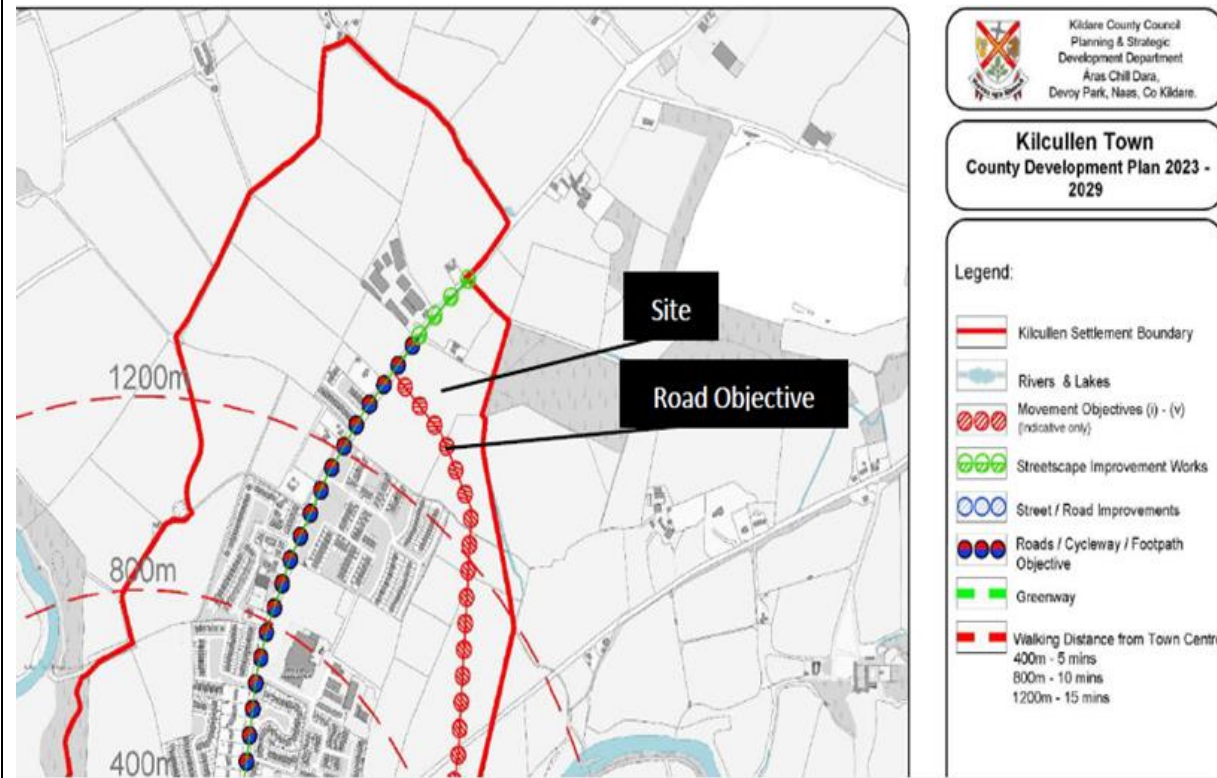
The submissions summarised in Appendix B exclude the following:

- The submission from the Office of the Planning Regulator (OPR)
- Submissions from Prescribed and Public Bodies.

Sub No:	Name	Summary of Submission
03	Ronan Murray	<b>Zoning C5 – Kilcullenbridge</b> Submission highlights concern with the existing site topography including the damage the surrounding trees are causing to the existing footpaths. The submission asserts their own personal mobility challenges and the dangers that exist currently when passing the site.
06	Howard Berney	<b>Movement and Transport</b> <b>STKL77 - Proposed Relief Road</b> Submission asserts the importance of carrying out the necessary feasibility study to assess potential route options in a timely manner to address uncertainty of affected landowners. It asserts this will allow for alternative routes and contingency to be considered at an early stage. <b>STKL78 – Proposed Greenway</b> Submission notes the existing access route identified as part of a proposed greenway link is currently used for farm access with heavy/wide machinery. It asserts that any proposed link would need to facilitate the widening of the existing lane which is not feasible in its current form.

09	Nolan Family	<p><b>Proposed Zoning – Brownstown</b></p> <p>Submission is prepared by <b>David Mulcahy Planning Consultants Ltd.</b> on behalf of the Nolan Family requesting the new residential zoning of land approx. 9.23ha at Brownstown to the north of the town as outlined in image exert below. It notes the site is currently in agriculture use and adjoins existing residential dwellings to the south and western boundary.</p>  <p>The submission notes the subject lands was previously zoned for low density residential development in 2008 under the Kilcullen Local Area Plan 2008, which was subsequently rezoned for agricultural use in the 2014 LAP with an objective to provide a new road through the lands.</p>

Considering the proposed Draft Plan, the submission highlights objective STKL77 and the requirement for a relief road through the subject lands (see exert below) which still remains, and which seeks to investigate the feasibility of such development, and the preservation of the eventual route option free of development.



The submission queries the need for preparing a new plan at this point in time considering the National Planning Framework (NPF) review and new housing targets are expected to be released in 2025, which will most likely require further amendments to the core strategy figures for the entire county. It also asserts in the opinion of the landowner that certain sites zoned for housing in previous plans are still not likely to be activated by

		<p>current landowners, whilst highlighting their intention to progress development if successful.</p> <p>The submission states the lands have a high suitability for such zoning for the following reasons;</p> <ul style="list-style-type: none"><li>• Located within the town boundary and adjacent existing housing developments.</li><li>• No natural or built heritage constraints</li><li>• Proximity to public transport and accessibility</li><li>• Potential for 20% Part V housing</li><li>• Encourage and aid the delivery of the proposed relief road (Objective ST KL72).</li></ul> <p>The submission includes a draft feasibility study outlining a design layout and phasing schedule for the subject lands prepared by <b>JFA Architects</b>. The supporting document provides a site analysis and design strategy with a series of contextual maps (see phasing map below) for the entire landholding which is split up into two phases. It notes the two phases outlined have the potential to deliver 282 units (110 +172) and a section of the proposed relief road (indicative only) if approved.</p>
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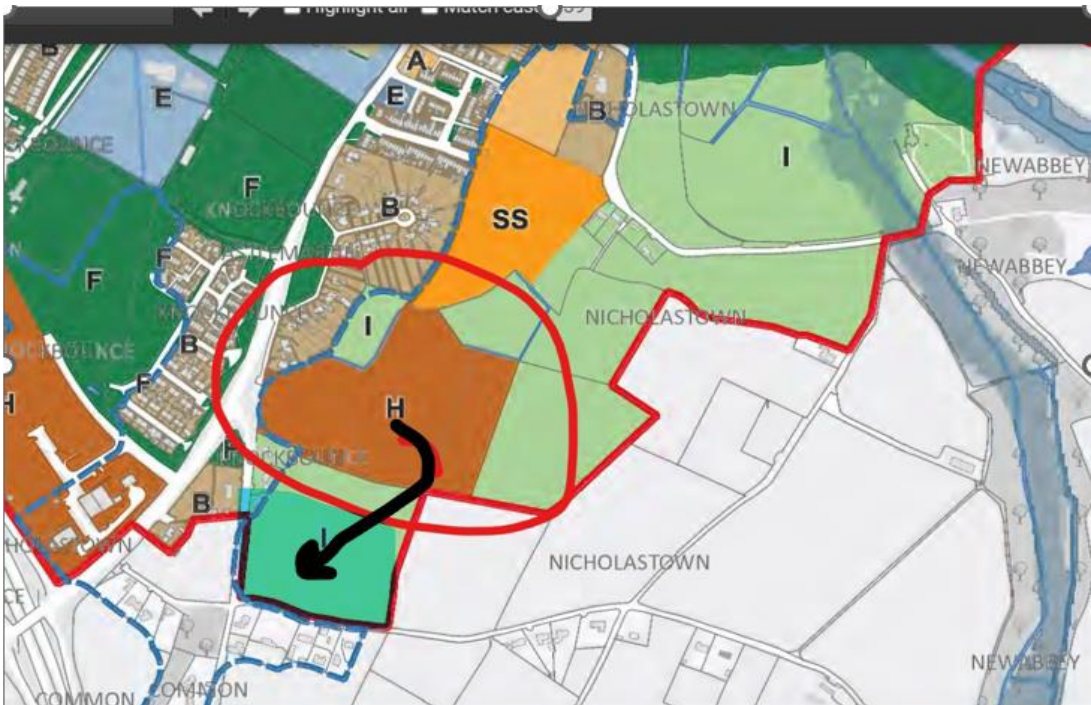


The submission also includes a supporting letter of opinion from **Mark Byrne Engineering Ltd.** on behalf Mr. Ray Nolan recommending inclusion of the lands identified for residential purposes highlighting the following benefits;

- Site is situated within the town boundary.
- All necessary services are available, including adequate water supply and foul sewer capacity
- The site is not affected by the risk of flooding.




11	Ray Kelly	<p><b>STKL77 – Proposed Relief Road</b></p> <p>Submission notes the requirement for a new relief road and states this will never be developed due to the number of private landowners. It states that no development should happen in this area identified without the delivery of the proposed road. It also asserts that any connection to the existing R448 and L6024 roads will require level changes which are impractical.</p> <p><b>Zoning - Service Sites</b></p> <p>The submission states the proposed zoning is unsuitable with the New Abbey Road R413 unable to cater for increased traffic in the area.</p> <p><b>Zoning – H – Nicholastown</b></p> <p>The submission states the proposed zoning is impractical as the lands cannot be accessed without the commencement of a new relief road. It states the original employment zoning on the Naas Road should remain, or the lands south of the proposed site (map exert below) should be considered due to adequate road access.</p>

		
12	<b>Sunbury Close Residents Association</b>	<p>The submission welcomes many aspects of the proposed plan including the need for more housing and improved infrastructure to meet population needs. The submission states the plan is unclear in how it will address future needs in terms of schools and amenities to meet population growth.</p> <p><b>Permeability Links</b></p> <p>The submission highlights major concern with adopting future links through Sunbury Close from any proposed development in the future noting the following points;</p>




		<ul style="list-style-type: none"> <li>• Linking a new large estate with an older smaller estate of young and old families is not safe or welcomed by residents.</li> <li>• Risk of anti-social behaviour.</li> <li>• Existing roads in the estate are used for parking and unsuitable for wider paths/ cycle lanes.</li> <li>• No evidence that creating links will reduce traffic and notes the plan makes provision for footpath upgrades along the R413 which is more than adequate for pedestrian traffic and children attending school.</li> </ul>
14	Ann Cashman	<p>The submission outlines the following concerns and recommendations in relation to the towns existing infrastructure and capacity challenges in supporting future growth.</p> <p><b>Kilcullen Design Statement</b></p> <p>It notes concern regarding the lack of alignment with the existing <i>Kilcullen Design Statement</i> stating ignoring the recommendations set out by the community undermines the purpose of thoughtful inclusive planning.</p> <p><b>Movement and Transport</b></p> <p>It states the town is experiencing heavy volumes of traffic at peak times with insufficient public transport options and inadequate roads, which now requires early action before further developments are delivered.</p> <p><b>Social Infrastructure</b></p> <p>It notes the town lacks adequate schools, healthcare, recreational and retail services to cater for existing residents.</p> <p><b>Community and Environment</b></p>

		<p>The submission notes large scale rezoning and development needs to be sympathetic to the town's character and natural resources such as water supply, waste management and existing green spaces.</p> <p>The submissions note the following <b>recommendations</b> and actions which could help address the above mentioned issues;</p> <p><b>Movement and Transport</b></p> <ul style="list-style-type: none"> <li>• Conduct a traffic impact assessment to identify bottlenecks and necessary upgrades to roads and public transport. Invest in sustainable infrastructure that can facilitate cycling and improve bus services for residents.</li> </ul> <p><b>Social Infrastructure</b></p> <ul style="list-style-type: none"> <li>• Ensure housing developments deliver essential school, healthcare and community spaces to meet the future needs of the population and ensure zoning regulations provide a balanced mix of residential, commercial and recreational needs.</li> </ul> <p><b>Phasing Approach</b></p> <ul style="list-style-type: none"> <li>• It notes that the phasing of zoned lands and development should be considered which can allow and ensure infrastructure upgrades are aligned. It states clear timelines for such infrastructure improvements should be set out to avoid uncoordinated growth.</li> </ul> <p><b>Community Engagement</b></p> <ul style="list-style-type: none"> <li>• The submission states regular consultation and transparent updates on future plans and development should be held with residents to ensure community needs and priorities are met.</li> </ul> <p>The submission urges Kildare County Council to prioritise infrastructure improvements and resource allocation prior to any future rezoning or development is progressed.</p>
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15	Kilcullenbridge Developments Ltd.	<p><b>Proposed Zoning – Kilcullenbridge</b></p> <p>The submission is prepared by Thornton O'Connor Town Planning on behalf Kilcullenbridge Developments Ltd. to advocate support for the proposed re-zoning of the site (indicated on map aerial exert below) north of Kilcullen Industrial Estate to new residential. Currently zoned for 'industrial and warehousing development', the subject site is 1.8ha and currently bounded by residential to the north and industrial uses to the south with access to the Naas Road.</p>  <p>The submission welcomes and requests the rezoning of these lands for new residential, noting the landowner's immediate intention to engage with the Planning Authority and progress a development proposal.</p>

16	JJ Warren	<p>The submission welcomes several points in the Draft Plan noting the level of development is reasonable, but it will require the necessary social and community infrastructure to be aligned with future proposals.</p> <p><b>Movement and Transport</b></p> <p>The submission states that any future development at Logstown residential lands should be linked with the existing development at Riverside Manor providing access to Market Square. It also states the proposed road improvement works at Logstown should be continued to meet the R412 Carnalway Cross Road which could alleviate traffic pressures at Logstown/Naas Road junction.</p> <p>The submission highlights the existing road from Thompsons Cross through Sunnyhill to the crossroads at Castlemartin which is being used as an alternative to avoid the town centre and traffic lights. It states this road should be considered for upgrades including realignment and widening.</p> <p>The submission notes and welcomes the proposed greenway routes identified and the benefits they will bring residents.</p> <p><b>STKL77 - Proposed Relief Road</b></p> <p>The submission states it is important that before any feasibility study is carried out to assess route options, all landowners affected should be engaged with prior. It asserts the future development of this route will be important to solving the existing traffic issues.</p> <p><b>Zoning - Service Sites</b></p> <p>The submission notes the proposed zoning gives potential to further ease traffic if the proposed relief road was required and incorporated into any new development. It also states that the adjoining Nicholastown estate should not be forced to facilitate any pedestrian or vehicle links due to inadequate infrastructure currently in place. It notes the</p>

		<p>proposed Service Sites land is the subject of an existing residential proposal which is being prepared in conjunction with Kildare County Council.</p> <p>It further states the Council should maintain maximum building heights at two and a half storeys with all new developments, including town centre sites.</p>
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18	Oakway Homes	<p><b>Proposed Zoning – New Abbey Road</b></p> <p>The submission is prepared by David Mulcahy Planning Consultants Ltd. on behalf of Oakway Homes in respect of the proposed re-zoning of lands 4.4ha at New Abbey Road from new residential to Service Sites (see aerial exert below).</p>  <p>The submission seeks for the proposed zoning to revert to residential zoning on a number of grounds:</p>

		<ul style="list-style-type: none"> <li>• The revised housing targets for the town have now been redistributed to new residential zonings which are further from the town than the subject site. It further states that no rationale for the decision to rezone the subject site to Service Sites is provided and questions why such low-density zoning is chosen at this town centre location.</li> <li>• The proposed “Serviced Site” designation represents a gross underutilization of land which cannot exceed 10 units per hectare, including the suitability criteria for persons living outside the town only. It further states the conflicting nature of this policy objective which is contrary to National and Local planning policy.</li> <li>• a large-scale residential development proposal being prepared by landowners (Oakway Homes) as per objectives set out in Kilcullen Local Area Plan 2014. It states the subject site is in agriculture use and is adjoining existing residential development to the west with existing access from New Abbey Road. The submission outlines the correspondence between the Planning Authority and Oakway Homes to date including the details of the most recent site design and layout plan of the site (image exert below) which will aim to deliver 180 units.</li> </ul>
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Fig No.8 Layout submitted to Kildare County Council for 180 dwellings and associated development. (Extract from DTA Drawing 2105-RDK-PL-101)

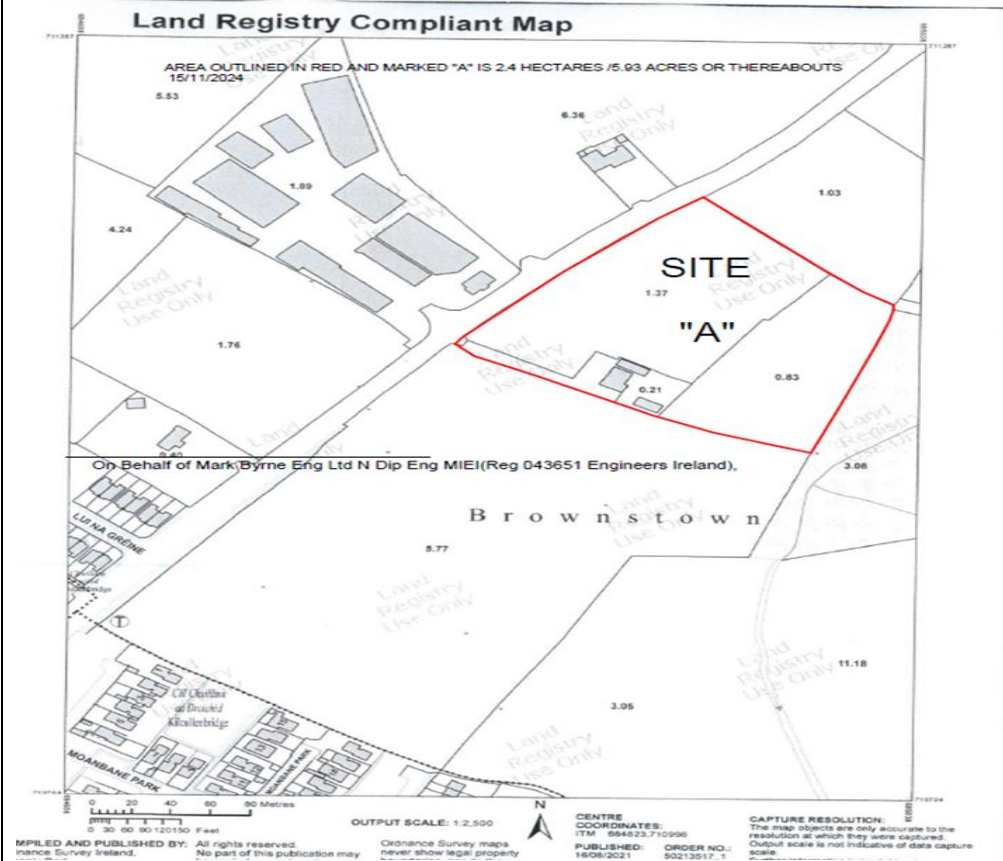
The submission concludes that the existing new residential zoning of these lands has the potential to deliver;

- New and wide variety of housing opportunities for the town
- Significant Part V provision
- Active travel measures and associated infrastructure



19	Noel Clare	<p><b>Green Infrastructure</b></p> <p>The submission refers to a property which is located outside the town boundary and is identified as Amenity and Recreation on the Green Infrastructure Map published. The submission requests to have said property identified as a residential site on the map instead as they feel it could impact the property value. The submission also states the old beech trees on New Abbey Road should be included on a tree preservation list.</p> <p><b>Regeneration / Public Realm</b></p> <p>The submission welcomes objectives to remove off street parking, however they would like to see stronger ambition to identify off street parking provision with a designated public car park. It highlights the need for a specific aim of underwiring cables to improve existing streetscapes. It also states the regeneration and recent Market Square Plan should be highlighted in the Draft Plan which identifies support for the recent Part 8 application and consultation.</p> <p><b>Built Heritage</b></p> <p>The submission welcomes the objective 'STKL52' to investigate the potential for the creation of an ACA for the town centre.</p> <p><b>Social Infrastructure</b></p> <p>The submission welcome's objective 'STKL22' in facilitating the provision of a BMX and skateboarding park.</p>
20	Nyle Rafferty	<p>The submission is prepared by Mark Byrne Engineering Ltd. on behalf of landowner Mr. Nyle Rafferty in respect of lands located along the Naas Road at Brownstown (see</p>

supporting map below). The submission included two supporting documents consisting of a site location map and potential site layout for the subject site.



The submission is recommending the zoning of the subject site for the purposes of new residential noting the following;

- Site is 2.4ha and is situated within the town boundary
- Potential to deliver 9 detached units (site layout exert below)

- All services are available such as adequate water supply and foul sewer capacity.
- Not effected by potential flood risk



21

Ann Cashman

The submission raises concern with the level of insufficient parking provision in the town which is impacting residents, businesses and visitors.

#### Concern

- It states the existing facilities are inadequate and have led to heavy congestion during peak times, and these will continue to be further strained with any future new developments.

		<ul style="list-style-type: none"> <li>• The lack of parking is leading to illegal parking on roadsides which is a hazard for pedestrians and cyclists.</li> </ul> <p><b>Recommendations</b></p> <ul style="list-style-type: none"> <li>• Conduct a comprehensive parking assessment, including plans to identify current and future demands, including the promotion of sustainable alternatives such as park and ride schemes.</li> <li>• It notes that smart parking solutions such as real time monitoring can help efficiency and ease congestion.</li> </ul>
22	Kilcullen Community Action	<p>The submission highlights Kilcullen Community Action's active participation in the Kilcullen Town Team and key contributions to the Kilcullen Design Statement and principles that were developed.</p> <p>The submission notes the following concerns with the proposed Draft Plan;</p> <p><b>Kilcullen Design Statement</b></p> <p>The submission notes the Draft Plan does not adequately align with the vision of the Kilcullen Design Statement which is a community driven vision for the sustainable development of the town. It asserts the proposed Draft Plan and zoning changes disregard the principles of this plan and managing future responsible growth. It asserts that disregarding this community vision undermines the values of participatory planning.</p> <p><b>Infrastructure and Traffic Congestion</b></p> <p>The submission notes the current traffic problems in the town and the lack of adequate infrastructure to support the existing population and traffic flow. It states the town is not capable of facilitating future development which will result in increased traffic congestion</p>

		<p>and road safety risks. The submission asserts the town's existing infrastructure such as water and wastewater systems are also under strain needing significant upgrades.</p> <p>The submission states the town will face increased air pollution and environmental degradation from future traffic problems which should be addressed through stronger sustainable objectives and actions in future development proposals.</p> <p><b>Social Infrastructure</b></p> <p>The submission notes that existing healthcare, education and recreational spaces are operating above capacity. It states the delivery of such important services and infrastructure should be aligned and prioritized alongside any future development proposals to serve existing and future population growth. The submission highlights the following recommendations to be considered;</p> <ul style="list-style-type: none"> <li>• Strongly urging the alignment of the Draft Plan to the principles of the Kilcullen Design Statement, ensuring the community values, sustainability and character remain central to the planning process.</li> <li>• Incorporating the views and input of the Kilcullen Town Team and other local stakeholders into the planning and development stages of future proposals in the town.</li> <li>• The submission notes the requirement for a Traffic Impact Assessment for the town to address existing congestion, alongside the upgrading of existing roads and the delivery of walking and cycling paths as sustainable movement options for the town.</li> <li>• It recommends the introduction of smart city solutions for real time traffic monitoring and improved public transport options.</li> <li>• The submission states that future development proposals should prioritize green spaces, energy efficient buildings including sustainable waste practices.</li> <li>• It recommends the requirement for pollution and mitigation strategy for the town to monitor emissions and review more sustainable practices for transport and energy.</li> </ul>
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		The submission requests Kildare County Council to reassess the existing zoning plans and ensure the critical infrastructure required to facilitate this type of growth is made a priority before any development proceeds in the town.
23	JJ Warren	<p><b>Zoning – Service Sites</b></p> <p>The submission requests for the existing open space/amenity area within the proposed Service Sites land to the end of Conroy Park to be rezoned. The submission notes this section of land was donated to residents over 50 years ago for use as a public amenity space.</p>
24	Orla O'Neill	<p><b>Kilcullen Design Statement</b></p> <p>The submission highlights the Kilcullen Design Statement and notes this should be referenced in the Settlement Plan to ensure any future development is underpinned by solutions to the town's current infrastructure and the capacity issues that exist. It states these issues are clearly identified but not sufficiently addressed in the Draft Plan.</p> <p><b>Movement and Transport</b></p> <p>The submission notes the existing traffic congestion issues that exist due to inadequate road networks and poor public transport services. It states this issue will get worse with any intensification of development within the town. The submission notes the lack of bike racks/bike parking and bike lanes for people to use. It also highlights the existing traffic congestion issue on Sunnyhill Road at peak times with many using this route to avoid the town centre.</p>

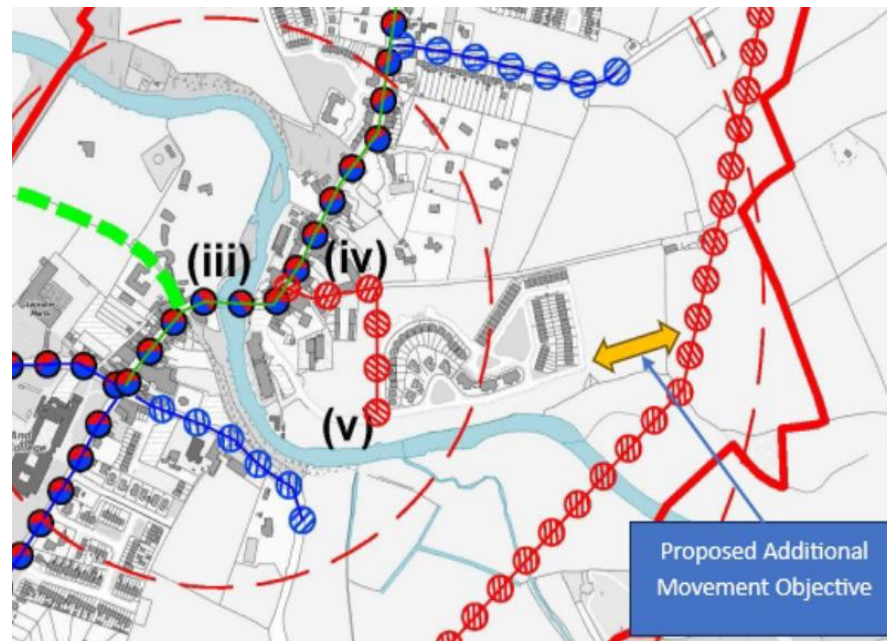
		<p><b>Social Infrastructure</b></p> <p>The submission notes the existing lack of adequate services to meet a growing population such as schools, healthcare facilities and recreational spaces, including supports for older residents. It states that future development needs to be aligned with the delivery of such services to avoid overburdening.</p> <p><b>Regeneration and Public Realm</b></p> <p>It states the Draft Plan should identify support for the redevelopment of Market Square and recent Part 8 application that was approved.</p> <p><b>Zoning Proposals</b></p> <p>The submission notes the large-scale rezoning and development of the town without the adequate planning of other areas will harm the ability to live and put further strain on the natural environment and existing services. It states there is no approach outlined for the linking and integration of green spaces and active travel measures.</p> <p>The submission highlights the following recommendations to be considered in the final Settlement Plan;</p> <ul style="list-style-type: none"> <li>• The delivery of a Traffic Impact Assessment to identify traffic solutions which should be outlined within the final Settlement Plan.</li> <li>• Invest in sustainable public transport options including cycle paths to reduce car use.</li> <li>• Ensure school, healthcare and community spaces are delivered alongside future development proposals.</li> <li>• Include a balanced mix of residential, commercial and recreational land zoning.</li> <li>• Include a phasing approach to development that ensures infrastructure upgrades are aligned.</li> <li>• Establish benchmarks and timeframes for infrastructure improvements.</li> <li>• Consultation with residents to ensure future development reflects community needs.</li> </ul>
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26	Cllr. Tracey O'Dwyer	<p>The submission highlights the following recommendations for inclusion as part of the final Settlement Plan;</p> <p><b>Movement &amp; Transport</b></p> <p>The submission recommends the inclusion of an objective for the delivery of a further ring road focusing on the west of the town that could cater for traffic exiting the M9/M7 towards Newbridge, whilst also assessing the potential for alternative road measures, including a potential Pit Row that could alleviate congestion in the interim.</p> <p>The submission recommends the inclusion of objectives for the delivery of a second bridge for the town, including the identification of a suitable location for a bus depot and parking facility. It also notes the requirement for public EV charging points, including the suitable location for park and ride facilities.</p> <p>The submission recommends an objective to include Sunnyhill Road within the town boundary to assist with future speed limit reviews.</p> <p><b>Regeneration / Public Realm</b></p> <p>The submission recommends the zoning of retail use within future residential lands should be discouraged and not form any part of the plans to ensure a vibrant town centre.</p> <p><b>H Zoning – Nicholastown</b></p> <p>The submission states this proposed zoning should be re-considered and relocated to the north of the town on the Naas Road alongside existing industrial and warehousing development. It notes the existing employment lands 'H' at Knockbounce (Kilcullen Business Campus) is at capacity.</p> <p><b>SS Zoning</b></p> <p>This submission notes this site is part of an existing pre-planning submission for new residential and requests this should be considered to ensure we are meeting demand for</p>




		<p>new sites. It also recommends the identification of an alternative Service Site towards the North of town (Naas Road) if the proposed lands are subject to a new residential scheme.</p> <p>The submission further recommends additional service sites to be identified along the Naas Road which could address the restrictions in securing planning permission to surrounding rural areas.</p> <p><b>Proposed Zonings</b></p> <p>The submission highlights two proposed residential sites (C2 + C4) at Logstown Road which it asserts are most likely to never become available for delivery. It further states the site to the rear of Logstown (C4) should be considered for agricultural use due to access concerns, with an alternative site identified along the Naas Road.</p> <p><b>Social Infrastructure</b></p> <p>The submission highlights the requirement for lands to be identified on the Naas side of the town for future community, educational and open space to cater for the residents and future population to the north of the town.</p>
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28	Murphy Design & Build Solutions Ltd.	<p><b>Kilcullen Design Statement</b></p> <p>The submission notes concern with the lack of alignment with the Kilcullen Design Statement which was underpinned by community engagement to sets out the vision and recommendations for the sustainable development of the town.</p> <p><b>H Zoning – Nicholastown</b></p> <p>The submission states the proposed employment zoning at Nicholastown should be removed until such time that the neighbouring industrial site (Kilcullen Business Campus) has been developed and completed in full.</p> <p><b>Public Open Space</b></p> <p>It highlights the requirement for a large public park/open space with the increasing population, and notes that future developments need to provide buffer zones or well-designed public areas should be a minimum requirement.</p> <p><b>Movement and Transport</b></p> <p>The submission welcomes the outlined movement objectives including the indicative location of the proposed relief road. It states that any future development on this route should include a condition to ensure infrastructure delivery is aligned.</p> <p>The submission includes a proposed additional link road (see map exert below) from the existing Riverside development towards the proposed relief road which could relieve traffic congestion and support the delivery of this relief route.</p>

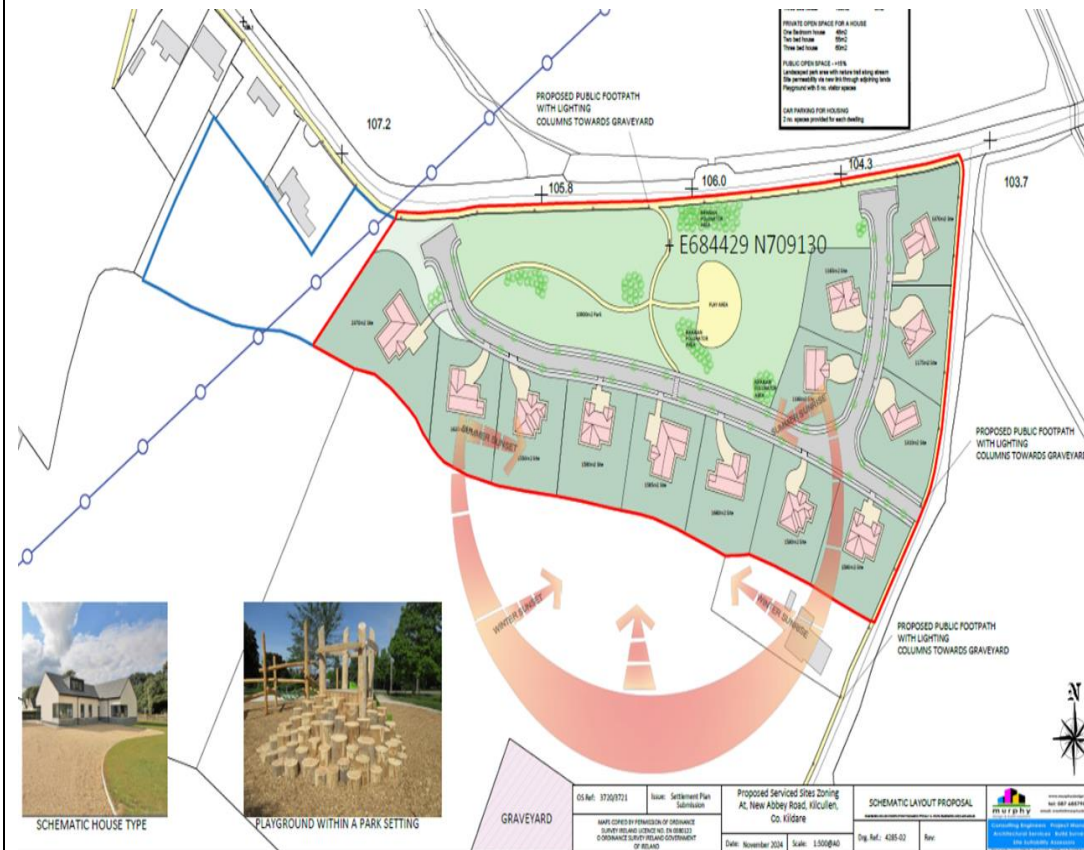


### Off Street Parking

The submission contends that the provision of off-street parking including the identification of a future long-term public site should be identified to ensure safeguarding of the town centre. It notes areas such as the rear of Fallon's Restaurant, the existing church car park or within any future development of the Mart Site should be considered and explored.

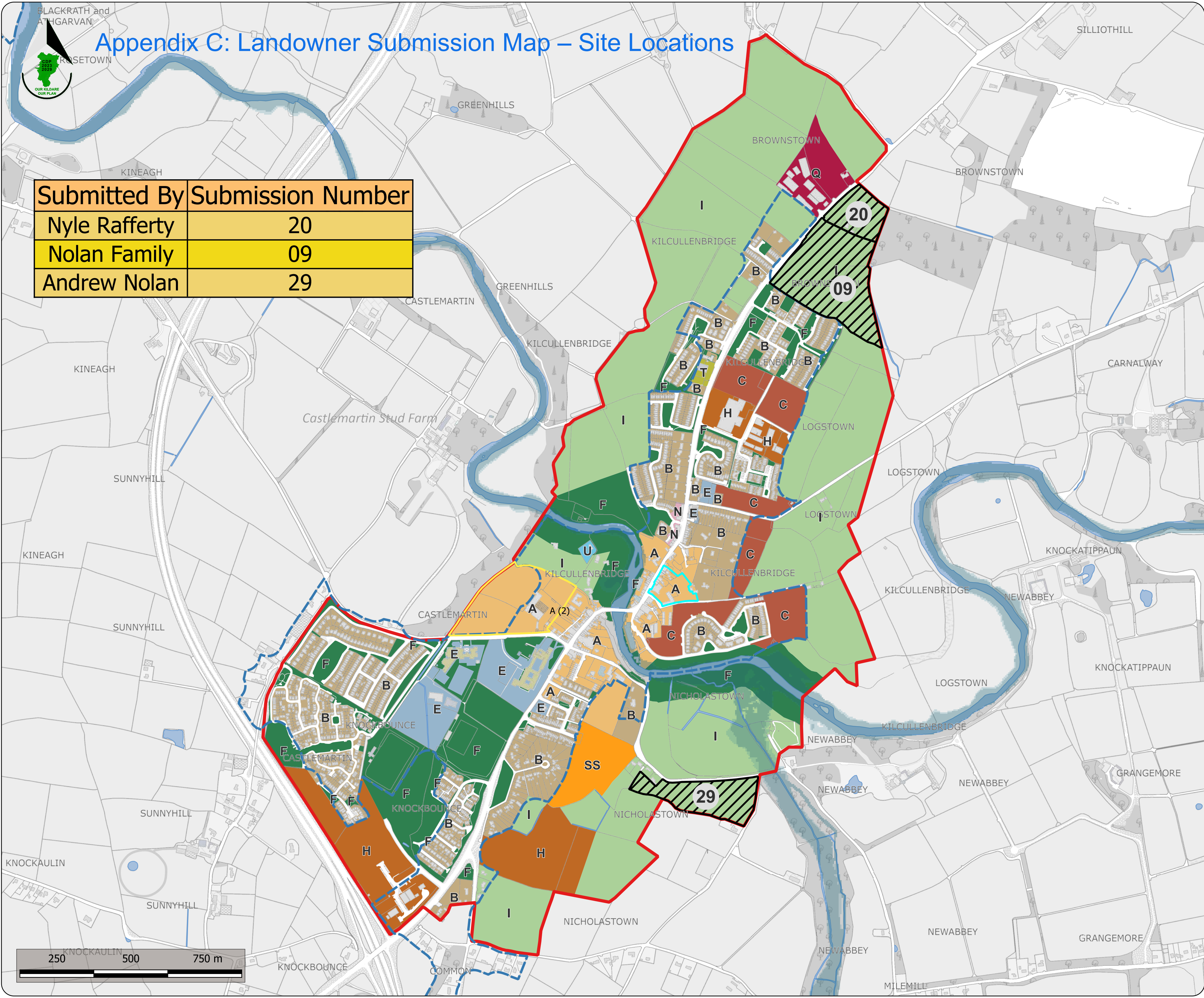
29	Andrew Nolan	<p>The submission is prepared by Murphy Design &amp; Build Solutions Ltd. on behalf of landowner Andrew Nolan in respect of lands measuring 3.73ha located at New Abbey Road (see supporting aerial image below) which is currently zoned for agricultural use in the Draft Plan.</p>  <p>The submission seeks to propose and recommend the zoning of the subject lands for Service Sites, noting the following advantages;</p> <ul style="list-style-type: none"> <li>• Single ownership with experience of delivering a similar scheme in Grangemore, Brannockstown.</li> <li>• Owner is open to engaging with the Planning Authority to provide an active travel link along existing boundary towards the cemetery</li> <li>• Opportunity for members of the local community to construct their own home in the town where otherwise refused due to rural housing conditions.</li> </ul>

The submission also included supporting information with a proposed layout and design of the subject site to include 13 detached units (see site design exert below).





30	Niall Mc Donnell & Donal Flanagan	<p><b>Proposed Zoning – Melon Hill, Brownstown</b></p> <p>The submission highlights lands located at Melon Hill, Brownstown where joint landowners are seeking rezoning of 'I- Agriculture' lands measuring 4.72ha to 'Q – Enterprise and Employment'. Situated north of the town and adjacent to the existing Kilcullen Link Business Park, the lands are bordered by the R448 and L6071 on two sides.</p> <p>The submission included a copy of the published draft land use zoning map, including a supporting location map identifying the subject lands. The submission notes the previous use of the lands which was a quarry up until it was filled in 2007. It further states a section of the original landholding was recently sold to Bella Enterprises which has recently received a planning grant for a car/retail showroom.</p>







**Legend**

 Kilcullen Settlement Boundary


 CSO Built Up Areas 2022


Opportunity Sites


 Opportunity Site 1


 Opportunity Site 2


Land Use Zoning


 A Town Centre


 B Existing Residential & Infill


 C New Residential


 E Community and Educational


 F Open Space and Amenity


 H Industry & Warehousing


 I Agriculture

 N Neighbourhood Centre


 Q Enterprise and Employment


 SS Service Sites


 T General Development

 U Utilities and Services

Flood Zones

 Flood Zone A - 1.0% AEP

 Flood Zone B - 0.1% AEP

 Submission Sites

**Please Note:**  
Where zonings are obscured on this map, please refer to the layer  
**'Draft Kilcullen LUZ - CDP Variation No. 1'**  
on the map page at  
<https://webgeo.kildarecoco.ie/planningenquiry>

Stage	Date	Description
Draft	22-10-2024	Draft Variation Published
Submissions	04/12/2024	Chief Executive's Report

**Land Use Zoning Map**

Scale: **N.T.S.**

Map Ref: **V2A-1**

Date: **December 2024**

Drawing No.: **200-24-1459**

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Drawn By: P. Doyle Carty  
Date: 04/12/2024

Checked By: N. Timmons  
Date: 04/12/2024

Approved By: J. Ward  
Date: 04/12/2024

This drawing is to be read in conjunction with the written statement