

# Chief Executive's Report

## On Submissions/Observations Received to the Draft Athy Local Area Plan 2021 - 2027





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## 1. Introduction

This report relates to submissions and observations received from the members of the public and prescribed bodies following the publication of the Draft Athy Local Area Plan 2021-2027 (the Draft Plan) under Section 20 of the Planning and Development Act 2000 (as amended).

### 1.1. Legislative Requirements

Under Section 20 of the Planning and Development Act 2000 (as amended), the Chief Executive is required to prepare a report on the submissions and observations received during the public consultation period in respect of the Draft Plan. This report should list the persons who made submissions and observations, summarise the issues and make recommendations in relation to the Draft Plan. The recommendations should take into 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

The Draft Athy Local Area Plan 2021-2027 was placed on public display from Thursday, 17<sup>th</sup> December 2020 to Monday 8<sup>th</sup> February 2021 (inclusive of additional 9 days for Christmas closure). The Draft Plan and accompanying documents were displayed at Áras Chill Dara, Athy Community Library and the County Council's dedicated online public consultation portal at: <https://consult.kildarecoco.ie/en/browse>

The Draft Athy Local Area Plan 2021-2027 comprises a written statement with maps, an Urban Regeneration Framework and Architectural Conservation Area Statement of Character and is accompanied by:

- An Environmental Report on the likely significant effects on the environment on implementing the LAP - pursuant to the Planning and Development (Strategic Environmental Assessment) Regulations 2004-2011;
- A Natura Impact Report - pursuant to the EU Habitats Directive (92/43/EEC);
- A Strategic Flood Risk Assessment Report - pursuant to Section 28 of the Planning and Development Act 2000 (as amended);
- A Strategic Planning and Infrastructure Assessment;
- A Social Infrastructure Audit (SIA); and
- Area Based Transport Assessment (ABTA)

A public notice was published in the Kildare Nationalist on Tuesday 15<sup>th</sup> December notifying the members of the public that a Draft Local Area Plan would be placed on public display on Thursday 17<sup>th</sup> December 2020 and invited submissions over a period of 6 weeks<sup>1</sup>. Copies of the Draft Plan, associated documents and public notice were sent to prescribed bodies,

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<sup>1</sup> As provided for under Section 251 of the Planning and Development Act 2000 (as substituted by Section 72 of the Planning and Development (Amendment) Act 2010) the 6 week period was extended by 9 additional days to account for the Christmas closure period.

including government departments and other agencies, as required by the Planning and Development Act 2000 (as amended).

Due to restrictions relating to the Covid-19 pandemic, no live public consultation events were held. However, in lieu of public meetings, a phone number was provided in both the newspaper and on the website for members of the public who wished to contact the planning Department on foot of any queries they had concerning the Draft Plan or the accompanying documents. Members of the Planning Team subsequently fielded a number of calls from members of the public in this regard. The Planning Department also prepared a 10-minute video which provided answers to a range of Frequently Asked Questions (FAQs) relating to various aspects of the Draft Plan as well as the overall local area plan-making process. This video was posted on Kildare County Council's public consultation portal and on the Council website.

Kildare County Council Social Media Channels (Facebook and Twitter) were used as mechanisms in promoting awareness of the Draft Plan public consultation period.

### **1.2.1. Submissions and Observations Received**

In total 62 submissions/observations were received during the public consultation period, including 13 from government departments, agencies and planning authorities.

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

<https://consult.kildarecoco.ie/en/node/109/submissions>

### **1.3. Content of the Chief Executive's Report**

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

- Section 1:** Background
- Section 2:** List of persons or bodies who made submissions/observations.
- Section 3:** Summary of Submissions/Observations and the Chief Executive's Response and Recommendations
- Section 4:** Chief Executive's Proposed Material Alterations
- Section 5:** Recommended Material Alterations to Draft Athy Local Area Plan
- Section 6:** Clarification of Typographical Errors in the Draft Athy Local Area Plan

### **1.4. Next Steps**

Within six weeks of receiving the Chief Executive's Report, the Elected Members of the Athy Municipal District must consider the Chief Executive's Report and the Draft LAP. Following consideration, the Members may, as they consider appropriate, by resolution, make, amend or revoke the local area plan.

If the Members decide to materially alter the Draft LAP, a further period of public consultation will be necessary and the planning authority must screen the proposed material alterations to determine if a Strategic Environmental Assessment (SEA) or Appropriate Assessment (AA) or both are required for any of the Material Alterations. This screening, and if necessary, the SEA or AA, must be carried out before proceeding to the public consultation period.

The public display period of any Material Alterations is a minimum of four weeks. Submissions or observations with respect to the proposed Material Alterations will be taken into account, before the local area plan is made. The Elected Members must consider proposed Material Alterations to the local area plan, any environmental reports and the Chief Executive's Report on any submissions received and decide whether to make the local area plan with or without the Material Alterations.

Section 20(3)(r) of the Planning and Development Acts 2000 to 2020 states that the Members of the Council are restricted to:

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

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. List of Persons/Bodies Who Made Submissions

### 2.1. Submissions and Observations Received

During the public consultation period a total of 62 submissions and observations were received. 1 submission was received after the closing date and was not considered. The list of persons, prescribed bodies, groups and stakeholders who made valid submissions is listed in Table 2.1. Kildare County Council would like to take the opportunity to thank those who made written submissions on the Draft Plan.

**Table 2.1:** Persons/Organisations who made Submissions/Observations

<b>1.</b>	Environmental Protection Agency (EPA)	<b>25.</b>	Ger Kelly
<b>2.</b>	Department of Environment, Climate and Communications (Waste Policy and Resource Efficiency Division)	<b>26.</b>	Rheban Manor, Hollands, Moneen and Cyprian Residents Association
<b>3.</b>	Cllr. Mark Leigh	<b>27.</b>	Clifford Reid
<b>4.</b>	Inland Fisheries Ireland	<b>28.</b>	Sergej Merenkov
<b>5.</b>	Linda Dempsey	<b>29.</b>	Katie Whelan
<b>6.</b>	Edwina O'Connor	<b>30.</b>	Jekaterina Merenkova
<b>7.</b>	Office of Public Works (OPW)	<b>31.</b>	Don Watchorn
<b>8.</b>	Meath County Council	<b>32.</b>	Ludmila Cupikova
<b>9.</b>	James and Mary Kelly	<b>33.</b>	Thomas Redmond
<b>10.</b>	James, Joseph and Michael Kelly	<b>34.</b>	Clarnard Court Hotel
<b>11.</b>	Orchard County Residential Estates Ltd.	<b>35.</b>	Tesco Ireland
<b>12.</b>	Megan Aldridge	<b>36.</b>	Gas Networks Ireland (GNI)
<b>13.</b>	Joe Higganbotham and Peter Boland	<b>37.</b>	Michael O'Brian
<b>14.</b>	John and Barry McDonnell	<b>38.</b>	John Lynch
<b>15.</b>	Etex Ireland	<b>39.</b>	Department of Education
<b>16.</b>	Etex Ireland	<b>40.</b>	Joseph and Gerard Cahalane
<b>17.</b>	Healthy Ireland (Health Service Executive)	<b>41.</b>	Athy Gymnastics Club
<b>18.</b>	Transport Infrastructure Ireland (TII)	<b>42.</b>	Sean O'Fearghail
<b>19.</b>	Pat Mealey	<b>43.</b>	PJ Lawler
<b>20.</b>	National Transport Authority (NTA)	<b>44.</b>	Aaron McHale
<b>21.</b>	Irish Water (IW)	<b>45.</b>	Andrew Bergin
<b>22.</b>	Cois Bhearu Cluain Bearú Residents Association	<b>46.</b>	Oliver Murray
<b>23.</b>	Athy Hurling Club	<b>47.</b>	Arthur Lynch
<b>24.</b>	Paul Murphy	<b>48.</b>	An Post
<b>49.</b>	Clanard Court Hotel and Michael Fennin	<b>56.</b>	Office of the Planning Regulator

<b>50.</b>	Cllr. Brian Dooley
<b>51.</b>	Cllr. Vera Louise Behan
<b>52.</b>	Whitecastle Lawn Residents Association
<b>53.</b>	MHL Site Developments Ltd.
<b>54.</b>	Kieran, Michael and James Murphy
<b>55.</b>	Joe, James and Michael Kelly

<b>57.</b>	Kingsgrove Graysland Resident Group Survey
<b>58.</b>	Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media (Development Applications Unit)
<b>59.</b>	Senator Mark Wall, Cllr. Aoife Breslin and Cllr. Mark Leigh
<b>60.</b>	Cllr. Aoife Breslin and Rheban Manor Residents Association
<b>61.</b>	Cllr. Aoife Breslin and Whitecastle Lawns Residents Association
<b>62.</b>	Athy RFC

### 3. Summary of Submissions/Observations and the Chief Executive’s Response and Recommendations

The following Tables 3.1 (a) and (b) are a summary of the 62 submissions/observations made during the public consultation period for the Draft Athy Local Area Plan 2021-2027 Table 3.1 (a) addresses the submissions from prescribed bodies, Table 3(b) addresses submissions from all other interested parties and stakeholders. The Chief Executive’s response and recommendation is set out under each submission which addresses the main issues raised in the submissions received and any recommended changes to the Draft Athy Local Area Plan 2021-2027 as a result. The Chief Executive’s recommended deletions to the Draft Athy Local Area Plan 2021 - 2027 are shown in ~~blue~~ and recommended new text is shown in *red*.

Table 3.1 (a)

Sub. No.	Name	Summary of Submission
1.	<b>Environmental Protection Agency</b>	<p>The Submission received from the EPA comprises of two parts. A cover letter and a pdf. copy of ‘SEA of Local Authority Land Use Plans – EPA Recommendations and Resources (2020, Version 1.9)’</p> <p>The cover letter outlines the EPA’s role as an environmental authority and states that they provide a ‘self-service approach’ via the guidance document ‘SEA of Local Authority Land Use Plans – EPA Recommendations and Resources’. Notes that Kildare County Council should ensure that their Plan aligns with key relevant higher-level plans and programmes and is consistent with the objectives and policy commitments of the NPF and RSES.</p> <p>The letter also outlines the following:</p> <p><b>State of the Environment Report – Ireland’s Environment 2020</b></p> <ul style="list-style-type: none"> <li>• In finalising the Plan, the recent State of the Environment Report Ireland’s Environment – An Assessment 2020 (EPA, 2020) should be considered, as relevant and appropriate and taken into account;</li> </ul> <p><b>Contents of the Environmental Report</b></p> <ul style="list-style-type: none"> <li>• The SEA Regulations set out the information to be contained in an Environmental Report;</li> </ul> <p><u>Assessment of Alternatives</u></p> <ul style="list-style-type: none"> <li>• Describe the alternatives considered and how the selection and assessment of these has led to the selection of the preferred alternative;</li> <li>• Assess the alternatives against the ‘Strategic Environmental Objectives’ identified in the SEA ER;</li> </ul>

Sub. No.	Name	Summary of Submission
		<p><u>Assessment of Environmental Effects</u></p> <ul style="list-style-type: none"> <li>Assess and document the full range of likely significant environmental effects, including the potential for cumulative effects in combination with other relevant Plans/ Programmes and Projects;</li> </ul> <p><u>Mitigation Measures</u></p> <ul style="list-style-type: none"> <li>Where potential for likely significant effects have been identified, you should provide appropriate mitigation measures to avoid or minimise these. You should ensure that the Plan includes clear commitments to implement the mitigation measures.</li> </ul> <p><u>Monitoring</u></p> <ul style="list-style-type: none"> <li>The Monitoring Programme should be flexible to take account of specific environmental issues and unforeseen adverse impacts should they arise;</li> <li>Consider and deal with the possibility of cumulative effects;</li> <li>Monitoring of both positive and negative effects should be considered;</li> <li>The monitoring programme should set out the various data sources, monitoring frequencies and responsibilities;</li> <li>If the monitoring identifies adverse impacts during the implementation of the Plan, Kildare County Council should ensure that suitable and effective remedial action is taken;</li> </ul> <p><u>Future Amendments to the Plan</u></p> <ul style="list-style-type: none"> <li>Screen any future amendments to the Plan;</li> </ul> <p><u>SEA Statement – “Information on the Decision”</u></p> <p>Once the Plan is adopted, prepare a SEA Statement that summarises:</p> <ul style="list-style-type: none"> <li>How environmental considerations have been integrated;</li> <li>How the Environmental Report, submissions, observations and consultations have been taken into account;</li> <li>Reasons for choosing the Plan adopted in the light of other reasonable alternatives dealt with;</li> <li>Measures decided upon to monitor the significant environmental effects of implementation of the Plan.</li> </ul> <p><u>Environmental Authorities</u></p> <p>The letter concludes by providing a list of the prescribed bodies that under the SEA Regulations should be consulted.</p>

Sub. No.	Name	Summary of Submission
		<p>The EPA's submission has been reviewed and aside from the clarification required by the Office of the Planning Regulator as outlined in Observation 8(ii) (see submission No. 56, below) no changes to the Strategic Environmental Assessment (SEA) are required.</p> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>
2.	<p><b>Department of Environment, Climate and Communications (Waste Policy and Resource Efficiency Division)</b></p>	<p>The submission requests that the local authority would consult directly with their respective Regional Waste Management Planning Office regarding development of the final plans.</p> <p><b>Chief Executive's Response</b> The Council acknowledges the submission received from the Department. It is noted that, aside from objectives supporting the designation of local recycling facilities, the issue of waste management is outside the remit of the Local Area Plan. However, the Council will look forward to engaging with the Eastern-Midlands Waste Management Regional Office with regard to waste management policies as part of the recently commenced review (January 2021) of the Kildare County Development Plan 2017 - 2023.</p> <p><b>Chief Executive's Recommendation</b> No changes recommended.</p>
4.	<p><b>Inland Fisheries Ireland (IFI)</b></p>	<ul style="list-style-type: none"> <li>• Inland Fisheries Ireland (IFI) submits that Local Area Plans, in considering the protection of the quality of the aquatic environment must address not only water quality but also include the protection of the physical environment, hydrological processes and biodiversity.</li> <li>• Notes that Protection of the aquatic environment must imply a greater commitment than merely to prevent fish mortality or protect water quality. The insidious effects of creeping/chronic pollution are often more serious than dramatic discharges which result in instantaneous fish kills, because sub-lethal pollution may render water bodies uninhabitable for certain more desirable species and accordingly the maintenance of habitat is a particularly important objective of fisheries authorities. Notes that this entails</li> </ul>

Sub. No.	Name	Summary of Submission
		<p>a greater knowledge of the environmental responses of aquatic life to pollution/environmental degradation and tends towards more stringent habitat and water quality objectives.</p> <ul style="list-style-type: none"> <li>• Submission refers to the EU Water Framework Directive (2000/60/EC) which requires the protection of the ecological status of river catchments. In this regard, it states that one of the primary objectives of the Directive is to establish a framework which prevents further deterioration and protects and enhances the status of aquatic ecosystems and this requires river systems to be protected on a catchment basis.</li> <li>• States that Local Area Plans must recognise that protection of the aquatic environment/habitat not only requires the protection of water quality but also necessitates the protection and maintenance of physical habitat and hydrological processes/regimes.</li> <li>• Submission notes that the main watercourses flowing through Athy are the Grand Canal, River Barrow, Athy Stream and Bennetsbridge Stream and that the draft Plan makes reference to the fact that the Barrow main channel is SAC designated. States that due to the impoundments associated with Barrow navigation and significant habitat degradation in the form of dredging/deepening and widening of the Barrow in the vicinity of Athy, there is limited salmon/lamprey spawning or nursery habitat in the Barrow main channel through Athy with such habitats confined to tributaries such as the Athy Stream.</li> <li>• Notes that even though these smaller watercourses are not specifically SAC designated the Salmon and lamprey populations of the Athy and Bennetsbridge Stream should be considered an integral component of the Barrow River SAC.</li> <li>• Further notes that unfortunately there has been significant habitat degradation along some sections of the Athy Stream in Athy but states that there is significant potential for habitat improvement throughout much of the Athy Stream, with a view to improving the habitat here for salmonid and lamprey recruitment, and the potential for the development of a linear park/wildlife corridor along this important watercourse. In this regard, IFI request that this Local Area Plan incorporate a project linked to habitat restoration on the Athy Stream, which might in the long-term lead to the development of a linear park amenity along this important natural resource.</li> <li>• On the issue of flooding it notes that some practices undertaken in the past which have contributed to the severity of flooding in Irish settlements including the fact that wholesale realignment/straightening of rivers was undertaken. States that such works were undertaken throughout the Athy Stream. Due to this it</li> </ul>

Sub. No.	Name	Summary of Submission
		<p>notes that the natural storage within these catchments has been reduced significantly and the effect has been to increase the volume and speed at which floodwaters arrive at vulnerable urban areas downstream. Submission hopes that a habitat restoration scheme on the Athy Stream could incorporate measures with benefits for wildlife but which also mitigate against the threat of flooding.</p> <ul style="list-style-type: none"> <li>• Regarding the issue of flood mitigation measures, the submission states that there is a need to move to an integrated, catchment-based approach for the management of the numerous pressure to the environment from global warming. Notes that this new integrated approach needs to encourage and support sustainable land management in rural areas in order to address long term vulnerability. Further notes that areas that need to be addressed include runoff reduction and attenuation, floodplain management/storage, diversion channels and sediment management.</li> <li>• Notes that the experience of IFI is that many weirs/culverts/bridges, owned/operated privately and by local authorities are significant contributors to flooding. At many river crossings this is related to inadequate conveyance capacity during high flow events, as well as poor design of such structures which means that structures are susceptible to full/partial blockage by debris during flood events. At many weir and bridge sites during high flow events these structures act as a control, maintaining the water levels upstream of the weir at a higher level, thereby contributing to flooding upstream of the structure. In this regard it notes that in the majority of cases these structures also represent a barrier to the migration of fish and it would welcome works to remove/replace such structures in order to mitigate against future flooding events associated with global warming. The submission concludes by noting that such works would also represent a win-win scenario, in that the likelihood of flooding is reduced while the environment would also benefit significantly.</li> </ul> <p><b>Chief Executive's Response</b></p> <p>The submission from Inland Fisheries Ireland is noted. Regarding the concerns outlined relating to the Athy Stream, it is noted that as part of the preparation of the draft Plan a Habitats Survey and Mapping exercise for Athy was undertaken. The results of this assessment have underpinned the development of a Green Infrastructure Map for the town (see draft Plan, Map 4) which illustrates that the Athy Stream forms a '<i>Notable Green Infrastructure Route</i>', which is protected by a series of objectives (G11.1-G11.9) of the draft</p>

Sub. No.	Name	Summary of Submission
		<p>Plan. Regarding the request to develop a habitat restoration scheme along the Athy Stream, it is considered that such an environmentally focused project is not within the remit of a Local Area Plan. It is noted that a significant proportion of the route that the Athy Stream takes is located outside the boundary of the draft Plan. Furthermore, the majority of the lands along the route of the stream within the plan area, are zoned either 'B: Existing Residential/ Infill' or 'E: Community and Educational'. Therefore, it is considered that the scope for habitat restoration along the Athy Stream is very limited given its developed character. However, the Council does consider that such a project could be advanced as part of a community/Tidy Towns initiative, in consultation with the Kildare County Council Heritage Officer.</p> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>
7.	<b>Office of Public Works (OPW)</b>	<p>Submission welcomes the Council's commitment to adhering to the Guidelines for Planning Authorities on Flood Risk Management and the consequent preparation of a Strategic Flood Risk Assessment (SFRA) alongside the Plan. It further welcomes the inclusion of various policies and objectives in the Draft Plan, as follows; Policy I2; Objective IO2.2; Objective IO2.3; Objective IO2.7; Policy I3; Objective IO3.4 and Objective GI.1.7.</p> <p>The submission notes that RPS was appointed to undertake updated modelling based on the most recent hydrological data available and the local gauging stations and that this produced larger flood extents than the previously published National CFRAM, and acknowledges that this was incorporated into the Draft Plan as the flood zone mapping for Athy.</p> <p>The submission outlines the following in order to 'highlight opportunities' for the Draft Plan before it is finalised:</p> <p><b>Justification Test</b></p> <ul style="list-style-type: none"> <li>• Welcomes that Justification Tests have been carried out in areas, after application of the sequential approach, land use zonings which permit usage classed as Highly Vulnerable still coincide with Flood Zones A or B.</li> </ul> <p><b>Policy Objectives</b></p>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>Notes that the SFRA requires that a Site-Specific Flood Risk Assessment (SSFRA) be undertaken prior to development in areas that have passed a Justification Test with an identified residual risk. In this regard it is recommended that such a requirement be incorporated into the Plan as a Policy Objective.</li> </ul> <p><b>Land Use Zonings and the Sequential Approach</b></p> <ul style="list-style-type: none"> <li>Submission notes that for sites that are intended to be zoned for development following the application of a Justification Test where only a small portion of the site is at risk of flooding, a policy objective might be applied to such zonings. Such an objective should require that the sequential approach be applied in the site planning which would ensure that there would be no encroachment onto, or loss of the flood plain and that only water compatible development such as 'Open Space' would be permitted on such lands within the site. Submission suggests that planning permission for these sites might then be subject to the sequential approach have been adopted and applied as above, following a detailed FRA.</li> <li>Submission notes that the Geraldine Road area zoned as 'New Residential' has been subject to a Justification Test – coinciding with Flood Zones A and B. It further notes that the conclusion of this test states that <i>'the lands were identified as being at risk of flooding (i.e. 1:100 and 1:1,000 year) are designated as public open space for the development and they also form part of the attenuation areas for the development'</i>. In response to this the submission notes that this is not consistent with the Land Use Zoning Map which shows these lands as <i>New Residential</i>. The submission recommends that a policy might be attached to this zoning as outlined above. It is noted in the submission that the OPW agrees with the recommendation in the Justification Test for Geraldine Road that Kildare County Council engage with the developers to undertake a review of the data used, in light of the newer mapping available.</li> </ul> <p><b>SuDS</b></p> <ul style="list-style-type: none"> <li>Welcomes the inclusion of the Green Infrastructure Map. Notes that the Flood Risk Guidelines recommend that the SFRA identifies where integrated and area based provisions of SuDS and green infrastructure are appropriate in order to avoid reliance on individual site based solutions.</li> </ul> <p><b>Climate Change</b></p> <ul style="list-style-type: none"> <li>Welcomes that the mid-range and high-end future scenarios have been taken into account by the Draft Plan and the recommendation that SSFRAs should consider climate change scenarios. States that</li> </ul>

Sub. No.	Name	Summary of Submission
		<p>consideration should be given as to whether the objectives relating to climate adaptation should be included in the Plan.</p> <p><b>Chief Executive's Response</b>                      The contents of the submission from the OPW are noted. With respect to the areas highlighted by the OPW for consideration for inclusion within the Draft Plan before it is finalised, these are addressed individually as follows:</p> <p><b>Justification Tests</b>                      Policy 13 of the Draft Athy Local Area Plan 2021-2027, specifically objective IO 3.2, sets out that it is an objective of the Council to <i>“ensure development proposals within the areas outlined on the Flood Risk Map are the subject of Site-Specific Flood Risk Assessment, appropriate to the nature and scale of the development proposed”</i>.</p> <p>In order to reinforce the approach to site specific flood risk assessments within the town of Athy amendments are proposed to IO3.2 and an additional objective regarding sequential approach to flood risk assessment with supporting text. In addition, an additional map will also be included in Appendix 1 to clearly highlight areas/locations where SSFRAs are required in accordance with the Flood Risk Management Guidelines (2009).</p> <p><b>Land Use Zonings</b>                      The OPWs agreement with the LAPs approach with regards to the recommendation in the SFRA Justification for the Geraldine Road is noted.</p> <p><b>SuDS</b>                      Section 10.2 of the Draft Athy Local Area Plan addresses <i>“Surface Water and Ground Water”</i>. In this regard, the Council commit to maintaining and enhancing the existing surface water drainage systems in Athy and to protect surface and ground water quality in accordance with the Water Framework Directive. Furthermore, policy objective 2.3 states that it is an objective of the Council to <i>“Incorporate Sustainable Urban Drainage Systems (SuDS) and other nature-based surface water drainage solutions as part of all plans and development</i></p>

Sub. No.	Name	Summary of Submission
		<p><i>proposals in Athy. Priority shall be given to SuDS that incorporate green infrastructure and promote biodiversity including green roofs, walls and rain gardens. Proposals for all new residential developments and for the development of 'H' and 'Q' zoned employment lands must consider the potential for SuDS to control surface water outfall and protect water quality, with underground retention solutions only being considered when all other options have been exhausted". This requirement is considered to be sufficiently robust in terms of addressing provision of SuDS for the purposes of a local area plan. Identification of integrated and area-based provision of SuDS would be more appropriately addressed in a Green Infrastructure Strategy in the context of the review of the Kildare County Development Plan which is currently underway.</i></p> <p><b>Climate Change</b> Regarding the OPWs suggestion with respect to consideration for inclusion of objectives relating to Climate Adaptation to be included in the plan, the following are of note.</p> <p>Policy CAM1 Climate Adaptation and Mitigation states that it is the policy of the Council to future proof Athy to ensure that it becomes a climate resilient town by promoting the economic, social and environmental benefits of low-carbon development, creating an integrated green infrastructure network, prioritising sustainable mobility within the town and building at sustainable densities in appropriate locations.</p> <p>Furthermore, under Objective CAMO1.1 it is an objective of the Council to <i>"support the full implementation of the Kildare County Council Climate Change Adaptation Strategy 2019-2024, or any succeeding document, with regards to its goals, objectives and actions relating to the planning and development of Athy"</i>.</p> <p>It is considered that the policies and objectives of the LAP provide a robust and comprehensive response to climate action and adaptation.</p> <p><b>Chief Executive's Recommendation</b> <b>Proposed Material Alteration</b> Insert the following new section after Section 10.3.1:</p>

Sub. No.	Name	Summary of Submission
		<p><i>Section 10.3.2 Site Specific Flood Risk Assessment</i></p> <p><i>All development proposals taking place in areas that KCC have applied a Justification Test, where a residual flood risk remains, should be supported by an appropriately detailed SSFRA. The level of detail within the FRA will depend on the risks identified and the land use proposed. Applications should apply the use of the sequential approach in terms of the site layout and design and, in satisfying the Justification Test (where required), the proposal must demonstrate that appropriate mitigation and management measures are put in place. The development should ensure that no encroachment onto, or loss of, the flood plain shall occur. Only water compatible development such as Open Space would be permitted for the lands which are identified as being at risk of flooding within that site. For any development in flood risk areas that meet the Development Plan Justification Test, a Development Management Justification Test must then be applied. Development must satisfy all of the criteria of the Development Management Justification Test as per <b>Box 4-1 of the Flood Risk Management Guidelines</b>. This chapter provides a broad overview of the requirements of FRAs which should accompany planning applications.</i></p> <p><b>Proposed Material Alteration</b></p> <p>Amend the text of objective IO3.2 as follows:</p> <p><b>IO3.2</b>      Ensure development proposals within the areas <i>where KCC have applied a Justification Test and where residual flood risk remains as</i> outlined on the Flood Risk Map (<i>Map Ref. 2</i>) are the subject of a Site-Specific Flood Risk Assessment, appropriate to the nature and scale of the development proposed.</p> <p><b>Proposed Material Alteration</b></p> <p>Insert the following new objective after objective IO3.4:</p> <p><b>IO3.5</b>      <i>Ensure that all development proposals apply the sequential approach in terms of the site layout and design and, in satisfying the Justification Test (where required), the proposal shall demonstrate that appropriate mitigation and management measures are put in place. The development proposals should ensure that no encroachment onto, or loss of, the flood plain shall occur. Only water</i></p>

Sub. No.	Name	Summary of Submission
		<i>compatible development such as Open Space would be permitted for the lands which are identified as being at risk of flooding within that site.</i>
8.	<b>Meath County Council</b>	<p>The Planning Authority states that it has no comments to make on the Draft Athy Local Area Plan 2021 – 2027.</p> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>
17.	<b>Healthy Ireland (HSE)</b>	<p>Submission by the Environmental Health Service of the Health Service Executive (HSE) made under the remit of Healthy Ireland and relevant health supporting strategies, incorporating health actions on the spatial and built environment with the aim of improving the health and wellbeing of the residents of Athy</p> <p>Notes that Kildare County Council should consider ways in which strategic planning can protect population health and reduce health inequalities in Athy and should further explore opportunities for maximising health gain within the built environment. In this regard the submission goes on to outline a number of areas which should be the centre of focus for Kildare County Council, as follows;</p> <p><b>Climate</b></p> <p>The HSE notes the impact of climate change and Irelands commitments to become carbon neutral by 2050.</p> <ul style="list-style-type: none"> <li>• LAP should be used as a catalyst for climate change action to bring real change and reduce carbon emissions within the town this includes <ul style="list-style-type: none"> <li>○ Implementing a range of climate change mitigation measures</li> <li>○ Setting out specific targets with regards to reducing greenhouse emissions and reducing energy demand including in transport and in civic buildings.</li> <li>○ Specific actions to combat reduce carbon emissions</li> <li>○ Key indicators for monitoring of progress on climate action</li> <li>○ Identify infrastructure in Athy which is vulnerable to climate change and implement proactive adaptive measures to ensure resilience.</li> <li>○ The submission acknowledges that there are historic flooding issues in Athy - recommends the adoption of an integrated approach to flooding and surface water management as follows: <ul style="list-style-type: none"> <li>- Flood plains and wetlands should be protected from development.</li> </ul> </li> </ul> </li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>- Rehabilitate riparian buffer zones with habitat restoration techniques.</li> <li>- Restoration of freshwater ecosystems;</li> <li>- Implement buffer zones and SUDS features as outlined in Planning for Watercourses in the Urban Environment.</li> <li>- Engagement with agricultural sector with regard protection to water catchment area.</li> </ul> <ul style="list-style-type: none"> <li>○ Promote and increase renewable energy within the town and investigate the establishment of a sustainable energy community.</li> <li>○ Council should act in an educational capacity on climate issues in Athy and introduce various issues relating to conducting energy audits, educate on green procurement and in parting information on climate reduction to various sectors of the community including school children and young people.</li> </ul> <p><b>Sustainable Transport</b></p> <ul style="list-style-type: none"> <li>● Notes traffic congestion is an ongoing problem in Athy, particularly around commuting times for schools and work. <ul style="list-style-type: none"> <li>○ It is recommended that Kildare County Council investigate how much traffic congestion is due to local traffic undertaking journeys of under 2kms. Pedestrian and cycles facilities should be provided that would facilitate a modal shift away from the car to walking or cycling. It is recommended that targets for trips by bicycles and pedestrians are set by Kildare County Council and progress on achieving these targets is monitored throughout the lifetime of the new local area plan.</li> <li>○ Kildare County Council should ensure public transport options are available on commuter routes, including pedestrian and cycle lanes.</li> <li>○ Park and ride should be considered for commuters and free 'go' car spaces provided.</li> <li>○ A rural transport scheme should be provided to service the rural hinterland.</li> <li>○ An advertising campaign should be undertaken to advertise the availability of facilities for sustainable forms of travel as they arise.</li> <li>○ KCC should invest in initiatives such as quality bus corridors, improving bus shelters, real time information, integrated ticketing, bike parking at public transport nodes and bike rental schemes.</li> </ul> </li> <li>● The council should look at reducing or banning traffic flows to improve the pedestrian environment.</li> <li>● Maximum car parking should be specified for new commercial sites.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Out of town retail centre should be restricted. Furthermore, development of a certain scale including schools should be required to implement viable travel plans which promote sustainable modes.</li> <li>• Provide secure bike parking and changing showering facilities at places of employment.</li> </ul> <p><b>Physical Activity</b></p> <p>The submission states:</p> <ul style="list-style-type: none"> <li>• The environment of Athy and its hinterland should be explored to develop areas such as park and recreation spaces.</li> <li>• The Council should ensure state owned lands such as towpath, former rail lines are made available for walking and cycling trails.</li> <li>• The Grand Canal and River Barrow should be opened up and exploited for blue activities.</li> <li>• The Council should support walking and running groups by upgrading facilities.</li> <li>• The recommendations of the April 2020 'Walkability Audit' of Athy should be implemented.</li> <li>• Other connectivity issues that should be resolved include: <ul style="list-style-type: none"> <li>○ Lighting</li> <li>○ Shorter walking route options</li> <li>○ Prioritising pedestrians at traffic signals and reducing crossing times.</li> <li>○ Creating level grade crossing</li> <li>○ Create traffic free zones or consider designating 30km/h zones.</li> <li>○ Widening footpaths and improve the surface quality of footpaths.</li> <li>○ Greening of pedestrian/cycle routes</li> <li>○ Traffic calming measures</li> <li>○ Segregated cycle lanes</li> <li>○ Ensure all infrastructure is cyclist friendly</li> </ul> </li> <li>• Some initiatives which could be considered include: <ul style="list-style-type: none"> <li>○ Mapping of pedestrian and cycle routes</li> <li>○ Car free family fun days/ family cycles</li> <li>○ Provision of guided walks</li> <li>○ Support and promote a local park run.</li> </ul> </li> </ul>

Sub. No.	Name	Summary of Submission
		<p><b>Green Infrastructure</b>                      The submission states:</p> <ul style="list-style-type: none"> <li>• The HSE notes the additional park and playground for Athy.</li> <li>• A greening strategy should be implemented for Athy to improve its appearance function and biodiversity.</li> <li>• Identify areas for green planting.</li> <li>• Green spaces should be co-designed with communities and reflect local needs.</li> <li>• Rewilding initiatives.</li> <li>• Athy should commit to a pollinator plan.</li> <li>• All new develop should incorporate green infrastructure.</li> <li>• All green infrastructure should support local flora and fauna and support flood mitigation.</li> <li>• Nature based solutions for flood risk management.</li> <li>• Green infrastructure should be used to mitigate against noise and air pollution.</li> <li>• Water usage audit of public buildings should be carried out.</li> </ul> <p><b>Town Regeneration</b>                      The HSE states the council should consider the following:</p> <ul style="list-style-type: none"> <li>• Implementing measures to tackle vacant units</li> <li>• Implementing a targeted retail strategy with a town centre first approach.</li> <li>• Bring back housing to the main street.</li> <li>• Improve broadband connectivity</li> <li>• Promote a selling point unique to the town</li> <li>• Improve the urban realm and biodiversity while engaging with traders and the community.</li> <li>• Establish e-working hubs.</li> </ul> <p><b>Food</b>                      The council should consider providing the following:</p> <ul style="list-style-type: none"> <li>• An assessment of food outlets in Athy should be carried out to ensure there is not an over proliferation of fast-food outlets and healthy choices are available.</li> <li>• Supporting community-based initiatives that develop programmes that support a healthy lifestyle.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Promote through planning physical activity and non-sedentary behaviour.</li> <li>• Improve availability of healthy food.</li> <li>• Facilitate the development of community gardens/allotments.</li> <li>• Examine the feasibility of a food market.</li> <li>• Implement a strategy to combat food poverty.</li> <li>• Consider the provision of free water refill schemes.</li> </ul> <p><b>Social Inclusion</b> The council should consider providing the following:</p> <ul style="list-style-type: none"> <li>• A diverse variety of housing to cater for a range of lifestyles, affordability and lifespan choices.</li> <li>• All new housing should incorporate the principle of universal design to enable them to be adapted over their lifespan.</li> <li>• The urban realm should be age friendly and ability friendly.</li> <li>• Promote dialogue and discussion with disadvantaged and marginalised groups in Athy.</li> <li>• Adequate emergency accommodation.</li> <li>• The HSE makes reference to Section 4.2.2 of the Plan that Athy has a higher percentage of young people and that facilities should be provided, and young people consulted. The submission notes a playground and park facilities are required.</li> <li>• Multifunctional community spaces should also be provided such as community centres or youth cafes.</li> </ul> <p><b>Waste – minimising will reduce greenhouse gases</b> The council should implement waste prevention measures with local business and community groups using demonstration programmes. Accessible recycling bins A food waste reduction initiative.</p> <p><b>Noise</b> The HSE recommends that</p> <ul style="list-style-type: none"> <li>• A noise impact assessment is carried out for any significant developments in Athy.</li> <li>• New development in Athy must consider the impacts from existing noise sources.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Quiet areas of the town should be mapped and protected.</li> </ul> <p><b>Air Pollution</b> Pollution hot spots should be identified and reduced through local action on these emissions.</p> <p><b><u>Chief Executive's Response</u></b></p> <p><b>Climate</b> One of the cross-cutting principles of the draft Plan is to initiate a transition to a local carbon and climate resilient society and measures to both limit the amount of greenhouse gas emission and decrease the resilience of the town to the effects of existing and future climate changes have been incorporated into the Plan across various policies, objectives and actions. Namely, by ensuring sustainable densities and prioritising brownfield development, increasing connectivity and prioritising sustainable movements, avoiding development in flood prone areas, creating an integrated green infrastructure network and promoting the use of biodiversity techniques.</p> <p>It is noted that the HSE recommend the setting of specific targets with regards reducing greenhouse gas emissions, transport emission and reducing energy demands in civic buildings in Athy. It is also recommended that key indicators for the monitoring of progress on climate change must be outlined to ensure progress is achieved. In terms of targets reducing energy usage in civic buildings these are set out in the Public Sector Energy Efficiency Strategy (a 33% energy efficiency improvement) and are therefore outside the remit of the Athy land use plan.</p> <p>The draft Plan proposes a number of measures to reduce both greenhouse gas emissions and transport emissions, in terms of creating an environment that favours a modal shift to walking and cycling through enhancing connectivity measures and by mapping the green infrastructure to ensure its protection. The setting out of specific targets to measure progress is being examined under the current review of the forthcoming Kildare County Development Plan 2023-2029.</p>

Sub. No.	Name	Summary of Submission
		<p>The HSE in their submission note the historic flooding issues in Athy and that as part of this, an integrated approach to flooding and surface water management should be followed. The draft Plan is accompanied by a Strategic Flood Risk Assessment which outlines a number of areas that will require a site-specific flood risk assessment along with highlighting areas where development should be avoided and in some instances substituted with a less vulnerable use where possible. Justification Tests were carried out in instances where this was not a possible option.</p> <p>The Plan under Section 10.3 highlights that floodplains and wetlands are recognised and preserved as green infrastructure that provides for a natural defence against flood risk. The HSE recommends buffer zones and SUDS features as outlined in the Planning for Watercourses in the Urban Environment and this is covered under Objective IO2.7 detailed under Section 10.2 of the Plan.</p> <p>Kildare County Council promote the use of renewable energies across the county and there are a number of existing sustainable energy communities throughout County Kildare. Objective ER 7 of the Kildare County Development Plan 2017-2023 (as varied) refers to the policy of Kildare to adopt a positive approach to renewable energy proposals subject to the proper planning and sustainable development of the area. This is an overarching policy for the whole of Kildare including Athy. The Athy Plan under Objective IO4.5 also promotes and encourages the use of renewable energy technologies in existing and proposed building stock.</p> <p><b>Sustainable Transport</b></p> <p>The Athy Plan notes that the achievement of a comprehensive and meaningful transition towards a model of sustainable movement is perhaps one of the most critical components needed to realise the future vision for the town. The Plan is accompanied by an Area Based Transport Assessment (ABTA) of which one of the key outputs is the promotion of active modes of transport throughout Athy. The Plan details specific walking and cycling measures throughout the town.</p>

Sub. No.	Name	Summary of Submission
		<p>The Plan under Objective MTO3.4 supports improving the quality and extent of the bus infrastructure within the town including the provision of pull-in bays, bus shelters, seating and real time passenger information, as recommended in the HSE submission.</p> <p>The HSE's comments in relation to travel plans, bicycle parking and maximum parking standards for commercial developments are noted. Parking and Travel Plans (also known as Mobility Management Plans) for schools and commercial developments are items for the County Development Plan, as the necessary development standards for the county are provided at the higher plan level. The County Development Plan sets out maximum car parking standards for those other than residential. The Council will have cognisance of the thresholds for the submission of a Workplace Plan in accordance with the Achieving Effective Workplace Travel Plans - Guidance for Local Authorities document published by the NTA which will be considered when determining planning applications.</p> <p>The Council notes the HSE's comments that out of town retail centres should be restricted. The Draft Plan and the Kildare County Development Plan are in line with the Retail Planning: Guidelines for Planning Authorities (2012) where there is a general presumption against out-of-town retail centres only in exceptional circumstances.</p> <p>The HSE's comments on requiring the Council to investigate how much traffic congestion is due to local traffic undertaking journeys of under 2kms is noted. However, while this was specifically not examined, the ABTA did highlight that a total of 2,600 trips that occur are local within the town (urban and rural ED's) with more than 1,600 trips within the urban area of Athy. Improved local transportation infrastructure will accommodate these trips, many of which will also be possible by active travel modes, delivered through the sustainable movement measures that have been outlined in the Plan.</p> <p><b>Physical Activity</b> National Policy Objective NPO 27 requires that physical activity for all ages is integrated into land use plans. The Athy Plan promotes an age-friendly town which seeks universal accessibility and prioritises the</p>

Sub. No.	Name	Summary of Submission
		<p>development of sustainable modes of travel, such as walking and cycling. Furthermore, lands have been designated for open space with the potential for a future sports training hub in the south-eastern corner of Athy. The proposed masterplan for the Dominican Lands (identified as Priority Project 4 in the Athy Urban Regeneration Strategy, see Appendix 1) also includes provision for the development of a blueway sports hub which would act as an attraction and visitor destination for many different user groups including: day-trippers and tourists using the Waterways or Barrow Blueway, local clubs such as the Canoeing Club, Angling Club, Triathlon Club, locals availing of the proposed Ecopark and looped walks and climbing enthusiasts.</p> <p>The Council notes the HSE’s recommendation that the Grand Canal and River Barrow should be opened up and exploited for blue activities. However, the Plan, under Objective EDTO3.1 supports the development of the Barrow Blueway route along the Barrow Line of the Grand Canal and Barrow Navigation system as a multi-use tourism and amenity resource, subject to the required environmental assessments.</p> <p>The Council notes the HSE recommends that the April 2020 ‘Walkability Audit’ of Athy should be implemented. The Plan contains a specific objective under MTO1.2 to support the implementation of the actions contained in the Athy Walkability Audit (2020). Similarly, Objective UCRO1.10 is to ensure that the town centre is accessible to all members of the community, including people with disabilities, the elderly and people with young children. The Urban Regeneration Strategy in Appendix 1 in the context of the Public Realm Strategy also recommend the incorporation of the recommendations of the Athy Walkability Audit (2020) to create an age friendly and universally accessible town centre.</p> <p>In terms of the initiatives the HSE recommended, the draft Plan maps the pedestrian and cycle routes under Map 1.1 and Map 1.2. Car free family fun days, guided walks and establishing a local park run are outside the remit of a land use plan however the draft Plan does encourage under Policy EDT3 to support and facilitate the development of the tourism infrastructure in Athy.</p> <p><b>Green Infrastructure</b></p>

Sub. No.	Name	Summary of Submission
		<p>The HSE comments in relation to Green Infrastructure are noted. Chapter 9 of the draft Plan is focused around the Green Infrastructure network in Athy. An extensive Habitat and Green Infrastructure Mapping Survey to illustrate the important areas for protection within the Plan area has been detailed in Figure 9.1 and has informed the production of a Green Infrastructure map for the town as illustrated in Map 4. Objective GI1.2 of the Draft Plan provides for the integration of new and existing Green Infrastructure as an essential component of all new developments and to restrict development that would fragment, damage or prejudice the integrity of the green infrastructure network.</p> <p>The HSE's comment in relation to Athy committing to a pollinator plan are noted and accordingly, it is considered appropriate that an objective on pollinator friendly planting be incorporated into the draft Plan. A water usage audit of public buildings is outside the remit of a land use plan. In terms of the HSE's comment that nature-based solutions should be used for flood risk management. The draft Plan already provides for this under Objective IO2.3 which requires that nature-based surface water-based drainage solutions are incorporated as part of all plans and development proposals.</p> <p><b>Town Regeneration</b></p> <p>The HSE's comments on Town Regeneration are noted. However, the draft Plan under Appendix 1 provides for an Urban Regeneration Framework specifically to address issues such as tackling vacant units, bringing back housing to the town centre, improving the urban realm. Furthermore, part of the overall vision for Athy is centred around a regenerated and vibrant town centre.</p> <p>The issue of improving broadband connectivity is provided for under Objective IO4.2 to support and facilitate the provision of telecommunications infrastructure, including broadband. Similarly, the HSE advised to establish e-working hubs and this is also addressed within the draft Plan under Objective EDTO1.16 which is to encourage the provision of remote working hubs within the town centre.</p> <p><b>Food</b></p>

Sub. No.	Name	Summary of Submission
		<p>The HSE's comments in relation to Food are noted. The Plan already discourages fast-food outlets under Objective UCRO2.8. Objective OS1.3 provides for the continued promotions and facilitation of community-managed gardens/allotments and green waste composting sites. The lands at Woodstock have been specifically selected to examine the possibility of a community managed garden/allotment. The Plan also supports the continuation and improvement of the 'Athy Town Market' and the continued development of a high quality 'Farmers Market' within the town under Objective UCRO2.11.</p> <p><b>Social Inclusion</b></p> <p>The HSE's comments on social inclusion are noted. In relation to the comments on a variety of housing being needed in Athy, Objective HCO2.1 requires that a good mix of housing types and sizes is provided in all new residential developments, including housing designed for older people and people with disabilities. The Plan also promotes an age-friendly town which seeks universal accessibility. Under the Land Use Zoning Matrix Table 11.5, emergency residential accommodation is permitted in principle and open to consideration across a number of land use zoning types. Similarly, Section 4.4.1 specifically highlights that there are residents within Athy that require group/special needs housing and the Plan places emphasis in universal design to provide for those with specific housing needs.</p> <p>As referred to by the HSE the Plan highlights that there are a significant proportion of young people in the town. The SIA indicated that there is an under provision of outdoor sport area and play areas and the Plan has outlined proposals to address the deficiency such as a local park, playgrounds, a sports training hub along with an emphasis in the Plan on the provision of water sports.</p> <p><b>Waste</b></p> <p>The Council notes the comments on implementing waste prevention measures with local business and community groups using demonstration programmes, however this is outside the remit of a land use plan. The Athy Plan does include objectives for recycling and composting facilities. The Stradbally Road or the Kilkenny Road have been selected for the possible location for a bring centre.</p>

Sub. No.	Name	Summary of Submission
		<p><b>Air Quality and Noise Pollution</b></p> <p>The HSE's air quality and noise pollution comments are noted. The issue of air quality is referenced in the County Development Plan where it is an objective to monitor air quality in co-operation with the Health Service Executive and the Environmental Protection Agency (EPA) on a county wide level.</p> <p>The GEO portal of the EPA (<a href="http://www.epa.ie/EPAMaps">www.epa.ie/EPAMaps</a> under the heading of Health and Wellbeing) maps the air quality levels and noise pollution of the major settlements in the country. Athy is stated as having achieving category '1 – Good' on their air quality index. The portal does not have (as of Summer 2020) any noise pollution maps for the town. However, Objective HCO2.3 (see Chapter 4) requires that residential schemes in close proximity to heavily trafficked roads within the Plan area should incorporate comprehensive noise mitigation measures into their planning and design.</p> <p><b>Proposed Material Alteration</b></p> <p>Amend the text of objective GI1.10 as follows:</p> <p><b>GI1.10</b> Promote appropriate tree planting <i>and pollinator friendly planting, in accordance with the recommendations of the All Ireland Pollinator Plan throughout Athy and in open spaces within new developments in order to enhance local biodiversity, visual amenity and surface water management.</i> <del>within the public realm with a particular focus on strategic open spaces as well as along transport networks.</del></p>
18.	<b>Transport Infrastructure Ireland (TII)</b>	<p>Submission by TII outlines the following observations for the Council's consideration:</p> <p><b>Managing Exchequer Investment and Statutory Guidance</b></p> <ul style="list-style-type: none"> <li>Notes that the Council will be aware that national roads play a key role within Ireland's overall transport system and in the country's economic, social and physical development with the national road network provide strategic transport links between the main centres of population and employment, including key international gateways, and provide access between all regions in the state including peripheral communities. In this regard TII wishes to ensure, the preservation of the efficiency, capacity and safety of the N78, which is contained within the Local Area Plan area.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Notes that NFP (as part of Project Ireland 2040) identifies maintaining the strategic capacity and safety of the national roads network as part of NSO 2 and that the NDP 2018 – 2027, outlines as an investment priority, ensuring that transport networks, which have been greatly enhanced over the last two decades, are maintained to a high level to ensure quality levels of service, accessibility and connectivity to transport users.</li> <li>• References the '<i>Strategic Investment Framework for Land Transport</i>' (DTTAS, 2014), '<i>Smarter Travel</i>' (DTTAS, 2009) and the provisions of the Section 28 '<i>Spatial Planning and National Roads Guidelines for Planning Authorities</i>' (DoECLG, 2012) which all outline the critical need to manage national road assets in accordance with official policy.</li> <li>• Notes that the Council will also be aware that safeguarding the strategic capacity and function of the national road network in the LAP area will give effect to supporting other critical strategic objectives including those related to Tourism, Employment and Economic Activity in the Draft Plan.</li> </ul> <p><b>General Policy</b></p> <ul style="list-style-type: none"> <li>• Welcomes the ABTA approach, which has informed the progression of this plan, which has clearly availed of guidance available in TII Publications PE-PDV-02046 Area Based Transport Assessment (ABTA) Guidance Notes, which were jointly prepared by TII and the NTA. TII wishes to compliment the planning authority in this regard.</li> <li>• TII welcomes the Strategic Development Principle of achieving Compact Growth set out under Section 2.3.1, which refers that in keeping with stated planning policy at all levels of the spatial hierarchy, a key priority of the Plan is to develop a compact form with particular emphasis being placed on the regeneration of the town centre, and providing for orderly sequential development. Notes that the principle of achieving Compact Growth is also echoed in Section 3.3. Acknowledges that this policy approach is also clearly cited under objective CSO1.1</li> <li>• Also welcomes in principle, the tiered approach to Land Use Zoning as set out under Section 3.3.1 and which avails of the SPIA Sustainable Planning and Infrastructural Assessment (SPIA) tool, which aims to assess the suitability of lands for future development.</li> <li>• Requests that the Council include an appropriate policy statement in the Athy LAP concerning access to national roads to demonstrate compliance and adherence to the provisions of official Government policy</li> </ul>

Sub. No.	Name	Summary of Submission
		<p>outlined in the Section 28 Ministerial Guidelines 'Spatial Planning and National Roads Guidelines for Planning Authorities' (DoECLG, 2012), notwithstanding reference to same in the ABTA. Suggests that the following policy could be included as a final paragraph under Section 7.8 'Roads &amp; Street Network':</p> <p><i>"The Plan will seek to safeguard the development and carrying capacity of the national road infrastructure along the existing N78 corridor. New development along this route will be required to accord with policies of the County Development Plan and official policy, which seeks to safeguard these routes from development, which would compromise the safety, integrity or capacity of these routes."</i></p> <p><b>Specific Development Objectives</b></p> <p>Submission states that having regard to the above, the TII requests that the following recommendations are considered and, where relevant, addressed prior to the adoption of the Athy LAP 2021 - 2027;</p> <p><u>Objectives related to the N78</u></p> <ul style="list-style-type: none"> <li>• TII notes and approves of the objective to maintain and improve, as required, the local road network to ensure a high standard of road quality and safety in accordance with the requirements of the relevant legislation under MTO4.1.</li> <li>• Further notes reference under Objective MTO4.5 to co-operate and liaise with the Department of Transport, the National Transport Authority (NTA) and Transport Infrastructure Ireland (TII) in relation to securing appropriate improvements/extensions to the transport network within Athy. However, with regard to the latter, TII requests a specific objective under the plan, which seeks to safeguard the development and carrying capacity of the national road infrastructure along the existing national road, within the plan area, with specific regard to the N78. For example, it would be appropriate to include the following objective under Chapter 7 'Movement and Transport' combined with stated objective MT04.1 either as an appended syntax or alternatively under part (b), such as:</li> </ul> <p>MT04.1</p> <p>(a) Maintain and improve, as required, the local road network to ensure a high standard of road quality and safety in accordance with the requirements of the relevant legislation.</p> <p><i>"(b) Safeguard the development and carrying capacity of the national road infrastructure along the existing N78 in accordance with the Section 28 Ministerial Guidelines 'Spatial Planning and National Roads Guidelines for Planning Authorities' (DoECLG, 2012)."</i></p>

Sub. No.	Name	Summary of Submission
		<p><u>Objective MT04.6</u></p> <ul style="list-style-type: none"> <li>• Welcomes the development objective MT04.6, which aims to carry out a Traffic Impact Assessment (TIA) for all development within Athy Town Centre and that same shall be carried out in accordance with the Traffic and Transport Assessment Guidelines (2014). TII also notes the draft Plan refers that the requirement for all other developments to carry out a TIA will be determined on a case-by-case basis. TII would welcome an objective that TIA should be carried out for all significant development in the plan area and that policy should clearly reflect this requirement. Where national roads are impacted, traffic and transport assessments should be undertaken in accordance with TII Traffic and Transport Assessment Guidelines (2014).</li> </ul> <p><b>Land Use Proposals</b></p> <ul style="list-style-type: none"> <li>• TII acknowledges the Objective CSO1.1 to support and facilitate compact growth through the sustainable intensification and consolidation of the town centre and established residential areas.</li> <li>• Acknowledges that the Core Strategy identifies Athy as a 'Self Sustaining Town' and welcomes this approach to consolidation of the existing built-up areas.</li> <li>• Notes objective EDTO1.2, stating that this objective means that such employment zoned lands will, notwithstanding exceptional circumstances, be protected from inappropriate development that would prejudice any long-term development for these uses. In this regard, it is noted that land proposed to be zoned as H and H1 (Industrial and Warehousing) and H3 (Light Industrial &amp; Commercial) on the east side of Athy proximate to the N78 Junction with the R418, in addition to land proposed to be zoned H3 (Light Industrial &amp; Commercial), which are proposed to straddle the proposed distributor road South of Athy, have the potential to generate significant traffic movements onto the junction of the N78/R418 and may cumulatively impact on the operation of the national road and the associated junction.</li> <li>• In reference to the point above, the submission states it does not appear that any evidence base has been developed to demonstrate the impact of the development of the subject lands, individually or cumulatively, on the safe and efficient operation of the national road network in the area. Accordingly, TII recommends that a Strategic Transport Assessment (STA) of the subject lands should be undertaken to demonstrate the quantum of development that can be facilitated at the location complementary to safeguarding the strategic function and safety of the national road network, in accordance with the</li> </ul>

Sub. No.	Name	Summary of Submission
		<p>provisions of official policy outlined in the Section 28 Ministerial Guidelines ‘<i>Spatial Planning and National Roads Guidelines for Planning Authorities</i>’ (DoECLG, 2012). Such an assessment would need to identify an Access Strategy and any improvements required to the local transport network to accommodate the extent of development proposed. TII considers that the STA should include for relevant stakeholder consultation including TII and should be in place prior to the development of the subject zoned lands identified above. In this regard, the production of said STA and access strategy should also be included as a stated objective of the plan.</p> <ul style="list-style-type: none"> <li>• Related to the foregoing, the Authority in summary requests the inclusion of policies and objectives in the Local Area Plan, which provide for the following: <ul style="list-style-type: none"> <li>○ Objective(s) relating to an STA and access strategy for lands zoned H, H1 H2 and H3 lands east of the town. Requests that an appended objective could accompany Table 11.3 of the plan, which refers the following:</li> <li>○ <i>“It is an objective of the Council to carry out a Strategic Transport Assessment (STA) and to produce an Access Strategy for lands zoned H, H1, H2 and H3 on subject lands situated to the east of Athy Town in consultation with relevant stakeholders including TII and the NTA. These will identify the quantum of development that can be facilitated at the location complementary to safeguarding the strategic function and safety of the national road network, in accordance with the provisions of official policy outlined in the Section 28 Ministerial Guidelines ‘Spatial Planning and National Roads Guidelines for Planning Authorities’ (DoECLG, 2012). The STA will also identify any improvements required to the local transport network to accommodate the extent of development proposed.”</i></li> </ul> </li> <li>• Submits that in relation to any improvements required to the national road network and associated junctions to facilitate the extent of development planned, the Council should be aware that TII will not be responsible for such costs and appropriate mechanisms or development contribution schemes should be identified.</li> </ul> <p><b>Drainage</b></p> <ul style="list-style-type: none"> <li>• Having regard to the lands within the LAP boundary, adjoining the N78, national road, it is critical that surface water drainage proposals within the local area plan do not negatively impact on the N78 drainage regime. It is requested that the Local Area Plan would include a specific objective to safeguard the national</li> </ul>

Sub. No.	Name	Summary of Submission
		<p>road network drainage regime prior to adoption and therefore requests that an objective, be inserted under Policy I2 'Surface Water and Ground Water', most appropriately following objective IO2.3, stating the following:  <i>'The capacity and efficiency of the national road network drainage regimes will be safeguarded for national road drainage purposes.'</i></p> <p><b>Chief Executive's Response</b>  <i>Chapter 7. Movement and Transport</i>                      The recommendations of TII to strengthen the provisions of the Plan on the protection of the National Roads Network by inserting additional text to the plan and amending the relevant objective in order to safeguard the development and carrying capacity of the existing N78 corridor is noted by the Council. The need to strengthen objective MTO4.6 regarding the requirement for Traffic Impact Assessments to be carried out for all significant developments within the town is accepted.</p> <p><i>Land Use Proposals</i>                      With regard to the lands H: Industrial and Warehousing located to the east of the town (referred to in Table 6.3 of the draft LAP as Gallowshill), the concerns of TII regarding the potential impact of the lands when developed on the N78 road and in particular the junction of the N78 and R418 are noted. For the purposes of clarity whereas the submission refers to the lands '<i>as zoned H, H1 H2 and H3 lands</i>' in the east of the town it should be noted that in the draft LAP the lands are simply zoned 'H: Industrial and Warehousing'.</p> <p>It should be noted that the draft Plan provides for a significant reduction in the amount of land zoned for industrial (employment) purposes in this area than was provided for under the Athy Town Development Plan (TDP) 2012 – 2018. In this regard, lands which were designated as 'H2' in the TDP in the area, straddling the proposed Athy Distributor Road, are now proposed to be zoned either as 'F: Open Space and Amenity' or as 'SR: Strategic Reserve', to be safeguarded from development during the life of the plan. Furthermore, Table 6.3 of the plan states that future development of the lands zoned 'H' in this area will be '<i>for lower-density employment of the light industrial and related uses</i>'. However, to address the concerns of TII, it is proposed to</p>

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		<p>insert additional text and an accompanying objective to the Plan as suggested. It is considered however, that such additional material would be more appropriately be placed in Section 7.8 of the draft Plan, which specifically relates to Athy’s roads and streets, rather than Table 11.3.</p> <p><i>Drainage</i> The concerns relating to surface water drainage on lands adjoining the N78, national road is noted and the request to include an additional objective to strengthen the N78 drainage regime is accepted.</p> <p><b>Chief Executive’s Recommendation</b> <b>Proposed Material Alteration</b> Insert the following text as a final paragraph under Section 7.8 Roads and Streets Network: <i>“The Plan will seek to safeguard the development and carrying capacity of the national road infrastructure along the existing N78 corridor. New development along this route will be required to accord with policies of the County Development Plan and official policy, which seeks to safeguard these routes from development, which would compromise the safety, integrity or capacity of these routes.”</i></p> <p><b>Proposed Material Alteration</b> Amend the text of the following objectives: <b>MTO4.1</b> (a) Maintain and improve, as required, the local road network to ensure a high standard of road quality and safety in accordance with the requirements of the relevant legislation. <i>(b) Safeguard the development and carrying capacity of the national road infrastructure along the existing N78 in accordance with the Section 28 Ministerial Guidelines ‘Spatial Planning and National Roads Guidelines for Planning Authorities’ (DoECLG, 2012).”</i></p> <p><b>Proposed Material Alteration</b> <b>MTO4.6</b> Ensure that development proposals within Athy Town Centre are subject to a <b>Traffic Transport</b> Impact Assessment (TIA), to be carried out in accordance with the Traffic and Transport</p>

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		<p>Assessment Guidelines (2014). <del>The requirement for all other developments will be determined on a case-by-case basis.</del> <i>Transport Impact Assessments will also be required in the following cases:</i></p> <ul style="list-style-type: none"> <li><i>(a) Development on all lands zoned C: New Residential and;</i></li> <li><i>(b) All other lands for which significant development is proposed within the Local Area Plan boundary.</i></li> </ul> <p><b>Proposed Material Alteration</b>            Insert the following new section after Section 7.8.1:  <b><i>7.8.2 Employment Lands to the East of the Town</i></b>  <i>With regard to the employment lands zoned 'H: Industrial and Warehousing' to the east of the town (identified as Gallowshill in Table 6.3), it is considered that their strategic location, adjacent to the N78 (motorway link) and straddling the Athy Distributor Road, necessitates the preparation of a Strategic Transport Assessment (STA) of the subject lands to be carried out prior to their development. This assessment should demonstrate the quantum of development that can be facilitated at the location complementary to safeguarding the strategic function and safety of the national road network, in accordance with the provisions of official policy outlined in the Section 28 Ministerial Guidelines 'Spatial Planning and National Roads Guidelines for Planning Authorities' (DoECLG, 2012). Such an assessment will also need to identify an Access Strategy and any improvements required to the local transport network to accommodate the extent of development proposed. The STA should undertake relevant stakeholder consultation including with TII, the NTA and landowners and shall be considered in the context of any development proposals for this location.</i></p> <p><b>Proposed Material Alteration</b>            Insert the following new objective after objective MTO4.9 (along with any consequential amendments):  <b><i>MTO4.10 To carry out a Strategic Transport Assessment (STA) and to produce an Access Strategy for lands zoned 'H: Industrial and Warehousing' situated to the east of Athy in consultation with relevant stakeholders including TII and the NTA, as well as landowners. This will identify the quantum of development that can be facilitated at the location complementary to safeguarding the strategic function and safety of the national road network, in accordance with the provisions of official policy</i></b></p>

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		<p><i>outlined in the Section 28 Ministerial Guidelines ‘Spatial Planning and National Roads Guidelines for Planning Authorities’ (DoECLG, 2012). The STA will also identify any improvements required to the local transport network to accommodate the extent of development proposed.</i></p> <p><b>Proposed Material Alteration</b>                      Insert the following new objective after objective IO2.3 and renumber subsequent objectives accordingly:  <b>IO2.4</b> <i>Ensure that the capacity and efficiency of the national road network drainage regimes will be safeguarded for national road drainage purposes.</i></p>
20.	<b>National Transport Authority (NTA)</b>	<p>Submission welcomes the opportunity to comment on the Draft Athy Local Area Plan (LAP) and accompanying Area Based Transport Assessment (ABTA) and based on the Transport Strategy for the Greater Dublin Area 2016-2035 (‘the Transport Strategy’) and the National Cycle Manual (NCM), makes the following observations and recommendations.</p> <p><b>LAP and ABTA</b></p> <ul style="list-style-type: none"> <li>• Notes that as per the Area Based Transport Assessment Advice Note (2018, NTA/TII) that the ABTA was produced in tandem with the LAP and an iterative approach was taken to the development of these documents such that they informed each other in their development. It further notes that the two documents were also developed alongside an Urban Regeneration Framework which also speaks to the LAP and ABTA documents.</li> <li>• Notes that the Draft LAP main document, the Urban Regeneration Framework and the ABTA clearly illustrates problems associated with car dependency within the town which highlights the challenges facing town in relation to encouraging a shift to sustainable modes.</li> <li>• Refers to elements of the ABTA including; the projection that the Athy Distributor Road, will reduce through traffic in the town by c. 40-50%, thus freeing up space for alternative modes of movement, and the Barrow Blueway which will provide for a high quality off-road pedestrian and cycling route through the heart of Athy. Hopes that the opportunities presented through the provision of the Distributor Road will be fully realised and that space will be allocated for the improvement of infrastructure for sustainable modes within the town centre.</li> <li>• Notes that ABTA follows the methodology set out in the ABTA Guidance Note and that it assesses the</li> </ul>

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		<p>existing transport networks, the existing travel patterns, determines travel demand, identifies transport options and proposes a preferred strategy.</p> <p><b>ABTA Objectives;</b></p> <p><u>Walking, Connectivity and Cycling</u></p> <ul style="list-style-type: none"> <li>• Submission welcomes the walking, connectivity and cycling movement objectives contained in the ABTA (MTO1.1-1.8). Notes that the programme includes the construction of two new pedestrian/cycle bridged over the River Barrow comprising of: one to the south of the town centre, linking the Dominican Lands to the Abbey site; and one to the north of the K-Leisure facility connecting with Monasterevin Road.</li> <li>• It is also noted that objective WN6 provides for a bridge over the River Barrow at Barrack Lane/Woodstock to Stanhope Street/R417. States that this should be a priority measure to enhance connectivity to the schools which is currently very poor.</li> </ul> <p><u>Car Parking</u></p> <ul style="list-style-type: none"> <li>• Notes that the Urban Regeneration Framework proposes that a comprehensive car parking management plan is undertaken. Considers this to be a critical component, taken together with the freeing up of congestion in the town provided by the Distributor Road, to promote sustainable modes. States that the rationalisation of town centre parking and a holistic approach to management of parking at a town level will enable improvements to the public realm and space for sustainable modes.</li> </ul> <p><u>Public Transport Objectives</u></p> <ul style="list-style-type: none"> <li>• Welcomes the provisions as set out in Objectives MTO3.1-3.5.</li> <li>• Notes that the NTA has recently launched the <i>Connecting Ireland: Rural Mobility Plan</i>, a major national public transport initiative that will increase connectivity, particularly for people living outside the major cities.</li> <li>• States that key to encouraging the use of public transport, as well as the provision of an appropriate level of service, is the accessibility of the public transport stops and their quality. The provision of key infrastructure such as turning facilities and shelters with seats will increase the attractiveness of this mode.</li> </ul> <p><u>Roads Objectives</u></p> <ul style="list-style-type: none"> <li>• States that the provision of the Athy Distributor road is said to enable a freeing up of space within the town centre as well as provision for active modes as part of the road itself.</li> </ul>

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		<ul style="list-style-type: none"> <li>• States that the 'the ABTA proposes that two new routes be constructed, as follows:                             <ul style="list-style-type: none"> <li>○ North-western Distributor Road – linking the western end of the Athy Distributor Road (N78 Ballylynan Road) to the R428 Stradbally Road.</li> <li>○ North-eastern Distributor Road – linking R417 to Monasterevin with the R418 to Kilcullen.'</li> </ul>                             The submission states that ABTA does not include sufficient evidence to support the provision of two major new roads within the town. States that in accordance with the RSES and the Kildare County Development Plan, the population targets for the town do not require extensive new residential zoning that would warrant the provision of these roads. Notes that proposed measures such as the inclusion of additional pedestrian and cycle bridges, new cycle tracks and permeability measures. In this regard the submission notes that the LAP states '<i>whilst the Plan acknowledges that the purpose of these proposed routes is in keeping with one of the key objectives of the ABTA i.e. to reduce unnecessary vehicular trips through Athy Town Centre and identify mitigation measures to improve road safety and minimise collision hotspots, it also notes that the construction of these routes are a long term proposition, beyond the life of the Plan.</i> Consequently, the routes are not illustrated on the Transport and Movement Maps, nor are they specifically supported by any objective of the Local Area Plan' (Draft Athy LAP, p. 74-75). In response to this, the submission states that the inclusion of the recommendation of these roads should not be an outcome of the ABTA. The submission states that the objective to reduce unnecessary vehicular trips through the town centre and to improve road safety can be achieved through other measures such as demand management, traffic management and enhanced infrastructure for sustainable modes, which may not require the development of extensive new road space.                             <p><u>Cycling Objectives</u></p> <ul style="list-style-type: none"> <li>• Notes that both the Barrow Blueway and the Athy Distributor Road, which are currently under construction will include dedicated cycle tracks providing both an east-west and north-south spine within the town.</li> <li>• Further notes that the ABTA also includes for provision of cycling infrastructure on the N78 through the town centre. States that measure should be prioritised as a key enabler to cycling in the town.</li> <li>• Submission supports the delivery of all additional cycle infrastructure which will be required to provide a network of cycle routes which will take advantage of the Blueway and Distributor Road routes as well as</li> </ul> </li> </ul>

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		<p>essential permeability measures to allow access to these facilities. States that the focus for the provision of this infrastructure should be to enhance connectivity to key trip attractors around the town, such as the schools.</p> <ul style="list-style-type: none"> <li>• Reiterates that the proposed pedestrian bridge over the River Barrow at Barrack Lane would greatly enhance connectivity.</li> </ul> <p><u>Conclusion</u> The Submission concludes by stating that <i>'the ABTA process and the iterative approach taken to its development in line with the LAP, has greatly enhanced the thought given to the movement objectives within the town and the specific measures required to achieve modal shift to sustainable modes.'</i></p> <p><b>Chief Executive's Response</b> <i>Draft Local Area Plan</i> The submission relating to the transport provisions of the LAP is noted. The Council agrees that proposed connectivity route WN6, which provides for a bridge over the River Barrow at Barrack Lane/Woodstock to Stanhope Street/R417, should be prioritised and that the text of objective MTO1.5 should be amended to provide for this.</p> <p><i>Draft Area Based Transport Assessment (ABTA)</i> The NTA's submission on the provisions of the draft ABTA are noted. Regarding the request that both the proposals for a north-eastern and a north-western distributor road should not be an output of the assessment, the Transportation Department the Council agrees that these two distributor roads are outside the timeframe of the Athy ABTA and the Athy Local Area Plan 2021 – 2027. However, it is still necessary to note within the ABTA that these two routes would be beneficial should Athy grow significantly in the long term future.</p> <p>The Council notes that improvements in road safety will be achieved through other measures such as demand management, traffic management and enhanced infrastructure for sustainable modes. However, it is still deemed necessary and proper by the Council to consider the long term objectives of providing a complete diversion of HGV traffic around the town and to also future proof the growth of the town extending beyond</p>

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		<p>the life of the Plan. By allowing that these distributor roads may be required in the future, Kildare County Council have a basis to preserve a land corridor along the indicative routes. However, it is not an objective to deliver these routes during the lifetime of the ABTA. In the long-term future, should either of these routes be progressed, they would be subject to the usual rigorous multi-criteria analysis and project appraisal.</p> <p><b>Chief Executive's Recommendation</b>  <b>Proposed Material Alteration</b>                      Amend objective MTO1.5, as follows:  <b>MTO1.5</b> Support the creation of new pedestrian and cycle links across the River Barrow that enhance connectivity in the area and link residential areas, the town centre, community facilities and public spaces/amenities as proposed under the Athy Area Based Transport Assessment. <i>In particular, WN6 (as outlined in Table 7.1 and Map 1.1), which provides for a bridge over the River Barrow at Barrack Lane/Woodstock to Stanhope Street/R417, should be prioritised for delivery.</i> The final design details <i>of all new links across the River Barrow</i> shall be subject to the appropriate environmental assessment and public consultation.</p> <p><b>Proposed amendment to Athy Area Based Transport Assessment (ABTA):</b>                      Wording of the ABTA will be amended to note that these roads are beyond the lifespan of the ABTA. These two roads will be removed from the long-term objectives in the ABTA but kept as protected corridors. KCC feel that it is important to protect these corridors from extensive future development should Athy grow significantly in the long-term future.</p>
21.	Irish Water (IW)	<p>Submission from IW welcome the opportunity to put forward observations on the Draft Plan. The submission notes that Kildare County Council are commencing their review of the County Development Plan this year, and that this may result in a change to population targets and housing densities. IW states that it will liaise with the Council during this process.</p>

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		<p>The submission welcomes the inclusion of the Water, Wastewater, and other policies and objectives, that are listed throughout Chapter 10 of the Draft Local Area Plan but has a number of suggested amendments, as follows;</p> <ul style="list-style-type: none"> <li>In relation to the first paragraph of 10.1.1 Water Supply, we suggest replacing with the following:  <i>“Census 2016 records that 92.5% of all households in the settlement of Athy are connected to the public mains network. The average water demand in the town is 3 million litres per day, as of Summer 2020. Since 2013, Athy has been served by the Srowland Water Treatment Plant, located to the north of the town.</i></li> </ul> <p><i>While Athy is supplied from Srowland WTP, it also forms part of the overall Greater Dublin Area Water Resource Zone. Supply in this Water Resource Zone is constrained therefore new connections will be prioritised for housing and domestic sanitation purposes. Connections for Non Domestic supplies will be accommodated on a first come first served basis. To protect current supplies, applicants for non-domestic demand may be asked to review their demand requirements. IW are developing the National Water Resource Plan which will identify solutions to improve supply over the life of this plan.”</i></p> <ul style="list-style-type: none"> <li>In relation to the second paragraph in Section 10.1.2 Wastewater:  <i>“Following some recent modelling of the sewer network, some issues are appearing in a few areas that will require new systems to be implemented with the growth of the catchment. Where there are constraints, applications for developments would be on a first come, first served basis. If no project is associated with a constrained area, then any infrastructure improvements or upgrades will be developer led. Irish Water can work with developers to form the best solution for a particular site. This would be through the Connections and Developer Services section of Irish Water’s website:  <a href="https://www.water.ie/connections/developer-services/">https://www.water.ie/connections/developer-services/</a>  There should be sufficient headroom at Athy wastewater treatment plant to provide for the majority of the projected domestic population. However, as above, this will be on a first come, first served basis.”</i></li> </ul> <p><b>Chief Executive’s Response</b></p>

Sub. No.	Name	Summary of Submission
		<p>The submission of Irish Water (IW) to the draft Plan is noted. The Council accepts IW's proposed amendments to Section 10.1.1 and Section 10.1.2</p> <p><b>Chief Executive's Recommendation</b>  <b>Proposed Material Alteration</b>                      Replace the first paragraph of Section 10.1.1 with the following text:  <i>Census 2016 records that 92.5% of all households in the settlement of Athy are connected to the public mains network. The average water demand in the town is 3 million litres per day, as of Summer 2020. Since 2013, Athy has been served by the Srowland Water Treatment Plant, located to the north of the town.</i></p> <p><i>While Athy is supplied from Srowland WTP, it also forms part of the overall Greater Dublin Area Water Resource Zone. Supply in this Water Resource Zone is constrained therefore new connections will be prioritised for housing and domestic sanitation purposes. Connections for Non Domestic supplies will be accommodated on a first come first served basis. To protect current supplies, applicants for non-domestic demand may be asked to review their demand requirements. IW are developing the National Water Resource Plan which will identify solutions to improve supply over the life of this plan.</i></p> <p><b>Proposed Material Alteration</b>                      Replace the second paragraph of Section 10.1.2 with the following text:  <i>Following some recent modelling of the sewer network, some issues are appearing in a few areas that will require new systems to be implemented with the growth of the catchment. Where there are constraints, applications for developments would be on a first come, first served basis. If no project is associated with a constrained area, then any infrastructure improvements or upgrades will be developer led. Irish Water can work with developers to form the best solution for a particular site. This would be through the Connections and Developer Services section of Irish Water's website:  <a href="https://www.water.ie/connections/developer-services/">https://www.water.ie/connections/developer-services/</a>                      There should be sufficient headroom at Athy wastewater treatment plant to provide for the majority of the projected domestic population. However, as above, this will be on a first come, first served basis."</i></p>

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36.	<b>Gas Networks Ireland (GNI)</b>	<p>Submission welcomes the opportunity to respond to the Draft Local Area Plan 2021-2027 and notes that GNI is involved in two initiatives which can benefit Athy from both an economic and environmental perspective:</p> <ul style="list-style-type: none"> <li>- Development of renewable gas injection infrastructure.</li> <li>- Development of Compressed Natural Gas (CNG) infrastructure for gas in transport.</li> </ul> <p>The submission makes the following observations and suggested text inclusions/changes:</p> <p><b>Anaerobic Digestion and the Circular Economy</b></p> <ul style="list-style-type: none"> <li>• Submission notes that Chapter 2 of the draft Plan refers to National Policy Objective (NPO) 53, “Support the circular and bio-economy including in particular through greater efficiency in land management’ and ‘greater use of renewable resources”.</li> <li>• States that Anaerobic Digestion (AD) from agricultural waste supports circular economy principles and can be used as a key element in Ireland’s move towards a more sustainable future. Notes EU agriculture is the biggest contributor to manmade methane emissions and that increasing the role of AD is part of an EU strategy to reduce methane emissions. Outlines that various factors of emissions in agriculture and states that AD plants can utilise a wide variety of materials ranging from food wastes, to animal slurries and specifically grown energy crops such as grass silage. These feedstocks are broken down to produce biomethane which can then be injected into the national gas network at appropriate points and transported to all gas consumers.</li> </ul> <p><b>Compressed Natural Gas (CNG) and Sustainable Transport</b></p> <ul style="list-style-type: none"> <li>• Welcomes the Council’s aim as outlined in Chapter 7 “To promote and develop a sustainable transport network for Athy.”</li> <li>• Notes that Heavy Goods Vehicles (HGVs) are responsible for a disproportionate amount of transport emissions citing statistics on this. States decarbonisation of HGVs is particularly challenging as electricity is currently not a viable alternative to diesel. In this regard it notes that CNG is an option that can immediately reduce transport emissions relative to diesel.</li> </ul>

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		<ul style="list-style-type: none"> <li>• States that when the injection of renewable gas is increased on the gas network, and utilised by CNG vehicles as bio-CNG, carbon neutral transport can be achieved. Notes that CNG also has significant air quality benefits as detailed in the suggested text for inclusion below.</li> <li>• GNI suggests the inclusion of an additional section in Chapter 7 which provides details about CNG in transport, as follows:  <i>“Compressed Natural Gas (CNG)  CNG is natural gas that has been compressed to fit into a vehicle’s tank and is particularly suitable for use in commercial vehicles. The development of CNG Infrastructure will enable fuel switching from diesel to CNG for heavy goods vehicles (HGVs) and buses. CNG is an established technology that is used in many countries around the world. CNG contains virtually no particulate matter (PM) and also has low emission levels of nitrogen oxides (NOx). CNG vehicles can be run on 100% renewable gas. This is a renewable and carbon neutral fuel, produced using Anaerobic Digestion (AD) technology from existing waste streams and a variety of sustainable biomass sources, including grass, animal waste, crop residues and food waste. Infrastructure development for CNG is already underway in Ireland, with 14 fast fill CNG stations being installed across the Core TEN-T road network via a project called the Causeway Study that is supported by the European Commission through the CEF Transport Fund and the Commission for Regulation of Utilities (CRU).The Council will support the use of gas in transport by a presumption in favour of applications for CNG refuelling infrastructure, provided planning and environmental criteria are satisfied.”</i> </li> <li>• Notes that the development of CNG in transport supports ‘The National Policy Framework: Alternative Fuels Infrastructure for Transport in Ireland’ which sets out a target of 70 CNG fuelling stations by 2025. The Climate Action Plan also has an action to develop a CNG fuelling network to support the uptake of CNG vehicles (Action 76) which is supported by the Causeway Study.”</li> </ul> <p><b>The Gas Network, Air Quality and the Natural Environment</b></p> <ul style="list-style-type: none"> <li>• States that GNI is cognisant of the natural environment with an ongoing commitment to biodiversity and archaeology. Notes that transportation of gas is unobtrusive with care taken to minimise the impact on local flora and fauna during any construction and development activities. Notes that a partnership approach with environmental and heritage groups is used on all gas related construction projects and that Engineers and environmental specialists are employed to carry out assessments at the planning and</li> </ul>

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		<p>construction phases of developments. Further notes GNI returns all land to its original state following construction.</p> <ul style="list-style-type: none"> <li>• Refers to Section 10.5 Pollution and Environmental Services of the Draft Plan which identifies air quality as a target area for improvement as outlined in Objective IO5.3. States that the gas network can be used to improve air quality, through switching from oil/coal to natural gas which is the cleanest hydrocarbon. The gas network enables this switch across multiple energy sectors including Home Heating and Power Generation both of which improve air quality.</li> <li>• States that Gas may also be the best choice for new developments, subject to economic and environmental appraisals. Notes that a combination of a gas boiler and solar panels meets the current Part L Building Regulations and the introduction of renewable gas to the network will, over time, decarbonise home heating.</li> <li>• Welcomes the inclusion of text relating to the Gas Network in Section 10.4 Energy Supply and Communications of the Draft Plan noting that the gas network in Athy currently serves areas of the town where it is economically viable to provide a service. Supports the expansion of the gas network within towns in line with the CRU approved Gas Networks Ireland Connections Policy which ensures that any further expansion of the network is completed in an economically feasible manner. Summery concludes that at the current time there are no plans to expand the gas network in Athy town.</li> </ul> <p><b>Chief Executive’s Response</b> The contents of the submission are noted. Whilst the suggested additional text relating to the sustainable energy initiatives specifically anaerobic digestion and compressed natural gas is acknowledged such material would be best considered as part of the broader review of the Kildare County Development Plan 2017 – 2023. Thereby, providing for a cohesive and strategic approach to sustainable energy alternatives at a county-wide level.</p> <p><b>Chief Executive’s Recommendation</b> No change recommended.</p>

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39.	Department of Education	<p>Submission relates to the provision of schools within Athy and addresses the following points:</p> <ul style="list-style-type: none"> <li>• Notes that in considering the implications of the Draft Plan for school accommodation requirements it is cognisant of differing scenarios relating to demographic growth and house building in the town which could significantly alter future school accommodation requirements.</li> <li>• The Department notes the population projections for Athy as outlined in Table 3.1 of the Draft Plan.</li> <li>• Based on its own analysis, the Department anticipates that some requirements for additional educational accommodation may emerge over the lifetime of the Plan, should the projected population increases materialise but has not identified a requirement at this stage to zone additional school sites. In this regard it submits that the facility to expand existing schools and/or to otherwise maximise the use of existing school sites will be critical in order to meet emerging requirements. Accordingly, the Department welcomes the inclusion of Objective HCO3.1 in the Draft Plan.</li> <li>• States that the Department is addressing the current need for extra secondary school provision through its project to provide a significant extension to Athy Community College, noting that the completion of this project will provide the extra capacity as outlined in the Social Infrastructure Requirements contained in Table 4.4 of the plan.</li> <li>• Submission concludes by stating that the Department will continue to work closely with the Council in relation to the provision of new schools and the development of existing schools and emphasises the critical importance of ensuring sufficient and appropriate land is zoned for this purpose.</li> </ul> <p><b>Chief Executive's Response</b> The contents of the submission is noted. The Council will continue to engage and work closely with the Department of Education and Skills to ensure adequate provision for schools in settlements such as Athy, in accordance with the Memorandum of Understanding between the City and County Managers Association and the Department of Education and Skills.</p> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>

Sub. No.	Name	Summary of Submission
56.	Office of the Planning Regulator (OPR)	<p><i>The submission from the Office of the Planning Regulator (OPR) acknowledges the considerable and evident work the Planning Authority has put into the preparation of the draft LAP against the backdrop of an evolving national and regional planning policy and regulatory context. In this regard the OPR notes and welcomes the preparation of an Area Based Transport Assessment and Infrastructural Assessment to inform the draft LAP. The submission notes that a key function of the OPR is the assessment of statutory plans to ensure consistency with legislative and policy requirements, specifically having regard to the relevant provisions of current county development plan, the Regional Spatial and Economic Strategy (RSES) for the Eastern and Midlands Region 2019-2031, and relevant Section 28 guidelines.</i></p> <p><i>The submission outlines that it makes <b>8 observations</b> on the draft Plan and that such 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 submission states that the planning authority is requested by the Office to action an observation.</i></p> <p><i>The submission commends the planning authority for the quality of the draft LAP and for the comprehensive evidence base informing the draft LAP. The Office notes that the comments and observations below are provided to enhance what is considered to be a robust and well thought out plan.</i></p> <p><b>1. Consistency with the RSES and the County Development Plan</b></p> <ul style="list-style-type: none"> <li><i>• The submission states Section 19(2) of the Planning and Development Act 2000 (as amended) requires that a local area plan shall be consistent with any RSES that applies to the area of the plan. It notes Chapter 4 of the RSES identifies the settlement strategy and the targeted pattern of growth for the Eastern and Midlands region and include the provision of a settlement hierarchy, which provides the definition of a ‘Self-Sustaining Growth Town’. In this regard, the submission acknowledges that the planning authority has identified Athy as a Self-Sustaining Growth Town in the county’s settlement hierarchy, which was adopted as part of Variation No. 1 to the Kildare County Development Plan 2017-2023.</i></li> <li><i>• The submission further notes that the RSES has identified a number of growth enablers for the region which are relevant to Self-Sustaining Growth Towns.</i></li> </ul>

Sub. No.	Name	Summary of Submission
		<p><b>1.2 Regeneration of Athy Town Centre</b></p> <ul style="list-style-type: none"> <li>• <i>Submission notes that Regional Policy Objective (RPO) 3 requires that the core strategy identifies regeneration areas within existing urban settlements and set out specific objectives relating to the delivery of development on urban infill and brownfield regeneration sites. Whilst acknowledging that the current Development Plan does not identify such strategic brownfield/infill sites within Athy it welcomes and supports the designation of Athy as a Regeneration Area and the inclusion of the Urban Regeneration Framework (URF) within the Draft Plan.</i></li> <li>• <i>Submission refers again to the RSES which identifies the following guiding principles which are to be applied to regeneration areas:</i> <ul style="list-style-type: none"> <li>○ <i>Include proposals for strategic brownfield and infill sites which should be accompanied by a site brief and/or masterplan</i></li> <li>○ <i>Encourage pilot projects for the re-use of brownfield sites</i></li> <li>○ <i>Set out measures to reduce vacancy and the underuse of existing building stock.</i></li> </ul> <p><i>In this regard the OPR welcomes the substantial work that has led to the comprehensive evidence base addressing town centre issues such as vacancy. This evidence base provides a thorough assessment of the key issues affecting the town centre.</i></p> </li> <li>• <i>While noting that vacancy across the town centre is clearly mapped in the draft LAP, the submission states that there is scope for further clarity in relation to the extent of brownfield and backland opportunity sites, their potential development capacity and the required enabling works to realise such potential. The submission goes on to state that the extent of such backland and vacant brownfield sites appears significant and therefore the identification of any such key sites will result in better alignment with town centre regeneration objective RPO 3.3.</i></li> <li>• <i>The submission notes that core recommendation in the URF is the preparation of a Public Realm Strategy including a car parking management plan, however it states that is not clear how this strategy will support the development of brownfield and backland sites and align with other proposals in the draft LAP. The submission states that the planning authority may wish to consider whether the preparation of a public realm strategy should be broadened to consider the development potential and approach to the</i></li> </ul>

Sub. No.	Name	Summary of Submission
		<p><i>development of brownfield/backland sites, and how this approach would be reinforced by the proposed car parking management plan.</i></p> <ul style="list-style-type: none"> <li><i>The submission states that this would provide the means of coordinating the redevelopment of areas within the town centre, and would provide an appropriate response to RPO 6.12 of the RSES. Design guidelines specific to these areas could also be developed to align with the provisions of Section 5.7 of the Local Area Plan Guidelines for Planning Authorities (2013) which state that 'Local area plans have a key role in translating overarching development plan urban design policies and objectives at the local level'.</i></li> </ul> <p><b>OPR Observation 1:</b> <i>The planning authority is requested to provide further clarity in the Local Area Plan in relation to the extent of brownfield and backland opportunity sites, their potential development capacity and the required enabling works to realise such potential. Such information should also have regard to the proposed public realm strategy and car parking management plan, as relevant.</i></p> <ul style="list-style-type: none"> <li><i>The submission notes that two opportunity sites in the town centre have been listed. These include the Dominican lands (Site A) and the rear of Leinster Street (Site B). The 'Dominican Lands and Blueway Hub Masterplan' is listed as a priority project, in Table 3.1 of the URF, however, there is requirement to prepare a masterplan for Site B. The submission notes that it is therefore considered that the LAP should include an objective to prepare a more detailed masterplan for Site B.</i></li> </ul> <p><b>OPR Observation 2:</b> <i>The planning authority is requested to consider including a standalone objective for the preparation of a more detailed masterplan for the land to the rear of Leinster Street (Site B) which could be added as a priority project into Table 3.1 of the Urban Framework Plan.</i></p> <p><b>1.3 Catch up Investment</b></p> <ul style="list-style-type: none"> <li><i>The submission notes that the RSES identifies catch up investment as a growth enabler for Self-Sustaining Growth Towns such as Athy and that this is supported by the economic development policies set out in the development plan (as varied) such as policy CS 7. In this regard the submission states that greater clarity</i></li> </ul>

Sub. No.	Name	Summary of Submission
		<p><i>could, however, be provided in relation to the targeted ‘catch up’ investment required to support Athy as a Self-Sustaining Growth Town consistent with policy CS 7.</i></p> <p><b>OPR Observation 3:</b> <i>Having regard to the growth enablers for Self-sustaining Growth Towns in the Regional Spatial and Economic Strategy and policy CS 7 of the County Development Plan, the planning authority is requested to clarify the ‘catch up’ investment required to support self-sustaining local employment and services in Athy.</i></p> <p><b>2. County Development Plan</b></p> <ul style="list-style-type: none"> <li>• <i>Submission states that Section 19(2) of the Act requires that a LAP shall be consistent with the objectives of the development plan and its core strategy. In this regard, it notes that the planning authority’s core strategy was revised to align with the RSES, as part of adopted Variation No. 1 of the Kildare County Council Development Plan 2017 – 2023.</i></li> <li>• <i>It is further noted that the development plan is currently under review and material changes to the following aspects of the Plan may require a statutory amendment to the LAP:</i> <ul style="list-style-type: none"> <li>○ <i>Core strategy;</i></li> <li>○ <i>Climate change policy and targets;</i></li> <li>○ <i>Economic development policy and objective identifying required ‘catch up investment’;</i></li> <li>○ <i>The identification of the strategic brownfield and infill sites; and</i></li> <li>○ <i>Additional targets and specific measures relating to modal share.</i></li> </ul> </li> <li>• <i>The Office notes that the draft Plan makes provision for this under Objective CPD 1.1 and states its support of such an approach which is consistent with sections 19(2) and 19(2B) of the Act.</i></li> </ul> <p><b>2.1 Consistency with Core Strategy</b></p> <ul style="list-style-type: none"> <li>• <i>Submission refers to Section 3 of the draft LAP which addresses compliance with the core strategy of the development plan. In this regard the submission states that it is considered that the draft LAP’s population forecast of 11,837 and housing requirement of 5,052 to 2027 are generally consistent with the core strategy of the current development plan.</i></li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• <i>Submission notes that the population forecast figure of 11,837 only includes projected population growth on lands zoned for town centre and new residential uses. This is addressed in Section 2.2 below.</i></li> </ul> <p><b>2.2 Population and compact growth</b></p> <ul style="list-style-type: none"> <li>• <i>The submission commends the planning authority's approach to compact growth in the draft LAP, through the significant reduction in the extent of lands zoned 'new residential' from c. 75.5ha to c. 25ha and the intent to provide the majority of new housing on 'Town Centre' and 'New Residential' lands inside the settlement boundary.</i></li> <li>• <i>The submission refers to The Guidance Note on Core Strategies (2010) which states that the population targets and housing requirements of lower-level plans must be consistent with the core strategy of the county development plan. The submission notes that the population target of the draft LAP is based on projected population growth on lands zoned for town centre and new residential uses only and does not account for potential housing yield from existing residential/infill lands.</i></li> <li>• <i>The submission further notes that in respect of potential housing yield from 'existing residential' zoned lands, there appears to be several sites which remain undeveloped. These undeveloped sites must also be taken into account in determining the capacity to accommodate population growth and housing yield.</i></li> <li>• <i>The submission notes that the draft LAP states that there is capacity for a further 58 units within the town centre based on a density of 35-50 where appropriate. However, it states that no basis for estimating the capacity of town centre infill land has been included. The submission advises the planning authority to review the figures in Section 3.2 of the LAP, in particular the projected housing increase to address the matters raised above.</i></li> </ul> <p><b>OPR Observation 4:</b> <i>Having regard to section 19 (2) of the Planning and Development Act 2000 (as amended) and the need for consistency with the Guidance Note on Core Strategies (2010), the planning authority is requested to review the calculations informing the residential capacity table in Section 3.4 of the draft Local Area Plan to account for potential yield from 'existing residential' zoned land and clarify the assumptions informing the potential yield of 58 further units from town centre lands.</i></p>

Sub. No.	Name	Summary of Submission
		<p><b>3. Transport and accessibility</b></p> <ul style="list-style-type: none"> <li>• <i>The submission welcomes the approach taken regarding movement and transport as described in Chapter 7 of the LAP which will support implementing the principles of sequential and plan led development. The planning authority is commended for the preparation of an Area Based Transport Assessment (ABTA) which seeks to integrate land use and transport planning at the centre of the plan preparation process.</i></li> <li>• <i>Submission notes that the draft LAP has demonstrated consistency with the guiding principles expressed in the transport strategy for the RSES and consequently RPO 8.1, and the Transport Strategy for the Greater Dublin Area 2016 – 2035. The submission further notes that the draft LAP proposes several active travel measures that will increase levels of walking and cycling in the town. These measures form part of a 'Connectivity Programme for Athy' which has been listed as Priority Project 5 within the URF.</i></li> <li>• <i>Submission notes that draft LAP sees the implementation of its transport and movement strategy as a means of facilitating the regeneration of the town centre, the development of an age friendly community, a transformed public realm, and an expanded high quality pedestrian and cycling environment. It also states that it is positive to observe that the distributor road will be developed in tandem with other sustainable transport initiatives and is primarily to enable the implementation of a vision for a well-connected and permeable town centre that is to connect key strategic commuter nodes and proposed key sites.</i></li> <li>• <i>Submission refers to the fact that both the ABTA and the draft LAP have stated the planning authority's intention to prepare a car parking management plan. The submission considers that there is scope to review the potential for surplus car parking to be used for alternative uses as part of the overall regeneration strategy. This should be addressed as part of the planning authority's response to observation no. 1 above.</i></li> <li>• <i>Submission notes that the draft LAP proposes to zone a significant area for industrial and employment development at the intersection of the R418 (Dublin Road), N78 and the proposed Athy Distributor Road at the eastern edge of the plan area. It states that having regard to national policy in the Spatial Planning and National Roads Guidelines for Planning Authorities (2012), the Office considers that the LAP should include an objective to prepare a transport assessment to determine the quantum of development that can be facilitated at this location in order to safeguard the strategic function and safety of the national road network.</i></li> </ul>

Sub. No.	Name	Summary of Submission
		<p><b>OPR Observation 5:</b> <i>The planning authority is requested to include an objective in the Local Area Plan to prepare a transport assessment regarding the lands proposed for industrial and employment in proximity to the intersection of the R418 (Dublin Road), N78 and proposed Athy Distributor Road. This assessment should assess the implications on the safe and efficient operation of the national road network in the area and determine the quantum of development that can be supported at this location. The planning authority is advised to consult with Transport Infrastructure Ireland in this regard.</i></p> <p><b>4. Climate action</b></p> <ul style="list-style-type: none"> <li><i>The submission welcomes the fact that considerations regarding climate mitigation and adaptation are integrated throughout the various chapters of the draft LAP and that it has been informed by County Kildare’s Climate Adaptation Strategy 2019-2024. Furthermore, it notes that the vision statement and strategic objectives as set out in Chapter 2 make explicit references to mitigating the impacts of climate change and transitioning to a ‘low carbon and climate resilient model of development’.</i></li> <li><i>Submission states that policy objectives within the LAP should be climate proofed and contribute to the wider county objectives and further contribute to the national long term goals of achieving net zero emissions by 2050 as set out in the government’s Climate Action Plan 2019. In this regard it is noted that on completion of the review of the current development plan, additional targets and specific measures may need to be included in the LAP. In particular, the submission states that it would welcome the incorporation of modal share targets based on the implementation of the road and street network objectives in policy MT4 of the draft LAP. The Office notes that this would provide a means of monitoring the progress of actions and connectivity measures as set out in the LAP, and assist in meeting the town’s land use, regeneration, and related sustainability objectives.</i></li> </ul> <p><b>OPR Observation 6:</b> <i>Having regard to the transport objectives and implementation measures set out in the Local Area Plan and Area Based Transport Assessment, the planning authority is requested to consider including modal shift targets which will assist in measuring the outcomes of infrastructure measures promoting sustainable transport in the town.</i></p>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• <i>Submission notes that Flood risk is a key issue for Athy and the draft LAP has recognised the increasing risk of flooding due to climate change and the need to achieve resilience and mitigate the effects of same. The OPR welcomes the approach regarding the draft LAP's flood risk strategy, which is informed by a Strategic Flood Risk Assessment.</i></li> <li>• <i>Submission also supports Policy I3 Flood Risk Management and objectives IO3.1 and IO3.4 which are included in the draft LAP</i></li> <li>• <i>Submission notes that Objective IO3.2 is to ensure development proposals within the areas outlined on the Flood Risk Map are the subject of Site-Specific Flood Risk Assessment (SSFRA), appropriate to the nature and scale of the development proposed. In this regard the submission states that as there are several areas within the plan boundary that will require SSFRA, clearer reference is needed in the draft LAP to the sequential approach that must be applied as part of this assessment.</i></li> <li>• <i>The submission requests that policy in the draft LAP should be strengthened to advise applicants that the sequential approach will be applied at site specific level in areas of flood risk. Policy should encourage the location of sensitive uses in areas of lower risk, the consideration of less vulnerable use types and other mitigation through design measures. Sustainable drainage should also be integral to the design and formulation of proposals at this stage consistent with the Planning System and Flood Risk Management Guidelines for Planning Authorities (2009).</i></li> </ul> <p><i>Additionally, the submission requests that further clarity be provided to those using the LAP by having lands subject to flood risk identified more clearly. In this regard it is requested that the flood zone map included as Map 3 of the draft LAP should be overlaid with the proposed zoning map.</i></p> <p><b><i>OPR Observation 7:</i></b> <i>The planning authority is requested to strengthen flood risk management policies within the Local Area Plan as flood risk is prevalent in the plan area and there are several sites within the plan boundary that will be the subject of site-specific flood risk assessment. For ease of reference and clarity, it is also requested that the proposed zoning map is overlaid with the flood zone map included as Map 3 of the Draft Plan.</i></p>

Sub. No.	Name	Summary of Submission
		<p><b>5. Employment</b></p> <ul style="list-style-type: none"> <li>Submission notes that provisions in the draft Plan relating to sustainable economic development opportunities and the intention to provide for an increase in the number of jobs based in the town by 1,330 which requires the zoning of 53.2 hectares of undeveloped land to be zoned for employment purposes. The submission notes that these provisions aligns with policies CS 5 and CS 8 of the development plan (as varied) and acknowledges that the draft LAP promotes a better balance between jobs and town's population and facilitates employment growth in Athy at a scale appropriate to the level of population and housing growth which is considered to be generally consistent with economic policies in the RSES and development plan.</li> </ul> <p><b>6. Matters requiring clarification</b></p> <ul style="list-style-type: none"> <li>The submission states that as part of its evaluation and assessment of the draft LAP, a number of apparent discrepancies between the draft LAP and the supporting reports and assessments informing the draft LAP have been identified. For example, it is noted that Section 4.4 of the draft LAP is based on the recommendations from the Athy Social Infrastructure Audit which sets out a very thorough assessment of social infrastructure in the town. The audit notes that the primary schools in Athy are nearing capacity, while secondary schools were found to be overcapacity, with Athy Community College relying on prefab classrooms. However, the submission states that the draft LAP does not identify a need for additional school facilities, which appears to be inconsistent with objective HCO3.1 which states: 'Support and facilitate improvements to existing primary schools and secondary schools to resolve current capacity issues and facilitate forecasted future growth.'</li> <li>The submission acknowledges and welcomes the environmental report that has been completed in accordance with the provisions of the Act and the Strategic Environmental Assessment regulations. However, it notes that there appears to be some inconsistencies in commentary between the Draft LAP and environmental report in relation to wastewater and town centre residential capacity. In this regard, the environmental report highlights that there is remaining wastewater treatment capacity of 2,102 population equivalent (PE), which is somewhat inconsistent with the statement in Chapter 10 of the draft Plan which states:</li> </ul>

Sub. No.	Name	Summary of Submission
		<p><i>'it will be necessary to extend the plant to beyond 15,000 PE before 2027 to meet the envisaged additional domestic and non-domestic demand within the town.'</i></p> <p><i>In this regard the submission notes that that surface water quality is identified as an issue in the draft LAP, with the River Barrow along with the Corrán Árd stream recorded as having 'poor' water quality status. Since the wastewater treatment plant in Athy is discharging to this river, which is also a European Site, the submission advises the planning authority to review any inconsistency between the draft LAP and supporting environmental report regarding this issue.</i></p> <ul style="list-style-type: none"> <li>• <i>It is further noted that the environmental report for the draft LAP identifies 8 central sites as vacant or underutilised within the town centre with potential to provide 149 housing units. This is inconsistent with the residential capacity table in Section 3.4 of the draft LAP which identifies a residential capacity of 59 units in the town centre.</i></li> </ul> <p><b>OPR Observation 8:</b> <i>The planning authority is requested to address the following apparent inconsistencies between the draft Local Area Plan and the supporting reports and assessments informing the plan:</i></p> <ol style="list-style-type: none"> <li><i>i) The recommendations in the Social Infrastructure Audit and objective HCO3.1 regarding the need for additional school facilities in the town. The planning authority is advised to consult with the Department of Education and Science (Skills);</i></li> <li><i>ii) The statements in the draft Local Area Plan and environmental report regarding the remaining wastewater treatment capacity available and the need and timing for the upgrade of same, and any consequent implications for surface and ground water quality. The planning authority is advised to consult with Irish Water.</i></li> <li><i>iii) The findings in the draft Local Area Plan and environmental report regarding the potential capacity for housing units in the town centre.</i></li> </ol> <p><b>Conclusion</b></p> <ul style="list-style-type: none"> <li>• <i>Arising from the foregoing evaluation and assessment of the Draft Athy Local Area Plan 2021-2027, the Office concludes that no recommendations are warranted since the local area plan is generally consistent with the RSES, current development plan and relevant Section 28 Guidelines.</i></li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• <i>However the submission requests that the Planning Authority addresses the observations outlined above, which are made in the context of the provisions of Section 31AO(3)(a) of the Act, and to enhance the local area plan's consistency with relevant national and regional policy obligations, guidelines and legislative requirements.</i></li> </ul> <p><b>Chief Executive's Response</b></p> <p><b>Observation No. 1</b></p> <p>The Urban Regeneration Framework which has informed that Draft LAP, whilst acknowledging the many opportunities in the town centre, recognised that the current town centre area was unjustifiably extended which, made it difficult to meaningfully consolidate and indeed regenerate these areas. Due to the lack of development over the past decade or more it was decided to adopt a conservative approach going forward. In this regard, while the Draft LAP promotes the regeneration of the town centre as a high intensity mixed use area, it also acknowledges that there may be issues around site amalgamation, access and building standards in terms of providing any substantial residential uses within these areas. Although residential uses will be encouraged, the urban regeneration strategy for the town centre focuses on rekindling the economic, civic and amenity function of these areas and most significantly connecting the priority projects funded under the RRDF and other government streams. Furthermore, Priority Projects like the Dominican Lands Masterplan will play a key role in identifying and progressing issues relating to backland development/regeneration. However, it is noted that both opportunity sites identified involve complex issues which will act to impede development over the short/medium term, which is a common theme across many of the backland areas in the town. Site A: The Dominican Lands requires the completion of the Flood Relief Scheme for Athy and also involves multiple landowners. Site B: Rear of Leinster Street was granted permission in 2007 which was extended in 2013 yet never developed. This site also requires a key piece of infrastructure in the form of a new urban street. In order to integrate the regeneration of the backlands with the main streets in the town centre it is recommended that objective <b>CRO1.10</b> requiring the preparation of a Public Realm Strategy for Athy be expanded to include a requirement to address the backland areas of the town centre, in this regard, given the constraints highlighted above regarding flood risk and requirements for key infrastructure that a study around</p>

Sub. No.	Name	Summary of Submission
		<p>the feasibility of these lands be assessed as part of the overall Public Realm Strategy (See Chief Executive's Recommendation below).</p> <p><b>Observation No. 2</b> The request for a standalone objective for the preparation of a masterplan for the land to the rear of Leinster Street is noted. However, it is considered that the new objective to be included to address the feasibility of the backlands of the town centre will sufficiently address these lands. It should be noted that these lands will be affected by the proposed new street and therefore a masterplan would be considered premature pending the finalisation of the proposals in relation to this piece of infrastructure.</p> <p><b>Observation No. 3</b> This observation regarding clarification in relation to catch up investment required to support self-sustaining local employment in Athy is noted. Section 6.3.2 of the Draft Local Area Plan identifies that one of the key enablers in attracting potential investment to Athy will be the availability of appropriately zoned lands. Furthermore, Table 6.3 of the Draft LAP sets out the location of the employment lands and the opportunities and sectoral strengths associated therewith. It is noted that these lands do not individually require specific 'catch-up' investment/infrastructure, however, the delivery of the priority projects listed in the Urban Regeneration Framework, the Area Based Transport Assessment and most significantly the Athy Distributor Road will allow for the full realisation of the employment lands.</p> <p><b>Observation No. 4</b> The observation regarding the review of calculations informing the residential capacity table in Section 3.4 of the Draft LAP with respect to the potential yield from lands zoned 'existing residential' and clarity regarding the assumptions for the town centre yield is noted. Further to the response to observation 1 above regarding the constraints identified in the town centre area with regard to site amalgamation, access and building standards in terms of providing any substantial residential uses within these areas. Although residential uses will be encouraged, the urban regeneration strategy for the town centre focuses on rekindling the economic, civic and amenity function of these areas and most significantly connecting the priority projects funded under</p>

Sub. No.	Name	Summary of Submission
		<p>the RRDF and other government streams. With regards to the lands zoned ‘existing residential’ specifically the area to the east of the town at Shanrath, it should be noted that while these lands have historically been zoned ‘Existing Residential’ they currently function as an extension to the sports facility (PI Ref 18/184 (KCC)), therefore have not been considered in the context of potential housing yield for the purposes of this LAP.</p> <p><b>Observation No. 5</b>                      The request to include an objective in the LAP to address a transport assessment regarding the lands proposed for industrial and employment in close proximity to the R418/N78 and proposed Athy distributor is noted. This requirement is addressed specifically in response to the submission from the T.I.I. (Submission No. 18). To address the concerns in this regard, it is proposed to insert additional text and an accompanying objective to the Plan as suggested. It is considered however, that such additional material would be more appropriately placed in Section 7.8 which specifically relates to Athy’s roads and streets, rather than Table 11.3.</p> <p><b>Observation No. 6</b>                      The approach to active travel modes is frequently intertwined with the provision of convenient public transport as people often use active travel infrastructure to access public transport nodes. As such, the use of modal shift targets becomes not only dependent on the provision of walking and cycling infrastructure, it also becomes reliant on the provision of improved public transport. Public transport improvements are highlighted in the ABTA however it is conceded that much of these are outside the remit of Kildare County Council to deliver. Noting that it is difficult to deliver targets for modal shift when many variables are outside the control of KCC, the main one being public transport provision and improvements, guidance from the NTA in terms of modal shift targets appropriate for Athy would be welcomed. In addition to this, it should be noted that there will be a Climate Action Plan prepared by KCC and the Athy LAP 2021 – 2027 with its associated ABTA may be amended at this point should there be specific modal shift targets outlined therein.</p> <p><b>Observation No. 7</b>                      With regards to the observations regarding flood risk management, amendments to specific objectives are proposed to include clarification around Site Specific Flood Risk Assessment, in addition to Policy I3 of the</p>

Sub. No.	Name	Summary of Submission
		<p>Draft Athy Local Area Plan 2021-2027, specifically objective IO 3.2, sets out that it is an objective of the Council to “ensure development proposals within the areas outlined on the Flood Risk Map are the subject of Site-Specific Flood Risk Assessment, appropriate to the nature and scale of the development proposed”.</p> <p>In order to reinforce the approach to site specific flood risk assessments within the town of Athy amendments are proposed to IO3.2 and an additional objective regarding sequential approach to flood risk assessment with supporting text. In addition, an additional map with the flood risk areas overlaid, will also be included in Appendix 1 to clearly highlight areas/locations where SSFRAs are required in accordance with the Flood Risk Management Guidelines (2009). An additional objective relating to the application of the sequential test to Flood Risk will also be provided for.</p> <p><b>Observation No. 8</b></p> <p>Observation No. 8 relates to a clarification/inconsistency between the SIA and objective HCO3.1. With regards to the submissions advice to consult with the Department of Education and Science (note the Department is now Education and Skills) in relation to the need for additional school facilities, it should be noted that the Planning Department of Kildare County Council are in continued liaisons with the DoES throughout the plan formulation process specifically the preparation of the SIA.</p> <p>Furthermore, regarding the suggestion that the Council liaise with Irish Water, it is of significance to note that Irish Water were intrinsically involved in the development of the SPIA and the assessment of lands therein.</p> <p><b>Chief Executive’s Recommendation</b></p> <p><b>Proposed Material Alteration</b></p> <p>Insert an additional sub objective under objective UCRO1.10, as follows:</p> <p><b>UCRO1.10</b> Commence the preparation of a Public Realm Strategy for Athy within twelve months of the adoption of this plan. The strategy should be developed in accordance with the provisions of the Athy Urban Regeneration Framework and implemented on a phased basis over the lifetime of the Plan and beyond. The Strategy should also address the following issues:</p> <p>(i) Ensure that the town centre is accessible to all members of the community, including people</p>

Sub. No.	Name	Summary of Submission
		<p>with disabilities, the elderly and people with young children.</p> <p>(ii) Support and facilitate the delivery of age friendly seating, bus stops and other public realm initiatives identified in the Athy Public Realm Strategy.</p> <p>(iii) Develop a comprehensive car parking plan for the town which will balance the needs of vehicular access to the town centre without compromising the overall quality and visitor experience of the public realm.</p> <p>(iv) Seek to reduce the use of line marking, signage and overhead wiring in the town centre of Athy.</p> <p><i>(v) Investigate the feasibility of the development/redevelopment of the backlands of the town centre area of Athy in conjunction with the formulation of the Public Realm Strategy.</i></p> <p><b>Proposed Material Alteration (see also; Response to Submission No. 18 – Transport Infrastructure Ireland)</b>            Insert the following new objective after objective MTO4.9 (along with any consequential amendments):  <i><b>MTO4.10</b> To carry out a Strategic Transport Assessment (STA) and to produce an Access Strategy for lands zoned ‘H: Industrial and Warehousing’ situated to the east of Athy in consultation with relevant stakeholders including TII and the NTA, as well as landowners. This will identify the quantum of development that can be facilitated at the location complementary to safeguarding the strategic function and safety of the national road network, in accordance with the provisions of official policy outlined in the Section 28 Ministerial Guidelines ‘Spatial Planning and National Roads Guidelines for Planning Authorities’ (DoECLG, 2012). The STA will also identify any improvements required to the local transport network to accommodate the extent of development proposed.</i></p> <p><b>Proposed Material Alteration (see also; Response to Submission No. 7 – Office of Public Works)</b>            Insert the following new section after Section 10.3.1:  <i><b>Section 10.3.2 Site Specific Flood Risk Assessment</b>            All development proposals taking place in areas that KCC have applied a Justification Test, where a residual flood risk remains, should be supported by an appropriately detailed SSFRA. The level of detail within the FRA will depend on the risks identified and the land use proposed. Applications should apply the use of the sequential approach in terms of the site layout and design and, in satisfying the Justification Test (where</i></p>

Sub. No.	Name	Summary of Submission
		<p><i>required), the proposal must demonstrate that appropriate mitigation and management measures are put in place. The development should ensure that no encroachment onto, or loss of, the flood plain only water compatible development such as Open Space would be permitted for the lands which are identified as being at risk of flooding within that site. For any development in flood risk areas that meet the Development Plan Justification Test, a Development Management Justification Test must then be applied. Development must satisfy all of the criteria of the Development Management Justification Test as per <b>Box 4-1 of the Flood Risk Management Guidelines</b>. This chapter provides a broad overview of the requirements of FRAs which should accompany planning applications.</i></p> <p><b>Proposed Material Alteration (see also; Response to Submission No. 7 - Office of Public Works)</b> Amend the following objective:</p> <p><b>IO3.2</b> Ensure development proposals within the areas <i>where KCC have applied a Justification Test and where residual flood risk remains as</i> outlined on the Flood Risk Map (<i>Map Ref. 2</i>) are the subject of a Site-Specific Flood Risk Assessment, appropriate to the nature and scale of the development proposed.</p> <p><b>Proposed Material Alteration (see also; Response to Submission No. 7 - Office of Public Works)</b> Insert the following new objective after objective IO3.4:</p> <p><b>IO3.5</b> <i>Ensure that all development proposals apply the sequential approach in terms of the site layout and design and, in satisfying the Justification Test (where required), the proposal shall demonstrate that appropriate mitigation and management measures are put in place. The development proposals should ensure that no encroachment onto, or loss of, the flood plain, only water compatible development such as Open Space would be permitted for the lands which are identified as being at risk of flooding within that site.</i></p> <p><b>Proposed Material Alteration (see also; Response to Submission No. 7 - Office of Public Works)</b> Insert new Map Ref. 2a which illustrates Flood Risk Zones and SSFRA overlaid on Land-use Zoning Map (Map Ref. 6: Land Use Zoning Map)</p>

Sub. No.	Name	Summary of Submission
		<p><b>Environmental Report</b></p> <p>Insert the following text in the SEA Environmental Report, as follows:</p> <p>The most recent figures available indicate that the loading capacity of the treatment plant is approximately 12,898 PE (spring 2020) leaving a treatment capacity of 2,102 PE. It is noted that there are no major infrastructural constraints on the sewerage network within the town. <i>However, it is anticipated that it will be necessary to extend the plant to beyond 15,000PE before 2027 to meet the envisaged additional domestic and non-domestic demand within the town. Various Objectives have been integrated into the Plan to ensure that new developments are accompanied by adequate and appropriate wastewater treatment infrastructure:</i></p> <ul style="list-style-type: none"> <li>• <i>Objective IO1.1 Work in conjunction with Irish Water to promote the ongoing upgrade and expansion of water supply and wastewater services to meet the future needs of Athy.</i></li> <li>• <i>Objective IO1.2 Maximise the sustainable and efficient use of existing capacity in water services in the planning of new development.</i></li> <li>• <i>Objective IO1.3 Seek to ensure that adequate water services will be available to service development prior to the granting of planning permission for development.</i></li> <li>• <i>Objective IO1.4 Seek to ensure that development proposals comply with the standards and requirements of Irish Water in relation to water and wastewater infrastructure.</i></li> </ul> <p>Integrate the following new text into the SEA Environmental Report:</p> <p><i>Athy's wastewater treatment plant has spare capacity and it is anticipated that it will be necessary to upgrade the plant before 2027 to meet the envisaged additional domestic and non-domestic demand within the town. A number of surface waters in the area do currently not meet the objectives under the Water Framework Directive, have a number of pressures including those relating to agriculture and/or have unassigned status. Groundwater underlying the Plan area is currently identified as being of good status. The River Barrow is also designated as a European site. Taking these issues into account, the various measures have been integrated into the Plan in order</i></p>

Sub. No.	Name	Summary of Submission
		<p><i>to ensure: that new developments are accompanied by adequate and appropriate waste water treatment infrastructure<sup>2</sup>; compliance with the Water Framework Directive<sup>3</sup>; compliance with the Habitats Directive<sup>4</sup>.</i></p> <p><b>Integrate the following new text into the SEA Environmental Report:</b></p> <p><i>Athy's wastewater treatment plant has spare capacity and it is anticipated that it will be necessary to upgrade the plant before 2027 to meet the envisaged additional domestic and non-domestic demand within the town. A number of surface waters in the area do currently not meet the objectives under the Water Framework Directive, have a number of pressures including those relating to agriculture and/or have unassigned status. Groundwater underlying the Plan area is currently identified as being of good status. The River Barrow is also designated as a European site. Taking these issues into account, the various measures have been integrated into the Plan in order to ensure: that new developments are accompanied by adequate and appropriate waste</i></p>

<sup>2</sup> Measures integrated into the Plan including: **Objective IO1.1** Work in conjunction with Irish Water to promote the ongoing upgrade and expansion of water supply and wastewater services to meet the future needs of Athy. **Objective IO1.2** Maximise the sustainable and efficient use of existing capacity in water services in the planning of new development. **Objective IO1.3** Seek to ensure that adequate water services will be available to service development prior to the granting of planning permission for development. **Objective IO1.4** Seek to ensure that development proposals comply with the standards and requirements of Irish Water in relation to water and wastewater infrastructure. **Also refer to various provisions from the wider policy framework including the overarching County Development Plan.**

<sup>3</sup> Measures integrated into the Plan including: **Policy I2** It is the policy of the Council to maintain and enhance the existing surface water drainage systems in Athy and to protect surface and ground water quality in accordance with the Water Framework Directive. **Objective IO2.4** Maintain, improve and enhance the environmental and ecological quality of surface waters and groundwater in Athy in accordance with the River Basin Management Plan for Ireland and in conjunction with the Environmental Protection Agency. **Objective IO2.5** Require applicants, where necessary, to demonstrate that proposals will not negatively impact on any groundwater or surface water body and be compliant with the requirements of the Water Framework Directive and measures to protect and improve our water bodies set down in the River Basin Management Plan for Ireland 2018 – 2021 and future Cycles of this Plan. **Objective IO2.6** Protect both ground and surface water resources and to work with Irish Water to develop and implement Water Safety Plans to protect sources of public water supply and their contributing catchments. **Objective IO2.7** 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. **Also refer to various provisions from the wider policy framework including the overarching County Development Plan.**

<sup>4</sup> Measures integrated into the Plan including: **Policy NH1** It is the policy of the Council to support the protection of species and habitats that are designated under the Wildlife Acts 1976 and 2000, the Birds Directive 1979 and the Habitats Directive 1992 as well as areas of high local biodiversity value and to ensure that developments with potential to impact the integrity of the Natura 2000 network will be subject to Appropriate Assessment. **Objective NH1.1** Protect, conserve and manage the River Barrow and River Nore SAC and contribute to the protection of the ecological, visual, recreational, environmental and amenity value of the Grand Canal pNHA. **Objective NH1.2** Ensure screening for Appropriate Assessment (AA), in accordance with Article 6(3) of the Habitats Directive is carried out with respect to any plan or project, including masterplans. **Also refer to various provisions from the wider policy framework including the overarching County Development Plan.**

Sub. No.	Name	Summary of Submission
		<p><i>water treatment infrastructure<sup>5</sup>; compliance with the Water Framework Directive<sup>6</sup>; compliance with the Habitats Directive<sup>7</sup>.</i></p> <p>SEA Environmental Report text to be amended, as follows:</p> <p>8 central sites within the red oval were identified as vacant or underutilised within the Town Centre as vacant or underutilised (Site Nos. 5, 6, 9, 10, 11, 12, 13 and 14). All of these sites would be classified as Tier 1 lands as they are well serviced. These sites are also all located within 400 metres of the Town Centre (Emily Square). At 45 units per hectare these sites would provide <del>58</del> <b>149</b> units.</p> <p>Higher densities at 45 units per hectare these sites would provide 149 units or only 19% of units required. Even if developed at a 50 uph density these sites would only provide 165 residential units which is well below the 771 residential units required.</p>

<sup>5</sup> Measures integrated into the Plan including: **Objective IO1.1** Work in conjunction with Irish Water to promote the ongoing upgrade and expansion of water supply and wastewater services to meet the future needs of Athy. **Objective IO1.2** Maximise the sustainable and efficient use of existing capacity in water services in the planning of new development. **Objective IO1.3** Seek to ensure that adequate water services will be available to service development prior to the granting of planning permission for development. **Objective IO1.4** Seek to ensure that development proposals comply with the standards and requirements of Irish Water in relation to water and wastewater infrastructure. **Also refer to various provisions from the wider policy framework including the overarching County Development Plan.**

<sup>6</sup> Measures integrated into the Plan including: **Policy I2** It is the policy of the Council to maintain and enhance the existing surface water drainage systems in Athy and to protect surface and ground water quality in accordance with the Water Framework Directive. **Objective IO2.4** Maintain, improve and enhance the environmental and ecological quality of surface waters and groundwater in Athy in accordance with the River Basin Management Plan for Ireland and in conjunction with the Environmental Protection Agency. **Objective IO2.5** Require applicants, where necessary, to demonstrate that proposals will not negatively impact on any groundwater or surface water body and be compliant with the requirements of the Water Framework Directive and measures to protect and improve our water bodies set down in the River Basin Management Plan for Ireland 2018 – 2021 and future Cycles of this Plan. **Objective IO2.6** Protect both ground and surface water resources and to work with Irish Water to develop and implement Water Safety Plans to protect sources of public water supply and their contributing catchments. **Objective IO2.7** 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. **Also refer to various provisions from the wider policy framework including the overarching County Development Plan.**

<sup>7</sup> Measures integrated into the Plan including: **Policy NH1** It is the policy of the Council to support the protection of species and habitats that are designated under the Wildlife Acts 1976 and 2000, the Birds Directive 1979 and the Habitats Directive 1992 as well as areas of high local biodiversity value and to ensure that developments with potential to impact the integrity of the Natura 2000 network will be subject to Appropriate Assessment. **Objective NH1.1** Protect, conserve and manage the River Barrow and River Nore SAC and contribute to the protection of the ecological, visual, recreational, environmental and amenity value of the Grand Canal pNHA. **Objective NH1.2** Ensure screening for Appropriate Assessment (AA), in accordance with Article 6(3) of the Habitats Directive is carried out with respect to any plan or project, including masterplans. **Also refer to various provisions from the wider policy framework including the overarching County Development Plan.**

Sub. No.	Name	Summary of Submission
		<p><b>Proposed Material Alteration</b>  Further to the measures above, it is recommended that the following additional objective be inserted after objective CSO1.7:</p> <p><b>CSO1.8</b> <i>Ensure that projects giving rise to adverse effects on the integrity of European sites (cumulatively, directly or indirectly) arising from their size or scale, land take, proximity, resource requirements, emissions (disposal to land, water or air), transportation requirements, duration of construction, operation, decommissioning or from any other effects shall not be permitted on the basis of this plan<sup>8</sup>.</i></p>
58.	<b>Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media (Development Applications Unit)</b>	<p>The submission received focuses on heritage related observations/recommendations. Built heritage is an integral part of the wider built environment. The Department state that the appointment of a Conservation Officer to KCC is important to support the county in the stewardship of the county's rich architectural heritage.</p> <p><b>Overview of policy context</b>  The submission outlines that the renewal of a number of key national policy documents pertaining to archaeology and built heritage, including (Draft) Heritage Ireland 2030 and the Climate Change Sectoral Adaptation Plan for the Built and Archaeological Heritage, the (Draft) Built Vernacular Strategy and the National Policy on Architecture (pending), provide the context for this response. Policies and Objectives in these core documents should be inserted into plans where possible.</p> <p>The Department recognises that this is an important time to be working collaboratively and strategically with Local Authorities particularly with regard to vulnerable built heritage sites, the safeguarding of vacant buildings and the promoting/enabling reuse and repurposing of existing cultural assets. In this regard the Department notes the importance of new areas of interest including built vernacular architecture and its setting both rural and urban, the focus on historic town centres and their vitality post the impact of the COVID</p>

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<sup>8</sup> Except as provided for in Article 6(4) of the Habitats Directive, viz. There must be: (a) no alternative solution available, (b) imperative reasons of overriding public interest for the plan to proceed; and (c) adequate compensatory measures in place.

Sub. No.	Name	Summary of Submission
		<p>-19 pandemic and the protection and potential of planned and designed landscapes for recreational and amenity purposes.</p> <p>The Submission makes reference to Goal No.11 of the UN's Sustainable Development Goals and the role culture and heritage play and how will it inform the National Policy on Architecture – Places for People, which is being prepared.</p> <p>The submission notes that historic urban centres are a focus of government due to the negative economic impact of COVID-19 on urban centres, but there is now an opportunity for vacant town centre buildings for their re-use. The Department states it is supportive of consideration of the quality of the built environment as the setting for our lives, work and recreation and the role of cultural heritage as the capital for societal well-being, innovation and for social cohesion. The COVID-19 lockdown has demonstrated the importance of cultural and natural heritage sites and their often-shared amenity, which supported well-being in communities particularly in urban centres during the pandemic lockdown.</p> <p>The Department states it supports the holistic integration of heritage-led strategies to deliver key infrastructural projects such as rural broadband and its sensitive installation in historic towns, the heritage-led regeneration of urban sites and the incorporation of trans-generational housing, accessible services such as health care centres adapting key town buildings and the wider consideration of cultural heritage and the opportunities it presents in relation to flood mitigation.</p> <p>The Department notes the high volume of traffic that makes a significant impact on the amenity of the town and welcomes the consideration of better management of traffic through the town, enhanced public realm and the provision of off street parking to the benefit and enjoyment of the town's heritage.</p> <p>The Department notes their recent support of a Conservation Plan for White's Castle and its advantageous position and relationship to the river setting and the opportunity that this plan provides to raise awareness of the importance of the medieval heritage in Kildare as part of its wider tourism strategy with the medieval layer</p>

Sub. No.	Name	Summary of Submission
		<p>of Athy town as a key landmark site. The protection of views and vistas to the north and south from the castle and the buffering of new developments onto the river is an important objective in the implementation of a long term vision for the medieval castle and its relationship to the river.</p> <p>Furthermore, the Department states there is an opportunity for making cultural heritage more accessible and better integrated with wider tourism and recreational opportunities of the county is welcomed. This will be strategically important to enhancing as well as spreading the tourism capacity through the county's heritage sites and historic towns. The Department supports the integration and communication of multiple strands of cultural and natural heritage, particularly through the implementation of a blue and green infrastructural project that holistically deals with all aspects of archaeological, built and natural heritage.</p> <p>The Department submits that the Local Authority's leadership in the on-going support of conservation practice and the development of expertise across the heritage sector is of strategic importance in maintaining finite resources and the nurturing of specialist skills and knowledge for guiding maintenance, repair, remaking, adaptation and conservation of built heritage to best conservation practice. The submission also notes that a greater understanding of the town's surviving fabric requires research to consider effective models which address vacancy and demonstrate reuse based on an understanding of the plan, form and structure of the town's buildings. The Department also states that community engagement is necessary to a return to living in vacant buildings, to support living over the shop, and for the sensitive development to the rear of properties.</p> <p>The Department summarises that there are a number of new areas of interest which require greater attention and focus in future development plans and policies of Local Authorities including;</p> <ol style="list-style-type: none"> <li>a. National Policy on Architecture – Places for people/5 themes to be embedded in the future development plan policies to ensure the delivery of and implementation of government's policy, including the Local Authority's role in ensuring the delivery of high quality architecture and quality place making for everyone and in demonstrating best practice in the care and maintenance of historic properties in its ownership. This report is to be published in 2021.</li> </ol>

Sub. No.	Name	Summary of Submission
		<p><b>b.</b> Heritage Ireland 2030 (Draft) – 3 strands to be embedded and the importance of communication, digital opportunities and community engagement as part of the delivery of built heritage policies.</p> <p><b>c.</b> Climate Change – heritage resilience and sustainability, consideration of appropriate measures to ensure the long-term survival of historic structures, their uses and their contribution to the sense of place.</p> <p><b>d.</b> Flood Relief works – attenuation, upgrading and repair of existing infrastructure, high quality design of new infrastructure and co-ordination with public realm/recreational amenity in urban centres.</p> <p><b>e.</b> Town revitalisation - Enhanced policies for heritage-led urban regeneration based on an understanding of their cultural layering/transmission of cultural significance/high quality adaptation, reuse and renewal of historic fabric and remaking of historic places.</p> <p><b>f.</b> The identification, reuse and repair of early urban buildings – raising awareness of the cultural significance of early building fabric as an integral part of historic urban centres and supporting the development of multi-disciplinary practice between archaeologist and conservation experts.</p> <p><b>g.</b> National Inventory of Architectural Heritage – Use building survey and garden survey to inform policy and planning.</p> <p><b>h.</b> Vernacular Architecture - address the incremental damage and cultural loss of settlements and their settings due to the lack of awareness, vacancy and demolition.</p> <p><b>i.</b> Tall or large buildings in historic urban centres – mitigation of negative impact on historic character areas and urban landscape in relation to large ground scrappers as well as tall buildings through the consideration of design criteria and guidance to safeguard the historic built heritage context.</p> <p>In the preparation of the local authority adaptation strategies, the department suggest there are a number of issues regarding protection of architectural heritage that it is recommended should be taken into account to identify the architectural heritage at risk in its area, to assess its vulnerability to climate change.</p> <p>It is recommended to:</p> <ul style="list-style-type: none"> <li>- Identify the architectural heritage which may be under threat, directly or indirectly, due to climate change.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>- Include objectives to carry out climate change risk assessments for the historic structures and sites in the local authority’s functional area particularly those in the authority’s own remit.</li> <li>- Include objectives to develop disaster risk reduction policies addressing direct and indirect risks to the architectural heritage in its area.</li> <li>- Include objectives to develop resilience and adaptation strategies for the architectural heritage in its area.</li> <li>- Develop the skills capacity to address adaptation/mitigation/emergency management issues affecting historic structures and sites in order to avoid inadvertent loss or damage in the course of climate change adaptation or mitigation works.</li> </ul> <p><b>The revitalisation of Historic Urban Centre – cities, towns and villages</b></p> <p>The submission states that the EU is posed to providing support to Member States with policies and funding being aligned to deliver the upgrade existing building stock as an integral part of climate change adaptation, town revitalisation and economic prosperity.</p> <p>The submission notes that the adoption of governance tools within Local Authorities such as the Health Check Programme, Conservation Plans for special sites, Living Town Initiatives and their respective setting up of one-stop –shops to promote and co-ordinate the planning and building regulatory aspects of urban regeneration is regarded as a positive and proactive means to enabling built heritage to be reused and adapted successfully, It is a planning model that may be applied to the various scales of urban settlement as necessary.</p> <p>The submission outlines various policy for consideration, as follows:</p> <ul style="list-style-type: none"> <li>• To consider concepts of historic urban landscapes as a collection of buildings at the various scales of settlement, the origins of Irish cities, towns and villages which give rise to their special characteristics. These include setting, topography and natural features. The conservation and reuse of early traditional structures, roofscapes of historic centres and the recognition of interrelationships between sites and landscape features in terms of the insertion of new buildings and managing their impact on the historic environment.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• To consider a Town Centre first approach to the revitalisation of historic urban centres, the appointment of a Local Authority multi-disciplinary team which communicates the historical, architectural context and focuses on the repair and upgrade of existing historic buildings and their adaptation to new uses with regard to their architectural character and significance.</li> <li>• To promote the development of heritage-led regeneration through the development of town plans, to plan for the reuse and conservation of core built heritage and archaeological sites within urban centres as an integral part of the evolution of the historic place and its significance.</li> <li>• To promote best conservation practice and to lead by example through the management and safeguarding of historic properties in the ownership of the Local Authority.</li> <li>• To support the development of sustainable infill to the town back lands that is appropriate in scale and character to that of the historic centre, that transitions and accommodates surviving structures and retains the historic streetscape form particularly within sensitive areas of built and archaeological importance. To ensure the strategic housing development support rather than detract from the vitality and overall character of historic town centres in terms of their scale, connection and mobility strategies.</li> <li>• To draw on the historic environment viewer, to compile core data information about the built and archaeological evolution of historic places to draw on the readily accessible resources such as historic mapping and databases, i.e. to inform future development strategies and progress based on an awareness of the cultural significance of a place.</li> <li>• To co-ordinate significant infrastructural projects such as public realm works, flood relief works or new transport routes and alternative modes of transport to the benefit of surviving historic sites in order to improve their enjoyment, presentation and enhanced accessibility. In this regard examples from European counterparts of the removal of traffic from urban centres and the resulting improvement in air quality which has been exemplified by the recent COVID-19 lockdown and the perceived enjoyment of urban living in Ireland is noted. These transitions support a return to sustainable and attractive urban living.</li> </ul> <p><b>Chief Executive's Response</b></p>

Sub. No.	Name	Summary of Submission
		<p>The comments from the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media are noted. Throughout the preparation of the draft Plan the Council was cognisant of the importance of the town's built heritage on the regeneration of Athy. The Council note the areas of interest that have been indicated as important for adaptation strategies for Kildare in terms of climate change and the protection of architectural heritage. However, this would be best placed as part of the review of the forthcoming Kildare County Development Plan 2023-2029, led by a newly appointed Conservation Officer, when the recruitment process has been finalised. Thereby, providing for a cohesive approach to built heritage at a county-wide level.</p> <p>The Council note the various policies for consideration detailed under the heading on Revitalisation of Historic Urban Centre. The draft Plan is supported by a Statement of Character for Athy's Architectural Conservation Area which considered the collection of buildings located within the ACA and provides guidance for their protection for property owners and historic properties in the ownership of the Local Authority. A town centre first approach is evident in the Urban Regeneration Framework located in Appendix 1 of the draft Plan, which aims to revitalise the town centre by identifying development opportunities and the transformation of the public realm. Heritage-led regeneration is instrumental to the town's rejuvenation Section 6.3 refers to the draft Plan's Economic Development Strategy, which adopts an asset-based approach to development within the town centre, which places particular emphasis on utilising the built heritage assets to develop its tourism and amenity infrastructure and enhance the overall visitor experience.</p> <p>The Council notes the Department policy to support infill development on backlands, Objective UCRO1.2 promotes new infill and backland development that consolidates and regenerates the existing urban core. The Council are not decision makers on strategic housing development however, it is hoped that the policies and objectives in place will ensure An Bord Pleanála permit developments which support rather than detract from the vitality and overall character of historic town centres in terms of their scale, connection and mobility strategies.</p> <p>In the preparation of the draft Plan the historic environment viewer was used, to compile core data information such as the Sites and Monuments Record. Map 3: Built and Natural Heritage identifies the sites</p>

Sub. No.	Name	Summary of Submission
		<p>within the Plan area that are included on the Sites and Monuments Record (SMR) and Table 8.2 lists all the relevant sites, and which has been reproduced in the draft Plan for information purposes only.</p> <p>The projects that have been identified in the draft Plan in terms of public realm works, flood relief works, and the proposed connectivity measures will be further assessed under the Part 8 process where applicable. During this process detailed design will be finalised and assessed against a range of criteria, in particular the impact on the surrounding built heritage.</p> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>

Table 3.1 (b)

Sub. No.	Name	Summary of Submission
1.	Environmental Protection Agency (EPA)	Prescribed body. Please refer to <b>Table 3.1 (a)</b> .
2.	Department of Environment, Climate and Communications (Waste Policy and Resource Efficiency Division)	Prescribed body. Please refer to <b>Table 3.1 (a)</b> .
3.	Cllr. Mark Leigh	<p>Submission by Cllr. Leigh concerns the lands at the back of Shanrath Estate (adjacent to the Showgrounds) that are being used for recreation and sports for the previous circa. 20 years. Notes that the land is in private ownership and it's being provided to local sports clubs on the good will of the landowner. States that he would like to see it being zoned recreational and amenity use instead of residential in order to secure the playing fields for future generations.</p> <p>Submission notes that there is a shortage of playing fields in Athy notwithstanding the promise of the 13-acre site at Andrew Meadows. States that this is an ideal opportunity to zone this area for recreational use because there will be a long term need for these pitches and also to provide for security of tenure for Athy Town FC and Athy GAA.</p> <p><b>Chief Executive's Response</b></p> <p>The submission and its request to zone the lands for '<i>leisure and amenity use</i>' is noted. Whilst the location of the lands adjacent to the Showgrounds training pitches (zoned F: Open Space and Amenity) and the present use of a portion of the lands for open space purposes is acknowledged, the council must have regard to other important considerations when proposing a zoning designation for such a strategically located site. In this regard, it should</p>

Sub. No.	Name	Summary of Submission
		<p>be noted that the lands in question are the location of an unfinished residential estate (Shanrath Rise) and is bound to the south and east by the Athy Distributor Road which (when complete) will incorporate high-quality pedestrian/cycle lanes between the site, the train station, the Barrow Blueway (under construction) and by extension the town centre. Also, of note is the site's proximity to such key facilities such as Athy Primary Care Centre and the Showgrounds' training pitches, located immediately to the north and west of the site respectively. Taking the above into consideration, along with the fact that the site is not affected by flood risk issues (see Draft LAP, Map 2 Strategic Flood Risk Map) demonstrates a strong rationale for keeping the lands zoned as B: Existing Residential/ Infill.</p> <p>It should be noted that according to the Draft Plan and its accompanying Social Infrastructure Audit that currently, Athy has an outdoor sports provision of 1.96 ha per 1,000 population which exceeds the benchmark FIT (Fields in Trust) standards used. Furthermore, it is noted that the draft Plan has identified a further 5 hectares of land under Kildare County Council ownership at Ardrew, which is to be developed as a '<i>sports training hub</i>' over the life of the plan and beyond (see objective OS1.4 and Section 11.2 of the Draft Plan). This is intended to cater for increased demand arising from the growth of the town targeted in the draft LAP.</p> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>
4.	<b>Inland Fisheries Ireland</b>	Prescribed body. Please refer to <b>Table 3.1 (a)</b> .
5.	<b>Linda Dempsey</b>	<p>Submission relates to a resident of Kingsgrove and expresses concerns regarding the proposed new entrance into the estate (Ref. WN9 in the draft Plan). States that the proposed entrance will lead to reduced safety and encourage more crime. Further states that the entrance will damage the existing residential amenity of the area by cutting across a green space which has been solely maintained by residents. Submission concludes by stating that if it goes ahead it would destroy the community spirit and morale of the residents in the area.</p> <p><b>Chief Executive's Response</b></p>

Sub. No.	Name	Summary of Submission
		<p>The resident's concerns in relation to proposed connectivity route WN9 in the draft Plan are acknowledged. With regard to accessing the lands proposed to be zoned 'C: New Residential,' it is considered that WN9 is of critical importance. It should be noted that neither the Draft LAP or the supporting Athy Area Based Transport Assessment (ABTA) have included any proposals/measures for new roads to be constructed between the residential estate of Kingsgrove and the undeveloped Chanterlands. It is further noted that any proposal to develop the Chanterlands will be assessed through a separate development management process in which residents and interested parties will have the statutory right to make submissions as part of such a process if and when such an application is submitted.</p> <p>It should be noted that WN9 is considered to represent a critical link in connecting the proposed new residential area of the Chanterlands (and by extension a large area of residential development to the south of the Athy Distributor Road) with the Train Station and the town centre beyond, via a safe and convenient walking/cycling route thereby providing a realistic alternative to the car for residents in the locality for short journeys to key destinations within the town.</p> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>
6.	Edwina O'Connor	<p>Submission concerns a resident of Kingsgrove, Athy who states that her family chose to live in this estate due to the fact that it offered them a safe and secure well-established residential area. The submission refers to the importance of the existing green spaces to the children of the area to play under supervision and notes that although the responsibility of Kildare County Council, the areas have been maintained by the residents of Kingsgrove and Graysland residents.</p> <p>States that the reason for the submission is to insist the estate of Kingsgrove and Graysland do not lose their green spaces due to potential new housing developments. Not against new housing developments but is against the lack of green spaces within housing estates, in both established housing estates and newly built ones. Refers to the '<i>newly developing Glebelands Estate</i>' which should never have received planning permission to have</p>

Sub. No.	Name	Summary of Submission
		<p>access through the subject estate which is over 40 years old. Restates the need to protect the existing green spaces within the estate that are potentially at risk because of future housing developments.</p> <p>Feels green spaces are crucial for residents' health and wellbeing in the estate. Would like to personally have a part in developing some of these green spaces into biodiversity rich areas in the future. States that every household should have minimum public green space available to them within their living area. Notes that Athy is a town where there is an opportunity to develop and assist nature and our wellness but <i>'instead we build upon them or drive through them'</i>. Notes that the Draft Athy Local Area Plan deals with carbon footprints, biodiversity, the environment and the fact that Athy has been designated as a 'Self-Sustaining Growth Town' and questions if the self-sustainable living of its citizens and residents has been considered.</p> <p>Is of the opinion that the future of Athy should be one of change, from an industrial town to become an eco-friendly town. States that biodiversity shouldn't be limited to the River Barrow and Grand Canal but should exist within each housing estate within the town. Notes that small green spaces within each estate can really play a key role in terms of environmental and health benefits that they can offer and with the right planning can become self-sustaining and more biodiverse with easier maintenance. References the Draft Plan which notes the large size of the population cohorts in the 0-14 and 25-44 age brackets and states that now is the perfect opportunity to instil a deep regard for nature, the environment and wellbeing in our children.</p> <p><b>Chief Executive's Response</b></p> <p>The concerns outlined in the submission are noted. With regard to the issue of designated open spaces within both the Kingsgrove and Graysland residential estates, the draft Plan does not contain any provisions to develop any existing designated green open spaces. With reference to the main green area of Kingsgrove/Graysland being designated as <i>'Open Space and Amenity'</i> it is noted that dwellings are not permitted under this land use (draft LAP, page 119; Table 11.5). On the issue of the smaller areas of open space, it should be noted that a land use zoning map associated with a Local Area Plan is a high-level indication of either:</p> <ol style="list-style-type: none"> <li>a) Land uses which are acceptable at a particular location.</li> <li>b) The established and/or predominant land use in an area.</li> </ol>

Sub. No.	Name	Summary of Submission
		<p>These designations are based on the consideration of a significant number of criteria and are not designed to be prescriptive to every site within a settlement. In this specific case, the open space areas referred to are conditioned by way of a statutory planning permission to be public open space associated with the permitted development.</p> <p>It should be noted that neither the Draft LAP or the supporting Athy Area Based Transport Assessment (ABTA) have included any proposals/measures for new roads to be constructed between the residential estate of Kingsgrove and the undeveloped Chanterlands site.</p> <p>The importance of retaining existing green open space for reasons relating to peoples' health and wellbeing and biodiversity is acknowledged by the Council and is a prominent feature of the draft Plan. In this regard, the plan is informed by a Habitats Survey of the town. The results of this survey and mapping exercise have underpinned the development of a Green Infrastructure Map for Athy (see draft Plan, Map 4). This identifies key green infrastructure routes and other important ecological features such as hedgerows and woodlands. This map is supported by objectives contained in the draft Plan which seek to secure their protection and enhancement over the lifetime of the LAP (see objectives GI1.1 – GI1.9, draft LAP, page 99).</p> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>
7.	<b>Office of Public Works (OPW)</b>	Prescribed body. Please refer to <b>Table 3.1 (a)</b> .
8.	<b>Meath County Council</b>	Prescribed body. Please refer to <b>Table 3.1 (a)</b> .
9.	<b>James and Mary Kelly</b>	Submission by David Mulcahy Consultants Ltd on behalf of James and Mary Kelly and relates to lands extending to circa 3.84 hectares and located on the Kilkenny Road, Woodstock South, Athy. States that under the Athy LAP 2012 – 2018 (Athy Town Development Plan 2012 - 2018) the subject lands are zoned 'I: Agricultural' and under the draft Athy LAP 2021-27 the lands are shown zoned 'I: Agricultural'. This submission wishes to forward the case the subject site should be zoned 'Q: Enterprise and Employment'.

Sub. No.	Name	Summary of Submission
		<p>The submission states the site meets the following criteria</p> <ul style="list-style-type: none"> <li>• The lands are serviceable,</li> <li>• There is excellent road, cycle and pedestrian network in the vicinity,</li> <li>• The absence of any built or natural heritage constraints</li> <li>• The proximity to an existing shop for employees.</li> </ul> <p>Submission refers to the recently opened Lidl distribution centre outside of Newbridge as an example of where such employment lands can attract premium employers to a town.</p> <p><b>Context</b></p> <ul style="list-style-type: none"> <li>• Notes site is a high profile greenfield site, containing telegraph poles and a hedgerow which has significant road frontage onto the N78 Kilkenny Road.</li> <li>• There is a stream running along the western boundary of the site flowing south to the River Barrow. The submission includes a number of images and maps relating to the subject site.</li> <li>• Notes the adjoining land uses and outlines the characteristics of Athy town as a commuter town and the clear need to reduce such trends by providing more employment opportunities in the town.</li> <li>• Notes sites location within the western edge of the town which is largely undeveloped to the north of the N78 road.</li> </ul> <p><b>Planning Context</b></p> <ul style="list-style-type: none"> <li>• The submission outlines the strengths of the town including: <ul style="list-style-type: none"> <li>○ Strategic and accessible location within the 'Hinterland' of the Dublin Metropolitan Area.</li> <li>○ A young demographic profile – with a vibrant and growing population.</li> </ul> </li> <li>• The weaknesses of the town and threats including: <ul style="list-style-type: none"> <li>○ A jobs ratio of less than 1:1 resulting in high levels of commuting to other centres of employment.</li> <li>○ Employment growth lagging behind population growth.</li> </ul> </li> <li>• The submission outlines how the National Planning Framework (NPF) sets out the development of a strong economy supported by enterprise, innovation and skills as a National Strategic Outcome that will depend on</li> </ul>

Sub. No.	Name	Summary of Submission
		<p>creating places that foster enterprise and innovation and attract investment and talent and states that this can be achieved by building regional economic drivers.</p> <ul style="list-style-type: none"> <li>• The Regional Spatial and Economic Strategy (RSES) expands on this aim by encouraging an asset-based approach to development and outlining various 'growth enablers' for the core region in which Athy is located.</li> <li>• Notes that Athy is identified as a Self-Sustaining Growth Town which facilitates regional scale employment development.</li> <li>• Submission refers to the provisions of the draft Plan relating to economic development.</li> <li>• Notes that there are no constraints relating to built or natural heritage within the subject site.</li> <li>• Refers to the western portion of the lands as being within Flood Risk Zones (A+B). In this regard it states that the SFRA is not clear on the root cause of this flood risk and that it could be relatively straight forward and something which could be resolved by a site-specific flood risk assessment.</li> <li>• Submission refers to provisions of the NPF, RSES and Kildare County Development Plan 2017 - 2023 (as varied) relating to economic development and employment generation.</li> </ul> <p>The submission outlines the following regarding a rationale for zoning</p> <ul style="list-style-type: none"> <li>• The majority of lands north of the N78 National Primary Road to the west of Athy are zoned for some type of employment related lands - Industrial/Warehousing.</li> <li>• The subject site has great road frontage making it an attractive and strategically located site for an employer to develop a new business.</li> </ul> <p>The submission states the following regarding flood risk</p> <ul style="list-style-type: none"> <li>• Acknowledges that the western portion of the site is shown in the Strategic Flood Map to be within Flood Risk Zones A (low) and B (medium).</li> <li>• This could be further investigated as part of a site-specific flood assessment with an application.</li> <li>• Approximately 6 acres / 2.4 hectares of the site is outside the flood risk area.</li> <li>• Notes that the site is located with the development boundary of the Draft Plan.</li> </ul>

Sub. No.	Name	Summary of Submission
		<p>The submission states the following regarding employment:</p> <ul style="list-style-type: none"> <li>• This site could supply the town of Athy with significant employment and help reduce the need for inhabitants to commute.</li> </ul> <p>The submission states the following regarding servicing</p> <ul style="list-style-type: none"> <li>• The subject site is within foul, storm sewer and water supply infrastructure (according to IW maps)</li> <li>• The site is very accessible with a notably good road network in the vicinity.</li> <li>• This site is within the 50kph speed limit along the N78. It will benefit from the development of the Southern Distributor Road.</li> <li>• The site has excellent pedestrian connections.</li> <li>• Subject site has no constraints relating to natural or built heritage, apart from a single hedgerow.</li> </ul> <p>Submission concludes by stating that given its characteristics (as noted above) the zoning of the site for 'Q: Enterprise and Employment' uses would make an attractive proposition for a high profile employer that could provide significant job opportunities for the town.</p> <p><b>Appendix A</b></p> <p>The submission includes an Appendix which contains three Irish Water Infrastructure Maps. These provide details on the location of the water and wastewater infrastructure network of the town in relation to the subject site.</p>

Sub. No.	Name	Summary of Submission
		 <p><b>Chief Executive's Response</b></p> <p>The content of the submission specifically requests a revised zoning on the subject lands. The submission highlights that the lands (ca. 3.84ha), which are the subject of this submission are located to the extreme west of Athy on the N78 and while they are currently zoned for Agricultural purposes in the Athy Town Development Plan 2012-2018, the submission includes justifications for the inclusion of the lands for Enterprise and Employment purposes (Q) in the Draft Local Area Plan.</p> <p>A key principle underpinning this Plan is the pursuit of sustainable economic development opportunities to provide for an increase in the number of jobs based in the town. For Athy to fulfil its designated role in the economic hierarchy of the county and become a more self-sustaining settlement, the town must aim to increase its jobs ratio over the longer term. Therefore, the Economic Development Strategy targets 1,330 extra jobs and a projected jobs ratio target of 0.70 for the town by 2027. The jobs ratio aligns with the 0.70 jobs ratio target for the county as outlined in the current County Development Plan. In line with the RSES, an asset-based approach to development was taken, where the town's social, economic and natural/built heritage capital are viewed as</p>

Sub. No.	Name	Summary of Submission
		<p>existing environmental resources. These assets, if fully utilised and subject to targeted investment, can sustainably support an increased level of residential population and employment activity, whilst also providing an enhanced level of social infrastructure, amenity, and design quality.</p> <p>Section 6.3.2 of the Draft Local Area Plan identifies that one of the key enablers in attracting potential investment to Athy will be the availability of appropriately zoned lands.</p> <p>Having regard to;</p> <ul style="list-style-type: none"> <li>(a) the quantum of lands built-out;</li> <li>(b) the level of occupancy as noted in Table 6.2;</li> <li>(c) the projected increase in employment of 1,330 persons to the end of the plan period in 2027; and</li> <li>(d) providing that all lands are developed for low-medium density type employment (40m<sup>2</sup> per employee),</li> </ul> <p>It is projected that Athy will require 53.2 hectares of undeveloped land to be zoned for employment purposes. This figure solely relates to lands zoned for employment such as industrial warehousing and commercial and does not consider potential job creation on other lands zoned for town centre, retail or leisure and amenity uses.</p> <p>Table 6.3 of the Draft LAP sets out the location of the employment lands and the opportunities and sectoral strengths associated therewith. The Draft LAP sets out that all employment generating activities in the town will be encouraged, the key areas of focus for development opportunities will be in the sectors of tourism, bloodstock, manufacturing, logistics, and food/beverage products. The Draft LAP further states that the envisaged level of employment along with the targeted jobs ratio of the town in 2027, outlined in the Economic Development Strategy for Athy will be achieved by (including but not limited to):</p> <ul style="list-style-type: none"> <li>• Providing the infrastructure and zoned land necessary to attract economic development. The plan has designated 15.2 ha of undeveloped land zoned for Q: Enterprise and Employment use and 37.1 ha undeveloped land for H: Industrial and Warehousing use.</li> <li>• Supporting the intensification, renewal and modernisation of existing industrial and business floorspace where this accords with the proper planning and sustainable development of the town.</li> </ul>

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		<ul style="list-style-type: none"> <li>• Ensuring new industrial or business floorspace will allow for future flexibility, including future subdivision and/or amalgamation to provide for a range of accommodation, particularly for small/medium businesses.</li> <li>• Capitalising on the development of new servicing infrastructure within the town such as the Athy Distributor Road.</li> <li>• Rejuvenating the town centre for the provision of retail and commercial functions as well as providing for alternative functions and activities.</li> </ul> <p>The Draft Local Area Plan for Athy designates sufficient lands for Enterprise and Employment at appropriate locations in the town to support the development of Athy as the enterprise and employment hub for south County Kildare, increases employment located within the town, reduces rates of commuting and ensures new employment development contributes towards reducing carbon output.</p> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>
10.	<b>James, Joseph and Michael Kelly</b>	<p>Submission by David Mulcahy Consultants Ltd on behalf of James, Joseph &amp; Michael Kelly and relates to lands extending to c. 9 hectares, located at Gallowshill, Athy. Submission states that under both the Athy TDP 2012-18 (Athy Town Development Plan 2012 - 2018) and draft Athy LAP 2021-27 the subject lands are not zoned. This submission wishes to put forward the case that the subject site should be zoned as 'Q: Enterprise and Employment'</p> <p>Submits to the Council that there is no high profile, undeveloped, Q- zoned site in the town with close proximity to the motorway network. States that this is considered to be a key requirement for large scale blue chip companies when looking at towns to locate to.</p> <p>Notes that the site meets the following criteria;</p> <ul style="list-style-type: none"> <li>• The lands are serviceable</li> <li>• There is an excellent road, cycle and pedestrian network in the vicinity</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• There is an absence of any built or natural heritage constraints, or flood risk</li> <li>• There is proximity to an existing shop for employees.</li> </ul> <p>The submission refers to the recently opened Lidl distribution centre outside of Newbridge as an example of where such employment lands can attract premium employers to a town and accordingly considers that a zoning designation of 'Q: Enterprise and Employment' accords with the proper planning and sustainable development of the area.</p> <ul style="list-style-type: none"> <li>• The submission provides details regarding the location and characteristics of the site noting its high profile within the eastern edge of the town where there is a notable absence of development, despite this area's strategic location in terms of access to the M9 motorway.</li> <li>• The submission notes the adjoining land uses consisting of agricultural uses and the R418 and N78 roads.</li> <li>• The submission includes a number of images and maps relating to the subject site.</li> <li>• Outlines the characteristics of Athy town as a commuter town and the clear need to reduce such trends by providing more employment opportunities in the town.</li> </ul> <p><b>Planning history</b></p> <ul style="list-style-type: none"> <li>• The subject site has no planning history. Permission was granted for a car showroom on lands to the west of the site in 2007 but this was never acted upon and has lapsed.</li> </ul> <p><b>Planning Context</b></p> <ul style="list-style-type: none"> <li>• The submission outlines the strengths of the town including: <ul style="list-style-type: none"> <li>○ Strategic and accessible location within the 'Hinterland' of the Dublin Metropolitan Area.</li> <li>○ A young demographic profile – with a vibrant and growing population.</li> </ul> </li> <li>• The weaknesses of the town and threats including: <ul style="list-style-type: none"> <li>○ A jobs ratio of less than 1:1 resulting in high levels of commuting to other centres of employment.</li> <li>○ Employment growth lagging behind population growth.</li> </ul> </li> <li>• The submission outlines how the National Planning Framework (NPF) sets out the development of a strong economy supported by enterprise, innovation and skills as a National Strategic Outcome that will depend on</li> </ul>

Sub. No.	Name	Summary of Submission
		<p>creating places that foster enterprise and innovation and attract investment and talent and states that this can be achieved by building regional economic drivers.</p> <ul style="list-style-type: none"> <li>• Notes that the Regional Spatial and Economic Strategy (RSES) expands on this aim by encouraging an asset-based approach to development and outlining various ‘growth enablers’ for the core region in which Athy is located.</li> <li>• Further notes that Athy is identified as a Self-Sustaining Growth Town which facilitates regional scale employment development.</li> <li>• Submission refers to the provisions of the draft Plan relating to economic development.</li> <li>• Notes that there are no constraints relating to built or natural heritage within the subject site.</li> <li>• Refers to specific policies in the NPF and RSES regarding economic growth and employment generation.</li> <li>• In relation to the County Development Plan (CDP) (as varied), the submission notes Athy’s designation as a Self-Sustaining Growth Town which requires a moderate level of jobs and services. Notes Policy ECD 5 of the CDP promotes and facilitates regional scale employment development in Athy.</li> </ul> <p>The submission outlines the following regarding the rationale for zoning the subject site as ‘Q: Enterprise and Employment’:</p> <ul style="list-style-type: none"> <li>• The Q zoned lands are primarily located on the west side of the town. Many of the sites zoned Q which have not been developed (15.2ha) are backland sites and do not have primary road frontage like the subject site.</li> <li>• It is submitted that there is no high-profile, undeveloped site in the town within close proximity to the motorway network. These are stated as key requirements for large scale, blue-chip companies such as the Lidl Distribution Centre at the edge of Newbridge.</li> <li>• States that the subject site would be a high-profile gateway site which would provide significant employment and reduce the need to commute further afield.</li> <li>• Notes that the development boundary of the town is already proposed to be altered under the draft Plan so it is not considered a fundamental issue if the site was to be included within the development boundary since it could have significant positive implications for the town in terms of employment opportunities if developed.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Notes the 'gateway location' of the subject site which is very accessible with a notably good road network in the vicinity.</li> <li>• States that the foul drainage network was brought to the roundabout and the water main extended to the Clanard Court Hotel in c. 2004.</li> <li>• States that the site is within the 50kph speed limit along the N78. It has excellent pedestrian and cycling infrastructure.</li> <li>• Reiterates that there are no built/natural heritage constraints or flood risk constraints on the site.</li> </ul> <p>Submission concludes by stating that the zoning of the subject lands as 'Q; Enterprise and Employment' would make the town an attractive proposition for a high-profile employer that could provide significant job opportunities within the town and that there is no other site that offers such a strategic location close to the motorway network.</p>  <p><b>Chief Executive's Response</b></p> <p>The content of the submission and specifically the request for a revised zoning on the subject lands are noted. The submission highlights that the lands (ca. 9ha), which are the subject of this submission are located to the extreme east of Athy between the N78 and R418 and are currently un-zoned. The submission includes</p>

Sub. No.	Name	Summary of Submission
		<p>justifications for why the lands should be included for Enterprise and Employment purposes (Q) in the Draft Local Area Plan and states that there is no high-profile, undeveloped, Q-zoned site in the town within close proximity to the motorway network and that these are key requirements for large-scale, blue-chip companies when looking at towns to relocate to.</p> <p>A key principle underpinning the Draft LAP is the pursuit of sustainable economic development opportunities to provide for an increase in the number of jobs based in the town. For Athy to fulfil its designated role in the economic hierarchy of the county and become a more self-sustaining settlement, the town must aim to increase its jobs ratio over the longer term. Therefore, the Economic Development Strategy targets 1,330 extra jobs and a projected jobs ratio target of 0.70 for the town by 2027. The jobs ratio aligns with the 0.70 jobs ratio target for the county as outlined in the current County Development Plan. In line with the RSES, an asset-based approach to development was taken where the town’s social, economic and natural/built heritage capital are viewed as existing environmental resources. These assets, if fully utilised and subject to targeted investment, can sustainably support an increased level of residential population and employment activity, whilst also providing an enhanced level of social infrastructure, amenity, and design quality.</p> <p>Section 6.3.2 of the Draft Local Area Plan identifies that one of the key enablers in attracting potential investment to Athy will be the availability of appropriately zoned lands.</p> <p>Having regard to;</p> <ul style="list-style-type: none"> <li>(a) the quantum of lands built-out;</li> <li>(b) the level of occupancy as noted in Table 6.2;</li> <li>(c) the projected increase in employment of 1,330 persons to the end of the plan period in 2027; and</li> <li>(d) providing that all lands are developed for low-medium density type employment (40m<sup>2</sup> per employee). It is projected that Athy will require 53.2 hectares of undeveloped land to be zoned for employment purposes. This figure solely relates to lands zoned for employment such as industrial warehousing and commercial and does not consider potential job creation on other lands zoned for town centre, retail or leisure and amenity uses.</li> </ul> <p>Table 6.3 of the Draft LAP sets out the location of the employment lands and the opportunities and sectoral strengths associated therewith. The Draft LAP sets out that all employment generating activities in the town will be encouraged, the key areas of focus for development opportunities will be in the sectors of tourism,</p>

Sub. No.	Name	Summary of Submission
		<p>bloodstock, manufacturing, logistics, and food/beverage products. The Draft LAP further states that the envisaged level of employment along with the targeted jobs ratio of the town in 2027, outlined in the Economic Development Strategy for Athy will be achieved by (including but not limited to):</p> <ul style="list-style-type: none"> <li>• Providing the infrastructure and zoned land necessary to attract economic development. The plan has designated 15.2 ha of undeveloped land zoned for Q: Enterprise and Employment use and 37.1 ha undeveloped land for H: Industrial and Warehousing use.</li> <li>• Supporting the intensification, renewal and modernisation of existing industrial and business floorspace where this accords with the proper planning and sustainable development of the town.</li> <li>• Ensuring new industrial or business floorspace will allow for future flexibility, including future subdivision and/or amalgamation to provide for a range of accommodation, particularly for small/medium businesses.</li> <li>• Capitalising on the development of new servicing infrastructure within the town such as the Athy Distributor Road.</li> <li>• Rejuvenating the town centre for the provision of retail and commercial functions as well as providing for alternative functions and activities.</li> </ul> <p>Of importance to note in this regard is the submission (and CE Response and Recommendation) from T.I.I (No. 18) which highlights that the LAP is required to address the safeguarding of the development and carrying capacity of the national road infrastructure along the existing N78 in accordance with the Section 28 Ministerial Guidelines 'Spatial Planning and National Roads Guidelines for Planning Authorities. This submission specifically addresses the lands to the east of the town regarding the potential impact of the lands when developed on the N78 road and in particular the junction of the N78 and R418 are noted.</p> <p>The Draft Local Area Plan for Athy designates sufficient lands for Enterprise and Employment at appropriate locations in the town to support the development of Athy as the enterprise and employment hub for south County Kildare, to increase employment located within the town, to reduce rates of commuting and ensure new employment development contributes towards reducing carbon output which does not affect the carrying capacity or undermine the integrity of the national road.</p>

Sub. No.	Name	Summary of Submission
		<p><b>Chief Executive's Recommendation</b> No change recommended.</p>
11.	Orchard County Residential Estates Ltd.	<p>The submission by Genesis Planning Consultants on behalf of their client relates to lands at Coneyboro, Carlow Road, Athy. The submission is composed of two parts, a cover letter and submission report (with accompanying 4 Appendices) outlining the position of Orchard County Residential Estates Ltd. on the draft LAP.</p> <p><b>Summary</b></p> <ul style="list-style-type: none"> <li>The submission contains a summary which outlines the key issues that will be raised (for the purposes of this report these are summarised below)</li> </ul> <p><b>Purpose and Background</b></p> <ul style="list-style-type: none"> <li>The submission notes the publication of the Draft Plan and states that Orchard County Residential Estates Ltd. is the owner of the subject lands who are currently preparing an application to constructed residential development on the site.</li> <li>The submission states that the analysis undertaken on the site on behalf of the client demonstrates that the lands are suitable for both residential development and as a healthcare/nursing home development. Submission also sets out it is appropriate for the LAP to provide a key site requirement under the zoning matrix for the lands to be also deliverable as a healthcare/ nursing home in the forthcoming Athy LAP 2021-2027.</li> <li>States that site extends to 4.37 ha and is located some 850 metres to the south of the town centre.</li> <li>Submission notes Athy's status as the principle commercial settlement of South Kildare, its location within the Eastern and Midlands Region, its distance from Dublin and its rapid growth over the past two decades</li> <li>Notes that despite its status as a commuter town it retains an important function as a local centre for jobs and services which extends into adjacent counties.</li> <li>Further notes its designation as a 'Self-Sustaining Growth Town' as defined by the Regional Spatial and Economic Strategy (RSES) which outlines the policy response of the local authority for such towns. In this regard, the submission notes that it is vital to provide for appropriate residential accommodation at the right location in the town.</li> </ul>

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		<ul style="list-style-type: none"> <li>• Submission describes the site context noting its long road frontage (Carlow Road) along its eastern boundary (providing direct access for pedestrian and vehicular traffic) and its distance (350 metres) from the new Athy Distributor Road (when opened).</li> <li>• Notes the proximity of the site to the designated sites of the River Barrow and Nore SAC and Ballyprior Grassland SAC. Further notes that the Barrow Navigation Canal and Barrow Track walking route is located along its western boundary.</li> <li>• States that under the Athy Town Development Plan (TDP) 2012-2018 the approx. 3.9 ha of the lands were zoned as 'C New Residential' with the remainder being zoned open space.</li> </ul> <p><b>Policy</b></p> <ul style="list-style-type: none"> <li>• The submission gives an overview of the national, regional and local planning policy context highlighting provisions relating to Athy and which it states supports the development of the subject site.</li> <li>• With regards to the National Planning Framework (NPF) the submission cites National Policy Objective (NPO) 3a, NPO 3c, NPO 4, NPO5, NPO6, NPO11, NPO13 and NPO 35.</li> <li>• Also notes the NPFs National Strategic Outcome in relation to Access to Quality Childcare, Education and Health Services.</li> <li>• With regard to the regional planning context (Residential) it notes the provisions of the RSES relating to Athy; its designation as a 'Self-Sustaining Growth Town'; its location on the Barrow Track (Greenway) and; its status the Retail Planning Hierarchy.</li> <li>• It further notes the various specific provisions of the RSES in relation to the delivery of residential development.</li> <li>• Refers to Regional Policy Objective (RPO) 3.3, RPO 4.78 and RPO 4.83.</li> <li>• With regard to regional policy (Nursing Homes and Healthcare), the submission refers to RPO 9.23 which supports the development of health infrastructure and facilities within appropriate urban areas in according with the RSES settlement strategy and the core strategies of development plans. In this regard the submission considers that the subject site to be such an appropriate site for a nursing home development.</li> <li>• Submission states that the Planning Authority, under the Planning and Development Act 2000 (as amended) is required to implement policy provisions of both the NPF and the RSES are to be incorporated into development plans, including those relating to the provision of health and nursing home infrastructure and</li> </ul>

Sub. No.	Name	Summary of Submission
		<p>in this regard it submits that draft settlement/zoning map as published for the LAP is not consistent with the aforementioned objectives of the RSES, where the proposed land use zoning map as per the draft LAP which fails to provide zoning or a key site requirement for a Nursing Home and additional Healthcare facilities in Athy.</p> <ul style="list-style-type: none"> <li>• A summary of the section reiterates the points outlined above and further notes that the subject lands are serviced; under the tiered approach set out in the NPF these lands are Tier 1 (serviced) and should therefore be prioritized under the development plan process.</li> <li>• Submission refers to the provisions of the Draft LAP regarding Athy’s designation as a ‘<i>Self-Sustaining Growth Town</i>’.</li> <li>• Notes that under the Athy Town Development Plan (TDP) (2012-2018) the lands were zoned ‘C New Residential’ with an element of ‘F Open Space and Amenity’ and that under the provisions of the Draft Athy Local Area Plan 2021-2027 the subject site is zoned ‘F Open Space’. In this regard the submission notes that the lands aside from a portion prone to flooding were deemed to be acceptable for development in the TDP and therefore should remain so under the draft Plan.</li> <li>• Refers to the provisions of the Core Strategy of the Kildare County Development Plan 2017-2023 (as varied) with regard to Athy.</li> <li>• Submission refers to the accompanying ‘Sustainability and Infrastructural Assessment’ (SPIA) of the Draft LAP, noting the lands are identified in this assessment as ‘site 6’. It notes that the Planning Authority has allocated a total score of 185 and determined that ‘no development’ is appropriate proposing a zoning determination of ‘rezone/agricultural/open space’.</li> <li>• States that this is wholly prejudicial and takes a ‘blanket approach’ to the entirety of the subject site. It reiterates that previous permission granted on the lands in 2008; the site was previously deemed appropriate for development in the 2012-2018 Athy LAP; can be regarded as ‘Tier 1’ serviced lands as defined under the NPF; direct connection can be made to the existing infrastructure along the site frontage.</li> <li>• Submits that the approach by the Planning Authority is not consistent with the methodology approach set out under the NPF for land use zoning which defines ‘Tier 1: Serviced Zoned Lands’. States that the Authority has therefore erred in its assessment of the lands under SPIA.</li> </ul>

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		<ul style="list-style-type: none"> <li>• The SPIA has concluded that the clients lands are inappropriate for development (refers to Appendix 2 of the submission which comprises of a report by MCD civil engineering consultants).</li> <li>• Further states the Planning Authority has formed a basis for '<i>pre-determination of the development plan</i>' and in particular land use zonings, without relevant land-owners who have site-specific engineering, architectural and planning expertise to demonstrate that lands are indeed appropriate for development and to be regarded as Tier 1. In this regard, the submission requests a review of the scoring matrix of the subject site on the basis of the above to conclude that it is appropriate for development. (Refers again to Appendix 2 of submission which is summarised below).</li> <li>• Notes that the Land Use Zoning Map (for the Draft Athy LAP 2021-2027) proposes to de-zone various parcels of land.</li> <li>• Submits that the Core Strategy allocation fails to provide adequate headroom and also fails to take account of the extremely low vacancy rate of residential units in Athy as it relies on the CSO figures from 2016 and therefore a more accurate housing needs and availability assessment is required by the Planning Authority to determine an accurate core strategy allocation.</li> <li>• Notes that 'Geodirectory Residential Issue' (June 2020) records County Kildare with a vacancy rate of 2.09% and that Athy was designated as a Rent Pressure Zone in 2020. States that market evidence shows a clear shortage of housing units which has not been factored into the core strategy and land use zonings for new residential in the draft Athy LAP. Refers to Appendix 3 of the submission (which is summarised below)</li> <li>• States that the LAP is out of date and inaccurate when Section 3.3.2 notes that '<i>The dynamics of the housing and rental market in Athy have altered greatly over the past number of years. Figures from the 2016 census recorded a residential vacancy level of 12.5% (1 in 8 properties) and recorded only 34 residential units being constructed in the town between 2011 and 2016.</i>'</li> <li>• Submits the core strategy and market evidence relied on by the core strategy housing allocation is completely out-dated and fails to zone adequate lands for new residential in Athy.</li> <li>• Highlights Section 28 guidelines on 'Housing Supply Target Methodology for Development Planning' (December 2020) and the accompanying circular. Notes that Para 1.5 states that each Planning Authority will be required to undertake a Housing Need Demand Assessment as part of its housing strategy. In this regard, it is stated that the approach incorporated into the core strategy to date is therefore based on out-of-date</li> </ul>

Sub. No.	Name	Summary of Submission
		<p>evidence, provides no detail on occupancy/vacancy/availability of units in Athy and is not consistent with the requirements of either objectives 36, 37 or 72A of the NPF or the recently published Section 28 guidelines.</p> <p><b>Delivery of Lands for Residential and Local Context</b></p> <ul style="list-style-type: none"> <li>• Submission reiterates attributes of the subject site noting, its size, character, context and the extent of flood risk. Notes that it is located just south of the town centre and therefore should be considered as infill and sequentially appropriate for development.</li> <li>• Highlights the attributes of the site in terms of connectivity including; distance from the train station (1 km); extent of train/bus services; the adjoining R417 regional road to Carlow and; it's distance from the future Athy Distributor Road (350 metres) and the adjacent Barrow Way walking route to the west of the site.</li> <li>• The submission refers to the merits of the sequential approach in land use planning and the attributes of the site in this regard reiterating the points made above, noting that the site is directly accessible from the existing road infrastructure, is serviced, available for development, included within the settlement boundary of Athy, currently zoned for residential use (as well as open space).</li> <li>• Notes again that the lands immediately east (Coneyboro) are already developed for residential use and further removed from the town centre and that the development of the land is therefore appropriate for development rather than other lands being developed first which are further removed from the centre than the subject site. States that under its own assessment (Appendix 2 of the submission) the subject site is to be regarded as being the 3<sup>rd</sup> most appropriate site for 'new residential' in Athy Town.</li> <li>• Notes the rapid population growth in Athy between 1996-2016 (84.2%) and states that the slowdown in growth between 2011-2016 should not be considered as suitable for zoning/housing allocations, given the distortion created by a lack of residential development associated with the recession.</li> <li>• Notes the growth of Kildare's housing market due to the natural population growth of the county and its location within the Dublin commuter belt. Submits that Kildare is more affordable than Dublin, has created significant upward pressures in house prices in Athy which has grown by 78% since 2012.</li> <li>• Provides a series of data and statistics regarding housing affordability in Athy vis á vis Dublin.</li> <li>• Notes that only 172 residential units have been constructed between 2017(Q1) - 2020(Q3) in the Athy Eircode area (Eircode R14). States that given the preference of planning policy at all levels for urban living this low rate of residential construction needs to be addressed.</li> </ul>

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		<ul style="list-style-type: none"> <li>• Provides figures regarding the vacancy rate. Notes that the county rate in 2016 is extremely constrained and has reduced further over the intervening period. Reiterates that the vacancy rate in Kildare has dropped to an extremely low rate of 2% as of Q2 2020.</li> <li>• Refers to the low percentage of apartments (5.9%) of the housing mix within the county and states that there is a clear need for more residential units to be provided to accommodate the growth population of the county in towns like Athy, particularly for apartments.</li> <li>• Submission has conducted a review of the lands designated for new residential in the draft Athy Local Area Plan for the period 2021-2027. States that from its analysis the total area zoned in the draft Athy LAP 2021-2027 is approximately 16.3Ha. At an average density of 32 units per hectare, this equates to the land equivalent of a potential 522 new dwellings under zoning allocations for New Residential.</li> <li>• Notes that the projected population growth for the settlement of Athy to the year 2027 is 11,837 people (as per the draft Athy LAP) – representing an increase in population of 2,160 (22%) from the 2016 census (9,677).</li> <li>• States that an average of dwelling size of 2.7 persons, the projected number of new dwellings required to accommodate this growth is an estimated 800 units and notes this is before external demand exerted on the Athy housing market due to its proximity to Dublin and rural housing policy now being restricted under NPF objective 19.</li> <li>• Submits that the Athy LAP therefore has to better provide for new residential development as given past population growth the housing market in Athy will only experience further acute pressure. Accordingly, the submission states that it is simply not good planning to unsustainably de-zone lands (the subject site Tier 1 lands) in urban areas and at the same time seeking to achieve NPF objectives.</li> <li>• Reiterates the proximity of the Athy Distributor Road to the subject site and reiterates its contention that the SPIA for the plan is incorrect, inaccurate and prejudicial. In particular it states that the SPIA scores the subject site as '32', under roads and transportation the submission states is inaccurate and prejudicial (refers again to Appendix 2 of the submission – which is summarised below).</li> <li>• Provides a planning history of the site, as follows: <ul style="list-style-type: none"> <li>○ <b>05/300072:</b> Permission granted for a residential development on the site comprising 67 dwelling units.</li> </ul> </li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>○ <b>07/300027:</b> Permission granted for variations to previously approved planning app. ref. 05/300072. Variation included 5 additional units.</li> <li>○ <b>08/300040:</b> Permission granted for the construction of 88 units.</li> <li>○ <b>20/570:</b> Permission refused for the construction of a residential development comprising 98 No. residential units with an ancillary crèche.</li> </ul> <ul style="list-style-type: none"> <li>● Provides details of the 2008 scheme including the Local Authorities assessment of the site.</li> <li>● Outlines the details of a proposed phased development scheme for the site in keeping with it being a 'Tier 1 serviced site in a suburban location'. Notes the attributes of the site included buffer zones etc.</li> </ul> <p><b>Delivery of Lands for Nursing Home and Healthcare Facility</b></p> <ul style="list-style-type: none"> <li>● Requests that in addition to a residential scheme the subject lands are ideally located to accommodate a nursing home/healthcare facility</li> <li>● Notes the aging population profile of Co. Kildare with the 4<sup>th</sup> fastest population in the 65+ age cohort and states that the demand for such a facility in South Kildare is well-established.</li> <li>● Refers to research that has been carried out in support of this submission regarding supply and vacancy levels in existing nursing homes within the surrounding area. This research identifies that there are very limited vacancies and a severe supply shortage in terms of nursing home provision. <ul style="list-style-type: none"> <li>○ Notes that Cloverlodge Nursing Home, which has a capacity of only 60 bed spaces in total, is the only facility within Athy, the only facility within a 13km radius of Athy and the only facility south of Suncroft in county Kildare (submission includes a map of nursing home facilities in the county).</li> <li>○ Notes that the need for such facilities is consistent with various reports including the DKM Report entitled 'Potential Measures to Encourage Provision of Nursing Home &amp; Community Nursing Unit Facilities Final Report to Department of Health' commissioned by the Department of Health.</li> <li>○ Refers to context of the DKM report in relation the aging population and increased demand for both short and long term care facilities for older people. Notes that the report highlights the gap in provision which will grow over the coming years.</li> <li>○ Submission highlights the importance of the draft LAP identifying sites such as the subject lands for essential community infrastructure.</li> </ul> </li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>○ Notes a further report by BDO – “Health’s Ageing Crisis: Time for Action – A Future Strategy for Ireland’s Long Term Residential Care Sector” which similar to the DKM report identifies that the provision of residential care for our ageing population is rapidly heading for crisis.</li> <li>○ BDO report notes that encouraging and supporting the private and voluntary sector to develop the nursing home beds now required to meet current and future old person care needs.</li> <li>○ Restates request that the draft LAP also incorporates a key site requirement/zoning matrix option to also provide for ‘CI - Community Infrastructure’ which would enable development of the subject lands for healthcare/nursing home going forward.</li> <li>○ Also noted is the HSE ‘Service Plan 2019’ which states that the greatest change in population structure over the last ten years is the growth in both the proportion and the number of people aged 65 years and over and the continuance of this growth into the future.</li> <li>○ Submission states intention to work with the Department of Health to implement the recommendations of Sláinte Care, in the areas of integration of services across hospital and community services.</li> </ul> <ul style="list-style-type: none"> <li>● Outlines a summary of the above noting; the ageing profile of the county; the limit vacancies and severe supply shortage; the waiting list for admission to Cloverlodge Nursing Home in Athy and; the various reports/research examining the future needs of the sector.</li> <li>● The submission includes information from the Central Statistics Office (CSO) illustrating an overview of the demographics of the state in the 2016 which details the increase in the 65+ age cohort and noting again the fact that Co. Kildare is one of the fastest aging counties in the state.</li> <li>● States that the large and growing population in the 65+ age cohort is reflective of a well-established mature population and demonstrates that there is a strong natural demand for a nursing home/health care facility.</li> </ul> <p><b>Recommended Zoning and Objectives</b></p> <ul style="list-style-type: none"> <li>● Reiterates the proposed zoning of the site under the Draft Athy Local Area Plan 2021 – 2027 and restates that such a zoning is inappropriate for the site</li> <li>● Recommends that the Planning Authority zone the majority of the lands as ‘C New Residential’ with only a small portion of the site which is subject to flood risk (located to the southwest of the site) zoned as Open Space as per the provisions of the previous plan.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Reiterates the suitability of the site for residential development and requests that the Land Use Matrix of the Plan be amended to enable the provision for nursing homes/healthcare facilities to be accommodated on such residential zoned lands.</li> <li>• Regarding the zoning context, the submission highlights the various attributes of the subject site as stated above.</li> </ul> <p><b>Concluding Statement and Appendices (1-4)</b></p> <ul style="list-style-type: none"> <li>• The submission makes a concluding statement reiterating its request that the Planning Authority designate the subject site as outlined in this submission as suitable for zoning 'C: New Residential' to incorporate a residential scheme, only designate the portion of lands which are at risk of flooding as per the previous Athy Area Plan 2012-2018 and incorporate locational policies and zoning objectives under the land use zoning matrix within the draft LAP to enable provision for nursing homes/healthcare facilities to be accommodated on such residential zoned lands.</li> <li>• Reiterates arguments (as outlined above) regarding the; planning policy context; site context; strategic location; suitability of site for development; need for Nursing Home/Healthcare facilities within the town; incorrect assessment contained in the SPIA; out of date core strategy and the lack of an overarching HNDA.</li> <li>• Notes that the SEA accompanying the draft LAP is in that the environmental baseline in referring to the subject lands states: 'if developed, it is considered that this site would, if unmitigated, have a significant adverse impact on the adjoining SAC.' Submits this assessment in the SEA fails to recognise the baseline environmental status as established under the SEA as part of the 2012 Athy LAP (Town Development Plan), and also fails to take into account the site specific ecology and NIS reports which accompanied application 20/570. Article 5 of the EU SEA Directive has therefore not been complied with, and Article 12 (1a &amp; c) and (2 a) and requirements of schedule 2 (f) and (h) of SI no. 435 of 2004 are therefore not complied with. States that these requirements are not incorporated into the SEA and therefore the draft LAP does not comply with the relevant SEA requirements.</li> <li>• States that the Strategic Flood Risk Assessment (SFRA) carried out as part of the draft LAP incorrectly takes the approach that the entirety of the subject lands are to be zoned as open space, even though CFRAM flood risk maps only identify a portion of lands along the Barrow Way as being at risk of flooding. States that the subject lands are sequentially appropriate, and Tier 1 as defined under the NPF the development plan</li> </ul>

Sub. No.	Name	Summary of Submission
		<p>justification test carried out as part of the SFRA is therefore not consistent with the Section 28 guidelines on Flood Risk Management. The submission refers to the SSFRA (Appendix 4 of the submission [Site Specific Flood Risk Assessment]) which accompanied application 20/570 which demonstrates the extent of flood risk to the subject lands. Notes that the basis that the site-specific flood risk assessment is more accurate than both the CFRAM maps and the Strategic Flood Risk Assessment which accompanies the draft Athy LAP. This greater accuracy of the SSFRA is established on the basis of specific hydraulic modelling carried out for the subject lands.</p> <ul style="list-style-type: none"> <li>• Reiterates the previously noted attributes and merits of the site and the inconsistencies of the zoning with planning policy</li> </ul> <p><b>Appendix 1: A.1 A Tiered Approach to Zoning</b></p> <ul style="list-style-type: none"> <li>• Submission includes an extract of the NPF (Appendix 3, page 175 of the document) which outlines the methodology for a tiered approach to zoning.</li> </ul> <p><b>Appendix 2: A.2 Sustainable Planning and Infrastructural Assessment (SPIA)</b></p> <ul style="list-style-type: none"> <li>• This appendix illustrates extracts from the SPIA prepared by the Council to inform the Draft Athy LAP. This SPIA noted the subject site as being part of Site Ref 6: Site between the River Barrow and Coneyboro. The submission notes that in the scoring matrix of the SPIA the site has been ranked 12<sup>th</sup>.</li> <li>• The Appendix includes an alternative SPIA conducted by MCD Civil Engineering Consultants which assesses the serviceability of the site in terms of; Roads &amp; Transportation; Water Supply; Wastewater; Drainage, SuDs Requirements and Flood Risk; Parks Recreation and Amenity Enhancement and Social Infrastructure. This alternative SPIA ranks the site as 3<sup>rd</sup> and therefore should be categorised 'Tier - 1 Serviced Lands'</li> <li>• Submission notes that the SPIA contains no information as to how specific sites considered were identified, selected or rejected, having regard to the factors to be considered in determining zoning set out within the Section 28 guidelines 'Development Plans: Guidelines for Planning Authorities (2007) or the sequential approach to zoning.</li> <li>• Further notes that the published draft Plan documents contain no information in respect of the availability of sites or any information in relation to the commercial viability of respective sites. States that there is no evidence-based data for the Planning Authority to conclude as per the SPIA that certain sites are most suitable, available or in fact capable of delivering the requisite number of dwellings during the plan period.</li> </ul>

Sub. No.	Name	Summary of Submission
		<p><b>Appendix 3: A.3 Geoview Residential Buildings Report (Q2 2020)</b></p> <ul style="list-style-type: none"> <li>• Submission includes this biannual report on the stock of residential properties in Ireland which it states is based on GeoDirectory's comprehensive database of over 2 million residential building records and provides a unique and up-to-date analysis of the Irish housing market.</li> <li>• The report contains a range of statistics on the housing market in the state including figures on the additions of residential units to the database by county, analysis of residential construction by county, composition of housing stock and analysis of residential property transactions over the previous 12 months to May 2020. This report is used to support the points made in the main body of the submission as summarised above.</li> </ul> <p><b>Appendix 4: A.4 Site Specific Flood Risk Assessment for the Proposed Development Site at Coneyboro, Athy</b></p> <ul style="list-style-type: none"> <li>• The submission includes a detailed Site Specific Flood Risk Assessment (SSFRA) for a proposed residential development (consisting of 98 residential units and a creche) carried out by IE Consulting (dated 28 May 2020) in accordance with the Planning System and Flood Risk Management Guidelines (2009). It is noted that this was submitted to support the application made under Plan Ref. 20570.</li> <li>• The SSFRA states that the primary flood risk to the proposed development can be attributed to a fluvial flood level in the River Barrow and Barrow Navigation running along the site (western boundary). It is submitted that the site is not at risk of primary or direct pluvial, coastal or groundwater flooding. The flooding analysis indicates that a limited portion of the proposed development site falls into the delineated 1 in 100 year (1% AEP, Flood Zone 'A') and a 1 in 1000 year (0.1% AEP Flood Zone 'B') fluvial flood zone and subject to the requirements of the 'Justification Test' as per the requirements of the Flood Risk Guidelines.</li> <li>• It notes that the majority of the site is located within Flood Zone 'C'.</li> <li>• It is stated that flood storage compensation will be provided to account for flood waters that may be displaced as a result of raising the grounds in the western area of the proposed development site above the 1 in 1000 year flood level (in relation to the application for development submitted under Plan Ref: 20570).</li> <li>• The SSFRA concludes that it is not expected to result in an adverse impact on the hydrological regime of the area or to increase flood risk elsewhere and is therefore considered to be appropriate from a flood risk perspective.</li> </ul> <p><b>Appendix A to the SSFRA</b></p>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>This includes Drawing Number IE1930-001-A which shows the location of the site within the town of Athy and hinterland area and Drawing Number IE1930-002-A which illustrates the location of flooding extents (both Flood Zone A (1 in a 100 year event) and Flood Zone B (1 in a 1,000 year event) in relation to the layout of the proposed development on the subject site.</li> </ul> <p><b>Appendix B to the SSFRA</b></p> <ul style="list-style-type: none"> <li>Includes the following CFRAM Maps illustrating the flood risk identified on the subject site and the surrounding area:                             <ul style="list-style-type: none"> <li>o14ATY_EXFCD_F0_08</li> <li>o14ATY_EXFCD_F0_10</li> </ul> </li> </ul> <p><b>Appendix C to the SSFRA</b></p> <ul style="list-style-type: none"> <li>Comprises a map indicating the location of proposed storage tanks within a proposed development scheme for the subject site.</li> </ul>  <p><b>Chief Executive's Response</b></p>

Sub. No.	Name	Summary of Submission
		<p>The submission by Orchard County Residential Estates Ltd. (including the cover letter and submission report with its 4 no. appendices) relating to lands at Coneyboro, Carlow Road, Athy is noted. The request to zone the majority of the lands as 'C New Residential' with only a small portion of the site which is subject to flood risk (located to the southwest of the site) zoned as Open Space as per the provisions of the previous Town Development Plan (TDP), and the request that the land use matrix be amended to enable the provision for nursing homes/healthcare facilities to be accommodated on such residential zoned lands is also noted.</p> <p>The sections of the submission related to the locational attributes and characteristics of the site and the national, regional and local planning context are noted. The submission outlines a series of statements regarding the proposed zoning designations of the subject site in the draft LAP. The various arguments outlined regarding the sites suitability are acknowledged and in this regard the response set out below will address the various points raised.</p> <p><b>Request to Retain the Zoning of the Subject Site as per the Provisions of the Athy Town Development Plan (2012-2018)</b></p> <p>In relation to the proposed zoning designation on the lands, the Council does not accept the argument that the draft Plan is prejudicial regarding the subject site and that it forms the basis for '<i>pre-determination of the development plan</i>' and in particular land use zonings. In preparing the Draft Athy LAP <u>all lands</u> that were previously zoned in the Athy Town Development Plan (2012-2018) were taken into consideration. While it is acknowledged that the majority of the subject site was zoned for residential development in the last plan, it is noted that zoning proposals are not made within a policy vacuum. In this regard, there have been significant changes in national and regional policy since 2012. Such changes relate to the increasing emphasis on evidence-based planning, the increasing need for environmental protection, and the requirement to integrate climate action considerations into land use policy have together played a fundamental role to propose the subject site be zoned F: Open Space and Amenity.</p> <p>In order to assess the suitability of particular lands in Athy for future development and the potential timeline for such lands to be brought forward a Strategic Planning and Infrastructural Assessment (SPIA) was prepared to</p>

Sub. No.	Name	Summary of Submission
		<p>provide an evidence-based assessment to inform the future development strategy for Athy (as per the Methodology outlined in Appendix 3 of the NPF).</p> <p>The principles underlying the SPIA approach are as follows:</p> <ul style="list-style-type: none"> <li>• National/Regional/Local Policy Context (i.e. the NPF, RSES, County core strategy)</li> <li>• Section 28 Ministerial Guidelines</li> <li>• Flood Risk data</li> <li>• Compact Growth/Sequential approach</li> <li>• Physical suitability i.e. landscape and environmental features/constraints</li> <li>• Supporting infrastructure (social, community and commercial, both existing and planned)</li> <li>• Water, drainage and road infrastructure (existing and planned)</li> </ul> <p>Through the preparation of the SPIA a review of lands currently zoned new residential within the Athy Town Development Plan was carried out. A range of potential sites were identified which were further examined in terms of their suitability for zoning. Following a comprehensive assessment of these sites, a site categorisation chart (Table 5 and Figure 3) of the SPIA (published with the draft LAP) was prepared which ranks each of the sites within the plan area in terms of their suitability for development (criteria for assessment and scoring set out in Section 5 of the SPIA). Whilst various sites may present well in terms of location/proximity to town centre or other services, many were identified as having infrastructural and more significantly environmental constraints such as uncertainty around flood risk and subsequent displacement proximity to Natura 2000 sites (SAC/SPA) which would/could not be addressed in the short term.</p> <p>Following the completion of the SPIA a number of sites were identified as suitable for development within the lifetime of this LAP where housing could be achieved at locations which were considered suitable in terms of the various considerations outlined above. As has been noted previously in this report, the overall development strategy is informed by a Strategic Flood Risk Assessment, Habitats Survey and Mapping Exercise (the output of which is Map 4: Green Infrastructure Map) in addition to various other assessments and whilst based on the principles of compact growth and the sequential development of settlements as outlined in strategic planning</p>

Sub. No.	Name	Summary of Submission
		<p>policy documents such as NFP and RSES the cumulative assessment of all of these factors provide a comprehensive basis for the proposed land use zonings. It should also be noted that in its submission to the draft Plan, the Office of the Planning Regulator expressed no concerns regarding the overall development strategy for the town with no specific requests around any of the proposed zonings.</p> <p>In relation to the Strategic Environmental Assessment (SEA) and the contention of the submission that it is flawed in that the environmental baseline which refers to the subject lands states: 'if developed, it is considered that this site would, if unmitigated, have a significant adverse impact on the adjoining SAC, it should be noted that this statement is correct. In this regard, it is noted that this statement is not included in the baseline section of the SEA ER (Section 4) but in one of the sections on alternatives (Section 6).</p> <p>With regards to the contention that the assessment in the SEA <i>'fails to recognise the baseline environmental status as established under the SEA as part of the 2012 Athy LAP, and also fails to take into account the site specific ecology and NIS reports which accompanied application 20/570. Article 5 of the EU SEA Directive has therefore not been complied with, and Article 12 (1a &amp; c) and (2 a) and requirements of schedule 2 (f) and (h) of SI no. 435 of 2004 are therefore not complied with,'</i> it is noted that the submission wrongly refers to Statutory Instrument Number 435 of 2004, which primarily provides SEA requirements for non-land use sector plans. The SEA for the draft Plan has been undertaken in compliance with the SEA Directive and Statutory Instrument Number 436 of 2004, as amended, which provides SEA requirements for land use sector plans including Local Area Plans. As required by the SEA Directive, the SEA Environmental Report contains information on the relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the Plan. Please refer to Table 3.1 <i>"Checklist of Information included in this Environmental Report"</i> in the SEA Environmental Report.</p> <p>Furthermore, and in relation to the paragraph above, the submission contends that 'as these requirements are not incorporated into the SEA we consider the draft Plan as published therefore does not comply with the relevant SEA requirements'. In this regard, it is reiterated that the SEA Environmental Report has been prepared in compliance with the SEA Directive and Statutory Instrument Number 436 of 2004, as amended. The report takes into account, inter alia, the current policy context including the provisions of the National Planning</p>

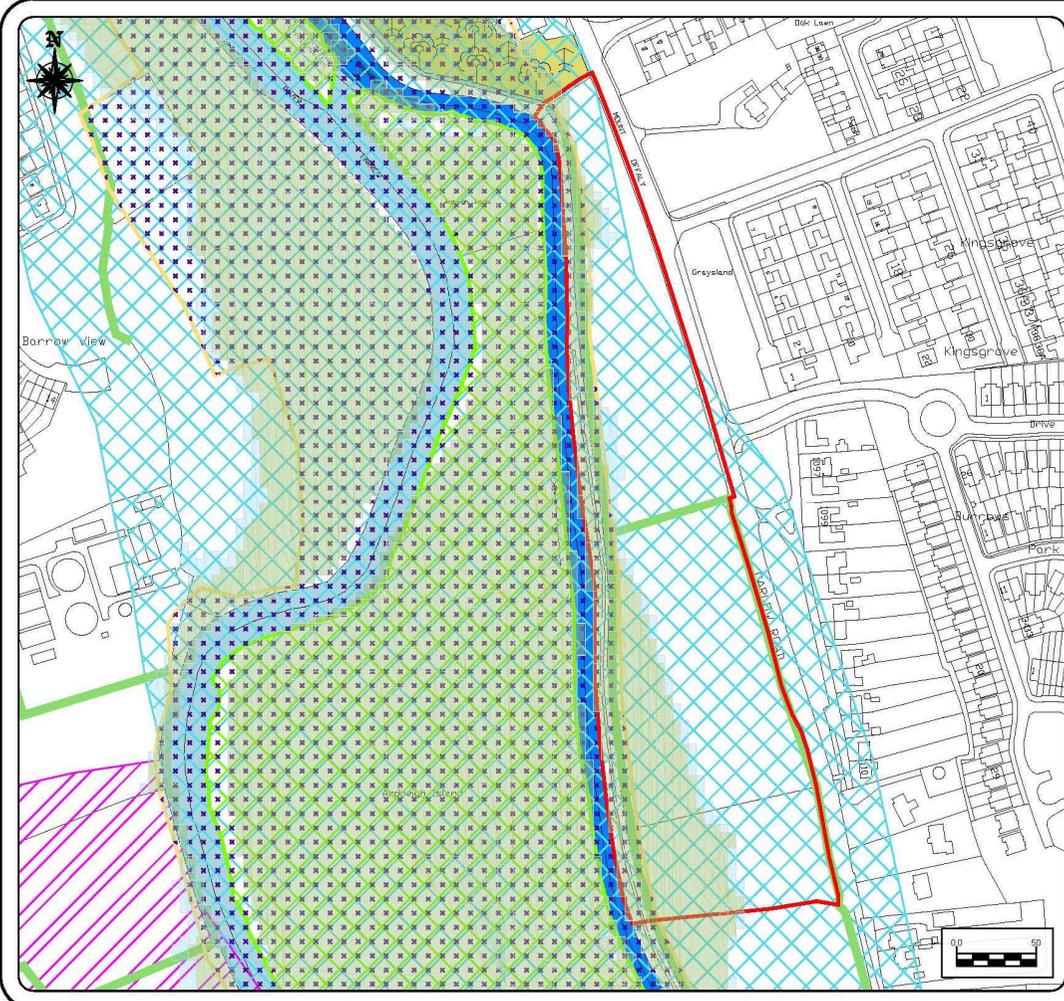
Sub. No.	Name	Summary of Submission
		<p>Framework, the Regional Spatial and Economic Strategy and various objectives relating to compact growth and climate mitigation. In this regard, it should be noted that the 2012 SEA Environmental Report (accompanying the Athy Town Development Plan 2012 – 2018) was prepared taking into account the policy context in force at that time, which did not include the National Planning Framework, the Regional Spatial and Economic Strategy and certain objectives relating to compact growth and climate mitigation.</p> <p>With regard to the issue of flooding, it is noted a southern portion of the site lies within both Flood Zones A and B of the River Barrow. The land also lies within areas of potential for increased flood risk due to climate change. KCC reviewed the existing zoning against all the available flood information, followed the sequential approach and to ensure that no inappropriate development was carried out in this area, the entire lands were rezoned to water compatible open space. Overall, it is considered that the level of uncertainty regarding the potential for flooding on the site is too high to deem it appropriate for it to be zoned for residential development, a vulnerable use.</p> <p>The contention that the majority of the lands were considered suitable and zoned for new residential under the Athy Town Development Plan (2012 - 2018) should remain so under the draft Athy Local Area Plan is not accepted. Sections 10(8) and 19(6) of the Planning and Development Act 2000 (as amended) provides that there shall be no presumption in law that any land zoned shall remain so zoned in any subsequent plan. The Athy Town Development Plan (2012 – 2018) was prepared in the context of a very different planning framework. The NPF is a long-term Framework that sets out how Ireland can move away from the current, ‘business as usual’ pattern of development and activating approaches to achieve effective density and consolidation, rather than more sprawl of urban development, is a top priority.</p> <p>Furthermore, it is noted that a proposed development on the lands for 98 residential units and a creche was refused permission in 2020 (Plan Ref. 20/570) under the provisions of the Athy Town Development Plan (2012 - 2018). The reasons for the refusal included; the development of the site not complying with the principles of sequential development; the visually sensitive location of the lands (with step gradients and green infrastructure</p>

Sub. No.	Name	Summary of Submission
		<p>present); concerns over flood risk and; the potential impact on the R417 due to the level of vehicular traffic that would be generated from the proposed development.</p> <p>The submission's assertions regarding the core strategy are not accepted. On the issue of inadequate headroom, it is noted that the current core strategy, as set out in the Kildare County Development Plan is the result of a statutory (Variation No. 1) which was adopted by the Council on 9<sup>th</sup> of June 2020. The figures contained in this varied core strategy have been taken from the National Planning Framework Implementation Roadmap (July 2018) which was issued to all Local Authorities by the Government. It is acknowledged that 50% headroom was previously provided for in the Section 28 Guidelines on Development Plans (2007). It should be noted at this stage that the NPF roadmap is explicit in relation to the universal application of 'headroom' and states that scope for up to 25% may be considered to 2026 in counties where projected population growth is above the national average. Kildare is identified as being one of those counties where headroom of up to 25% is allowable, for the purposes of transitioning to the revised targets. This is further clarified in the RSES which states <i>'this may be supplemented by additional 25% headroom, applicable in the local authority areas that are projected to grow at or above the national average growth figure (page 5 of the NPF Roadmap). This further headroom may be applied regionally and locally, at RSES and city and county development plan stage.'</i> In this regard, in accordance with the NPF (its Roadmap) and the RSES the 25% headroom was applied in the revised core strategy calculations set out in Variation No. 1 of the Kildare County Development Plan 2017-2023, Table 2.4 specifically references same.</p> <p>The publication of guidelines for Housing Supply Target Methodology for Development Planning' (December 2020) pursuant to Section 28 of the Planning and Development Act, 2000 (as amended) 'are noted. While these guidelines provide further clarification around the NPF Implementation Roadmap population projections, they do not supersede the NPF and RSES, they simply apply these figures to housing delivery targets to provide a uniform methodology to core strategy formulation across all plan making functions. Variation No.1 of the Kildare County Development Plan 2017-2023 aligns the CDP with the NPF and RSES. In this regard, the submission from the Office of the Planning Regulator (OPR) to the draft Plan 'concludes that no recommendations are warranted</p>

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		<p>since the local area plan is generally consistent with the RSES, current development plan and relevant Section 28 guidelines' (see Submission No. 56).</p> <p>The need to carry out a Housing Needs Demand Assessment (HNDA) in Kildare in order to fulfil the requirements of NPO 37 is acknowledged. However, the HNDA is a county wide process related to the local authority's overall housing need that will be required to address and satisfy future demands. The Kildare HNDA will therefore be carried out during the review of the CDP (which is currently underway) and will form a critical element of the future settlement strategy and housing strategy, which will cover the period from 2023 to 2029. It is acknowledged that an amendment to the LAP may be required to align with the Core Strategy of the Kildare County Development Plan 2023-2029 and to incorporate other material changes relevant to Athy, once the CDP is adopted. The draft LAP provides for this scenario in objective CDP1. It is noted that in its submission, the OPR <i>'supports this approach in the draft LAP which is consistent with Sections 19(2) and 19(2B) of the Act (Planning and Development Act 2000 (as amended)).'</i></p> <p>The suggestion in the submission that the Draft LAP is out of date and inaccurate is misleading. The Draft Athy Local Area Plan 2021-2027 has been prepared in the context of the National Planning Framework, the Regional Spatial &amp; Economic Strategy and a very recently varied CDP. The submission, when referring to Section 3.3.2 selectively quotes from the paragraph in question and fails to mention that the paragraph goes on to state <i>'whilst Athy may have been slower to recover from the early 2010's recession than other parts of the county, and consequently slower to suffer from the effects of the housing crisis, this situation has changed and due to the shortage of properties and the increase in rents, the town was designated a rent pressure zone (RPZ) in April 2020.'</i> In this regard, the draft LAP fully acknowledges the present accommodation shortages in Athy and that the town, similar to the rest of the county, is presently witnessing a housing crisis. The LAP is required to comply within a hierarchy of plans within the parameters for new housing set out by the core strategy, which in turn is required to comply with the NPF and RSES. It is also noted that the potential for housing development is not restricted only to lands zoned 'C: New Residential' The Draft plan also provides for approximately 10% of the housing allocation to be delivered within the lands zoned for 'Town Centre' and there is a quantum of land zoned 'B: Existing Residential/Infill' which has the capacity to accommodate new residential development.</p>

Sub. No.	Name	Summary of Submission
		<p>The calculations which the submission indicates that the draft Plan has zoned 16.3 ha of new residential lands resulting in a potential of 522 new dwellings is incorrect. Table 3.4 of the Draft LAP clearly and unambiguously indicate that 25 ha are required to be zoned 'C: New Residential' which will accommodate 778 new residential units on specifically and appropriately identified sites. It is acknowledged that Andrew KDA (65 units) is not included in these calculations for reasons set out in Section 3.4 of the Draft LAP. New residential lands in the town which currently have the benefit of planning permission have also been included in the figures as no housing units have been delivered on these sites at the time of publication. The draft Plan sets out an average density of 35 units per hectare across new residential sites in which some may have a lower density and others, such as the lands identified at Chanterlands, may have a higher density. These densities are applied indicatively for the purposes of calculating estimated capacities for the delivery of housing. Furthermore, the submission incorrectly sets the dwelling size at 2.7 when the draft LAP (see Section 3.2) establishes this to be 2.8, as provided for in Variation No. 1 of the Kildare County Development Plan (2017 - 2023).</p> <p>The suggestion that the subject site can be regarded as infill development is rejected. The council does not consider such a site, located at the extreme southern boundary of the LAP, on a greenfield site between a regional road and the boundary of a Special Area of Conservation to constitute an infill site.</p> <p><b>Zoning Matrix</b></p> <p>The request to alter the zoning matrix to allow for nursing homes on lands zoned 'C: New Residential' is considered unnecessary, as Table 11.5: Land Use Zoning Matrix of the Draft LAP currently provides that nursing homes are 'Permitted in Principle' on lands zoned C: New Residential and states that the development of a 'medical consultant/health centre' is 'Open for Consideration' on new residential lands also.</p> <p>Whilst the need to provide for such nursing home/health care facilities within Athy over the coming years is acknowledged, the submission is considered to be inaccurate when it states that the provisions of the draft LAP regarding the provision of health and nursing home infrastructure is inconsistent with the Planning and Development Act 2000 (as amended) and the RSES since the draft Plan fails to provide zoning or include a key</p>

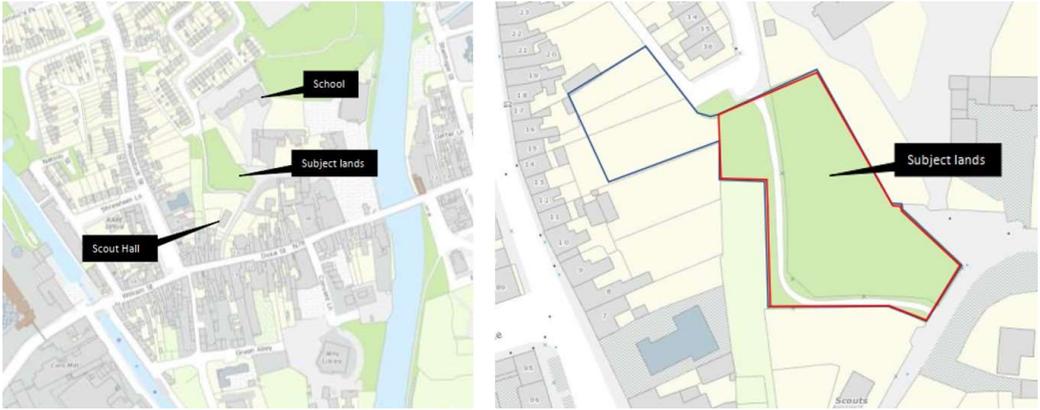
Sub. No.	Name	Summary of Submission
		<p>site requirement for such facilities. It should be noted that neither the Planning and Development Act 2000 (as amended) or any Section 28 Statutory Planning guidelines requires that LAPs identify nursing homes or health care facilities as a key site requirement on specific lands within the LAP area. Furthermore, the Land Use Zoning Matrix of the draft LAP provides for both nursing homes to be 'Permitted in Principle' on all lands zoned 'A: Town Centre', 'B: Existing Residential/Infill' and 'C: New Residential'. Nursing homes are also 'Open for Consideration' on lands zoned 'E: Community and Educational' and 'I: Agricultural'. The zoning matrix provides for 'Medical Consultant/Healthcare' uses to be either 'Permitted in Principle' or 'Open for Consideration' on all land use zoning designations with the exception of lands designated as 'H: Industrial and Warehousing', 'I: Agriculture' and 'U: Transport and Facilities'. It is therefore considered that the Draft Local Area Plan provides for a wide range of land use zoning designations which can appropriately cater for the development of nursing home and related health care facilities within the town over the life of the plan.</p>

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		<p><b>Chief Executive's Report Map A: Carlow Road, Coneyboro</b></p>  <div data-bbox="1657 343 1982 446"> <p>Kildare County Council Planning &amp; Strategic Development &amp; Strategic Department Aras Chill Dara, Devoy Park, Naas, Co Kildare.</p> </div> <div data-bbox="1657 454 1982 518"> <p>Draft Athy Local Area Plan 2021 - 2027</p> </div> <div data-bbox="1657 526 1982 981"> <p><b>Legend :</b></p> <ul style="list-style-type: none"> <li>Area Boundary</li> <li>Proposed Natural Heritage Area (pNHA) 002104 - Grand Canal</li> <li>Special Area of Conservation (SAC) 002162 - River Barrow and Nore SAC</li> <li>Flood Risk Zone A (Low Probability)</li> <li>Flood Risk Zone B (Medium Probability)</li> <li>Notable Green Infrastructure Routes: <ul style="list-style-type: none"> <li>River Barrow</li> <li>Grand Canal</li> <li>Bennetsbridge Stream</li> </ul> </li> <li>Key Features Of Green Infrastructure For Retention: <ul style="list-style-type: none"> <li>Woodland / Scrub</li> <li>Wet Grassland</li> <li>Hedgerow &amp; Tree Lines</li> <li>River Barrow</li> <li>Grand Canal Barrow Line</li> </ul> </li> </ul> </div> <div data-bbox="1657 989 1982 1061"> <table border="1"> <thead> <tr> <th>Stage</th> <th>Date</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>Submissions</td> <td>10/03/2021</td> <td>Chief Executive's Report</td> </tr> </tbody> </table> </div> <div data-bbox="1657 1085 1982 1141"> <p>Carlow Road, Coneyboro</p> </div> <div data-bbox="1657 1157 1982 1189"> <table border="1"> <tr> <td>Scale:</td> <td>N.T.S.</td> <td>Map Ref.:</td> <td>CE Report Map A</td> </tr> </table> </div> <div data-bbox="1657 1197 1982 1228"> <table border="1"> <tr> <td>Date:</td> <td>December 2020</td> <td>Drawing No.:</td> <td>200/20/1081</td> </tr> </table> </div> <div data-bbox="1657 1228 1982 1276"> <table border="1"> <tr> <td>Drawn by:</td> <td>M O'Loughlin</td> <td>Checked by:</td> <td>L Crawford</td> <td>Approved by:</td> <td>D Jordan</td> </tr> <tr> <td>Date:</td> <td>08/03/2021</td> <td>Date:</td> <td>10/03/2021</td> <td>Date:</td> <td>10/03/2021</td> </tr> </table> </div> <div data-bbox="1657 1276 1982 1324"> <p>This drawing is to be read in conjunction with the written statement</p> </div>	Stage	Date	Description	Submissions	10/03/2021	Chief Executive's Report	Scale:	N.T.S.	Map Ref.:	CE Report Map A	Date:	December 2020	Drawing No.:	200/20/1081	Drawn by:	M O'Loughlin	Checked by:	L Crawford	Approved by:	D Jordan	Date:	08/03/2021	Date:	10/03/2021	Date:	10/03/2021
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		<p><b>Chief Executive's Recommendation</b> No change recommended.</p>
12.	Megan Aldridge	<p>Submission outlines issues relating to the impacts the draft Plan will have on the Kingsgrove/Graysland housing estate and expresses concerns that all the landscaped green areas which are maintained and enjoyed by residents will be taken away by the Plan. States that residents are entitled to retain the existing green amenity space within the estate and that taking such spaces away will cause danger not only to children who play on these areas but to all residents. Notes that the Glebelands estate has already added a huge volume of vehicles on the main estate road and adding more traffic to this estate will cause serious danger. Feels that the Draft Plan has not considered the residents' security and safety with the addition of another access road. Notes that the Kingsgrove/Graysland estate should be kept the same with no extra housing or any other changes made to it.</p> <p><b>Chief Executive's Response</b> The concerns outlined in the submission are noted. With regard to the issue of designated open spaces within both the Kingsgrove and Graysland residential estates, the draft Plan does not contain any provisions to develop any existing designated green open spaces. With reference to the main green area of Kingsgrove/Graysland being designated as '<i>Open Space and Amenity</i>' it is noted that dwellings are not permitted under this land use (draft LAP, page 119; Table 11.5). On the issue of the smaller areas of open space within Kingsgrove/Graysland, it should be noted that a land use zoning map associated with a Local Area Plan is a high-level indication of either:</p> <ul style="list-style-type: none"> <li>a) land uses which are acceptable at a particular location.</li> <li>b) the established and/or predominant land use in an area.</li> </ul> <p>These designations are based on the consideration of a significant number of criteria and are not designed to be prescriptive to every site within a settlement. In this specific case, the open space areas referred to are conditioned by way of a statutory planning permission to be public open space associated with the permitted development and therefore further housing would not be permitted on these areas.</p>

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		<p>It should be noted that neither the Draft LAP or the supporting Athy Area Based Transport Assessment (ABTA) have included any proposals/measures for new roads to be constructed between the residential estate of Kingsgrove and the undeveloped Chanterlands site.</p> <p>With regard to the proposed connectivity routes, it is noted that objective MTO1.1 of the draft Plan provides that the final design and planning of each of the specific routes identified in the draft LAP shall <i>'be subject to appropriate environmental assessment, where applicable, and undergo a separate public consultation process'</i>. Accordingly, the plan provides an inbuilt safeguard to ensure that the development of the proposed connectivity routes will be subject to a separate public consultation procedure, which will take into consideration specific siting and design concerns of residents and other interested parties.</p> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>
13.	Joe Higginbotham and Peter Boland	<p>Submission by David Mulcahy Consultants Ltd on behalf of Joe Higginbotham and Peter Boland relates to lands (extending to 1 acre in size) located at St. John's Lane, Athy. It is noted that under the Athy TDP 2012-18 the subject lands are zoned A (Town Centre) but under the draft Athy LAP 2021-27 the lands are shown as 'F: Open Space &amp; Amenity'. This submission wishes to forward the case the subject site should remain zoned A (Town Centre).</p> <ul style="list-style-type: none"> <li>• The submission outlines details regarding the location and characteristics of the site noting its position west of St. John's Lane, its green field nature, the fact that it is traversed by a public path but is not passively supervised.</li> <li>• The submission includes a number of images and maps relating to the subject site.</li> <li>• The submission notes the ownership details of the site as well as adjoining land uses consisting of residential uses, scout hall and school site.</li> </ul> <p><b>Planning Context</b></p> <ul style="list-style-type: none"> <li>• Outlines the planning context of the subject site in relation to the Athy Town Development Plan (2012 - 2018) and the draft LAP.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• States that there are no flood risk or natural heritage issues associated with the site.</li> <li>• Notes that the site is shown within the Zone of Archaeological Potential and Architectural Conservation Area (ACA) Boundary.</li> </ul> <p><b>Open Space</b></p> <p>This submission outlines the following regarding Strategic Open Space:</p> <ul style="list-style-type: none"> <li>• The draft LAP notes that one additional park is required. Later it refers to a need for a 2-hectare park. This 2-hectare park is provided for at the Dominican lands which is partly zoned F (supported by objective OS1.5) and is close to the town centre.</li> <li>• It is submitted to the Council that the need for a 2-hectare park will be met at the Dominican lands and ample more lands have been zoned F to the west of the River Barrow. Therefore, there appears to be no justifiable need for the subject site to be included as part of the Open Space Strategy and zoned F.</li> <li>• It is further highlighted that the lack of passive surveillance of this open space is far from ideal and it has been associated with anti-social behaviour. It is not an attractive area of public open space and offers little in the way of passive or active amenity.</li> </ul> <p><b>Architectural Conservation Area</b></p> <p>This submission has the following comments on the Architectural Conservation Area:</p> <ul style="list-style-type: none"> <li>• The draft LAP includes diagrams showing the existing Athy ACA to be modified. The subject site will be included in the ACA apparently on the basis that it is an area which is a “probable” location of the historic wall fortifications and may contain remains above and below ground.</li> <li>• It is submitted to the Council in the first instance that the Athy ACA cannot be amended as part of the Athy LAP. This can only occur as part of the new Kildare County Development Plan 2023-29. The subject site should not therefore be included within an amended ACA as a part of the Athy LAP.</li> <li>• It is further submitted that any decision to amend the ACA on the basis of the “probably location of the historic wall fortifications” should be based on empirical evidence, given the significant ramifications for the zoning of this site, none of which has been provided.</li> </ul> <p><b>Development Potential</b></p> <p>This submission states the following regarding development potential:</p> <ul style="list-style-type: none"> <li>• Economic conditions for house building were largely depressed throughout the 2012 - 2018 Athy TDP.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• The site forms part of a larger landholding amassed by our clients with the intention of delivering a high-quality housing development within walking distance of the town centre.</li> <li>• There has been considerable interest in the lands in recent times, particularly from Approved Housing Bodies.</li> <li>• The proposed 'F' zoning would sterilise the lands from any form of residential development which goes against government policy given the close proximity of the lands to the town centre and the need to promote compact urban settlements.</li> <li>• In the event that archaeological remains of note are discovered as part of archaeological test trenching, or as part of the preparation of an application, or during the construction stage of any building on the site, there are many examples whereby this can be appropriately exposed and integrated into a development. This can be done using standard conditions relating to archaeological monitoring.</li> <li>• Highlights that the location of the site within the town is ideal for residential development as it would fully accord with national and regional policy in terms of promoting development on infill sites in order to deliver compact urban settlements and prevent further urban sprawl. This approach is also supported by policies in the Kildare County Development Plan 2017-23.</li> </ul> <div style="text-align: center;">  </div> <p><b>Chief Executive's Response</b>                      The contents of the submission are noted. The submission notes that the lands are proposed as Open Space</p>

Sub. No.	Name	Summary of Submission
		<p>and Amenity in the Draft LAP and sets out a request to retain the existing zoning (Town Centre) as set out in the Athy Town Development Plan 2012-2018 and sets out a justification for same.</p> <p><b>Permeability/Connectivity</b></p> <p>As part of the preparation of the Local Area Plan, an Area Based Transport Assessment (ABTA) was undertaken. This supporting document (published alongside the Plan) has assisted in placing sustainable transport considerations to the forefront of land use planning decisions in the formulation of the Local Area Plan. The ABTA was informed by the vision statement and the 8 strategic development principles outlined in Section 2.3 of the draft Plan. The ABTA examined the existing and proposed transport infrastructure and service provision across all modes of transport, including active modes (walking and cycling) in the town. The assessment provides an insight into the existing transport patterns and constraints in Athy and also identifies the interventions that are required to effectively accommodate the anticipated increase in demand due to planned population growth, ensure the optimal transportation interventions can be planned, and drive a shift towards sustainable movement. The outputs of the ABTA include a series of proposed options and measures to improve the transport network of the town and have informed the contents and policy objectives of this Chapter. The ABTA identifies that the achievement of a comprehensive and meaningful transition towards a model of sustainable movement in Athy is perhaps one of the most critical components needed to realise the future vision for the town. Providing the infrastructure to promote and facilitate active modes of transport within the town forms a key output of the ABTA. Sections 7.4.1 and 7.4.2 of the draft Plan detail the specific measures proposed to develop the walking and cycling infrastructure of the town respectively. Together, these proposed measures combine to form a Connectivity Programme for Athy, which is listed as Priority Project 5 of the Athy Urban Regeneration Framework (see Section 3.6, Appendix 1).</p> <p>Tables 7.1 and 7.2 of the Draft LAP, specifically WE 6 and CL 19 identifies the route between St Johns Lane and Greenhills, which traverses the subject lands as a route for upgrade and improvement within the draft Plan.</p> <p>This link is a critical component in achieving an integrated walking and cycling network in Athy. In order to achieve this, a new specific objective is proposed to protect and maintain this route from inappropriate</p>

Sub. No.	Name	Summary of Submission
		<p>development.</p> <p><b>Zoning</b>                      Whilst the potential of the lands for a pocket park have been considered the issues around passive surveillance and lack of supervision are noted. It is proposed, having regard to the critical nature of the link discussed above which is currently unsupervised, to include these lands within the town centre land use zoning with a specific objective to protect, improve and maintain this route. Where redevelopment of the lands is proposed, priority must be given in the overall design to the maintenance and upgrade of this route with maximum passive supervision addressing its full length.</p> <p><b>Architectural Conservation Area</b>                      The ACA – Statement of Character notes that the subject lands may be the probable route for the historic town walls. Attention is drawn to objective BH 3.1 and 3.3 of the Draft LAP in this regard.</p> <p><b>Chief Executive's Recommendation</b>  <b>Proposed Material Alteration</b>                      Insert new objective following objective MTO 1.8, as follows  <i><b>MTO1.9</b> Protect, maintain and upgrade the existing pedestrian connection between St Johns Lane and Greenhills (WE6 and CL19) as identified on Map 1.1 and 1.2. Where redevelopment of the lands is proposed, priority shall be given in the overall design to the maintenance and upgrade of this route with maximum passive supervision, including lighting as appropriate, addressing its full length.</i></p> <p><b>Proposed Material Alteration</b>                      Amend Map Ref. 6 Land Use Zoning Map to reflect town centre zoning on the subject site including consequential amendments to LAP.</p>
14.	John and Barry McDonnell	Submission by David Mulcahy Consultants Ltd on behalf of John and Barry McDonnell relates to lands (extending to 3.95 hectares) located at Geraldine and Prusselstown, Athy. Under the Athy TDP 2012-18 (Athy Town Development Plan 2012 - 2018) the subject lands are zoned C31 (New Residential) but the draft Athy LAP 2021-

Sub. No.	Name	Summary of Submission
		<p>27 proposes to exclude this site from the LAP boundary. This submission wishes to forward the case the subject site should remain zoned 'C: New Residential'. The submission also includes an Engineering Report prepared by MCD Consulting Engineers which it notes should be read in conjunction with the submission.</p> <ul style="list-style-type: none"> <li>• The submission outlines details regarding the location and characteristics of the site noting its position approx. 1.6 km from Athy Town Centre and the fact that it is part of a larger landholding which should not be considered as part of the submission.</li> <li>• Notes that the lands are currently composed of a single agricultural field enclosed by a hedgerow boundary with an agricultural access point along the western boundary.</li> <li>• States that a review of historic maps does not reveal any historic buildings associated with the lands or any recorded monuments.</li> <li>• The submission notes the adjoining land uses consisting of agricultural uses and the Kildare road.</li> <li>• The submission includes a number of images and maps relating to the subject site.</li> <li>• Outlines the characteristics of Athy town noting the lack of housing supply in the town.</li> <li>• Notes the development situation in Northeast Athy, specifically referring to the case of Prusselstown Green where there are issues relating to drainage. Refers to a previous agreement amongst the landowners in the area to address this issue. States that this agreement could be resurrected if the existing and new zonings are supported in the 2021-2027 Plan.</li> </ul> <p><b>Planning History</b></p> <ul style="list-style-type: none"> <li>• No planning history associated with the subject site.</li> <li>• Permission was refused for 107 dwellings on adjoining lands to the south (Plan Ref. 0730067) as it was considered premature to the development of the Athy Northern Distributor Road and its design failed to comply with development plan requirements. Notes that the Athy Town Development Plan was varied in 2016 which removed the objective for the Northern Distributor Road.</li> <li>• Notes also that permission was refused for 97 units and creche facility on another proximate site to the south (Plan Ref. 19764) for one reason relating to the substandard condition of the Geraldine Road at this location. Notes that this decision is under review by An Bord Pleanala.</li> </ul> <p><b>Previous Athy Development Plans</b></p>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Notes that the subject site was considered an acceptable site for residential development in both previous plans (Athy Town Development Plan 2006 – 2012 and Athy Town Development Plan 2012 -2018)</li> <li>• Outlines the location of the site in terms of distances for services, amenity facilities and servicing infrastructure networks.</li> <li>• Notes that there is housing permitted on lands zoned 'B' further out on the Geraldine Road.</li> </ul> <p>The submission puts forward the following reasons for supporting residential development on the subject lands:</p> <ul style="list-style-type: none"> <li>• The subject lands were previously zoned for residential development which indicates that the Council considered them eminently suitable for residential development.</li> <li>• Multi-unit residential development has previously been permitted beyond the subject lands (Prusselstown Green) and there is a need to serve the existing houses built on foot of this permission with main sewerage.</li> <li>• There are no known constraints associated with the development of the subject lands.</li> <li>• The lands adjoin existing residential zoned lands (for which planning permission for 97 dwellings is due to be decided by An Bord Pleanála) and represents sequential development.</li> <li>• The lands have direct and extensive frontage onto an established public road.</li> <li>• There is an established road and pedestrian connection back into Athy Town Centre.</li> <li>• The lands are under single ownership and do not require any collaboration with others for development.</li> </ul> <p>As noted above, an Engineering Report in support of the submission prepared by MCD Civil Engineers accompanies this report and outlines the following:</p> <ul style="list-style-type: none"> <li>• The road frontage of the site, extending to approx. 206 metres, would provide sufficient length to ensure the provision of adequate sight visibility lines in accordance with the 'Design Manual for Urban Streets and Roads'.</li> <li>• The road is of adequate width but has poor pedestrian access, a new footpath is required.</li> <li>• The location of the site on the eastern side of Athy allows for good access to the motorway network, without the need to enter the town centre. The short local road also known as the 'Old Dump Road' from Boheranouna Cross to the 'Old Dublin Road' is of limited width and requires to be upgraded to improve its capacity.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• The Southern Distributor Route should greatly improve the traffic in the town centre and periphery of Athy and its hinterlands.</li> <li>• The Northern Distributor Route is no longer part of the current development plan. The report attaches a map of the proposed route of the Northern Distributor Road in relation to the subject site.</li> <li>• There is adequate water supply in Athy at present to serve existing and future demands.</li> <li>• All surface water generated on site is capable of being disposed of within the site in accordance with current Sustainable Urban Drainage best practice (SuDs).</li> <li>• The site is currently un-serviced in terms of foul drainage. The nearest public foul gravity drain is located 775m to the south west. It is noted that the entire network identified is at or above capacity at present, accordingly urgent strategy drainage infrastructure is required on the eastern side of Athy for freeing up all zoned lands including those zoned for residential development.</li> </ul>  <p><b>Chief Executive's Response</b>  The Athy Town Development Plan 2012-2018 acknowledged there was an excessive provision of lands zoned for residential use (p49 and p50), much of which has remained undeveloped during the lifetime of this plan. Athy's legacy of over zoning lands for residential purposes, has often tended to be at the outer edges of the built-up area, contributing to the potential for urban sprawl.</p>

Sub. No.	Name	Summary of Submission
		<p>In preparing and formulating the Draft LAP in the context of the National Planning Framework and Regional Spatial and Economic Strategy, it was important that these legacy issues did not determine the future development of the town by establishing an accepted pattern of development in inappropriate locations. The Sustainable Planning and Infrastructural Assessment (SPIA) which accompanied the Draft LAP evaluated the relevant National Policy Objectives (NPOs) and Regional Policy Objectives (RPOs) in the context of each site which was currently zoned. In this regard, it is also important to note that environmental considerations such as flood risk and proximity to European (Natura 2000) sites were also a significant factor (see also SPIA below).</p> <p>National Strategic Outcome (NSO) No. 1 of the National Planning Framework (NPF) is Compact Growth. The NPF states that this will be achieved by managing the sustainable growth of compact cities, towns and villages. The Regional Spatial and Economic Strategy for the Eastern and Midland Regional Assembly (RSES) 2019-2031 reinforces this approach stating that <i>'Compact Growth and Urban Regeneration promote the regeneration of our cities, towns and villages by making better use of under-used land and buildings within the existing built-up urban footprint and to drive the delivery of quality housing and employment choice for the Region's citizens'</i>.</p> <p>Section 2.3.1 of the Draft Athy Local Area Plan sets out the Strategic Development Principles for the town, of which Compact Growth is paramount. In this regard it states, <i>"a key priority of the plan is to develop a compact and coherent urban form with particular emphasis being placed on the regeneration of the town centre, building within the urban footprint and providing for orderly sequential development"</i>. This is supported by the objectives of developing an integrated sustainable community.</p> <p>The Draft Athy LAP is supported by a suite of evidence-based assessments which provide a robust and comprehensive justification for the preferred development strategy.</p> <p>As required under objective 3(c) of the National Planning Framework (NPF) at least 30% of all new housing units must be delivered within the existing urban footprint of the town as defined by the 2016 CSO Settlement boundary. Due to the nature of the settlement boundary that defines the built-up area of the town and the emphasis on delivering sequential and compact growth, this Local Area Plan aims to deliver far in excess of the</p>

Sub. No.	Name	Summary of Submission
		<p>30% required. It is estimated that the Plan provides for over 99% of all new housing units to be delivered on 'Town Centre' and 'New Residential' lands inside the CSO settlement boundary. The plan also provides for increased density of residential development within the town by providing for an average of 35 units per hectare on new residential zoned land, in line with National Policy Objective 35 of the NPF.</p> <p>The contention that these lands on the Geraldine Road were considered suitable and zoned for new residential under the Athy Town Development Plan (2012 - 2018) they should remain so under the draft Plan is not accepted (see also SPIA below). In this regard, it should be noted that the Town Development Plan was prepared taking into account the policy context in force at that time, which did not include the National Planning Framework, the Regional Spatial and Economic Strategy and certain objectives relating to compact growth and climate mitigation.</p> <p><b>Note:</b> Sections 10(8) and 19(6) of the Planning and Development Act 2000 (as amended) provides that there shall be no presumption in law that any land zoned shall remain so zoned in any subsequent plan.</p> <p><u>Strategic Planning and Infrastructure Assessment</u>  Appendix 3 of the National Planning Framework sets out a methodology for a Tiered Approach to land zoning (which is reflected in the Sustainable Planning Infrastructure Assessment (SPIA) which accompanies the Draft LAP). Such an approach is set out to ensure that the lands zoned within an LAP are Tier 1- Serviced or Tier 2- Serviceable (within the life of the Plan).  In order to assess the suitability of particular lands in Athy for future development and the potential timeline for such lands to be brought forward a SPIA was prepared to provide an evidence-based assessment to inform the future development strategy for Athy.</p> <p>The SPIA is an evidence based assessment to assess both the presence of physical and social infrastructure servicing various residential sites in addition to assessing a particular sites compliance with the National Strategic Outcomes and National Policy Objectives of the NPF and Regional Policy Objectives of the RSES</p>

Sub. No.	Name	Summary of Submission
		<p>including proximity to the town centre (i.e. the sequential approach) and percentage requirements around achieving compact growth.</p> <p>The principles underlying the SPIA approach are as follows:</p> <ul style="list-style-type: none"> <li>• National/Regional/Local Policy Context (i.e. the NPF, RSES, County core strategy)</li> <li>• Section 28 Ministerial Guidelines</li> <li>• Flood Risk data</li> <li>• Compact Growth/Sequential approach</li> <li>• Physical suitability i.e. landscape and environmental features/constraints</li> <li>• Supporting infrastructure (social, community and commercial, both existing and planned)</li> <li>• Water, drainage and road infrastructure (existing and planned)</li> </ul> <p>The lands in question were assessed in the context of the principles above and were not considered the most appropriate lands for new residential development in the Draft Athy Local Area Plan 2021-2023 in the context of the NPF, RSES and their national and regional strategic outcomes with particular reference to compact growth.</p> <p><u>Conclusion</u></p> <p>The draft LAP boundary is based on the principles of compact growth and sequential development and, insofar as is practical, follows the defined CSO settlement boundary of the town. The subject lands are not required to meet the requirements of the CDP Core Strategy (as varied) in accordance with the requirements of the NPF and RSES as sufficient lands have been identified for development which are considered more appropriate having regard to policy context, sequential approach, physical suitability and supporting infrastructure.</p> <p><b>Chief Executive’s Recommendation</b></p> <p>No change recommended.</p>
15.	Etex Ireland	<p>Submission by David Mulcahy Planning Consultants LTD on behalf of ETEX Ireland, Kilkenny Road, Athy. ETEX Ireland owns the Tegral manufacturing plant in Athy.</p> <p><b>Clarification</b></p>

Sub. No.	Name	Summary of Submission
		<p>The submission makes the following clarifications:</p> <ul style="list-style-type: none"> <li>• All references to 'Tegral' in the Draft LAP should be replaced with 'ETEX Ireland', the parent company.</li> <li>• Any reference to the chimney (RPS No. AY182) on the subject site be removed from the draft Plan as it has not existed since the 1960s.</li> <li>• Any reference to the concrete tower being part of ETEX Ireland should be omitted as they do not own it, it is now in the ownership of a telecom company.</li> </ul> <p>Submission describes the location of the subject site and the nature of the activities carried out on the site. A number of maps and images are included to support the submission.</p> <p><b>Zoning Objective Q – Enterprise and Employment</b>  The submission outlines concern that the proposed 'Q' zoning objective (Enterprise and Employment) in the draft Athy LAP is quite unusual in that it does not allow for any land use to be 'Permitted in Principle'. <i>Industry Light and Offices</i> are only 'Open for Consideration', while Industry Heavy is 'Not Allowed'. It notes that ETEX Ireland have two manufacturing facilities on the site in addition to an extensive warehousing/distribution operation. It outlines concerns that this zoning objective is restrictive and may not allow this manufacturing business to expand in the future. It therefore requests the Council to adjust the land use to ensure that any future expansion at this site will be facilitated in the future.</p> <p>The submission reiterates its request in relation to the protected structure and the reference to the concrete tower being in the ownership of the company.</p> <p><b>Chief Executive's Response</b>  The contents of the submission are noted. For clarity each of the issues will be addressed individually;</p> <p><b>References</b>  It is noted that ETEX Ireland is the parent company of 'Tegral', all references in the Draft LAP shall be amended accordingly.</p>

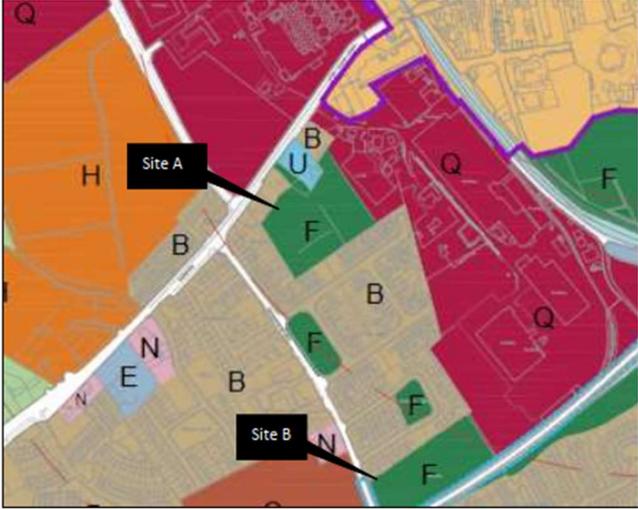
Sub. No.	Name	Summary of Submission
		<p><b>Record of Protected Structures</b></p> <p>The RPS, which includes structures in Athy, is contained within the Kildare County Development Plan, Table 8.1 of the Draft LAP is an extract of the Record of Protected Structures and is reproduced in this Plan for information purposes only.</p> <p>The procedure to add (or delete as the case may be) a building or structure to the record of protected structures can only occur through the process of making (or reviewing) a County Development Plan or under the provisions of Section 55 of the Planning and Development Act 2000 (as amended) and therefore such a proposal cannot be considered during the LAP process.</p> <p>Reference to the tower being in the ownership of Etex (Tegral) will be removed.</p> <p><b>Zoning</b></p> <p>The submission outlines a number of observations regarding the proposed land-use zoning 'Q – Enterprise and Employment' set out in the Draft LAP for the established manufacturing business currently operating on the Etex Campus in Athy. The submission notes that the 'Q' zoning objective (Enterprise and Employment) in the draft Athy LAP indicates that 'Light Industry and Offices' are only 'Open for Consideration', while Heavy Industry is 'Not Allowed'. The submission requests that the matrix associated with the Land Use Zoning therefore be amended. However, having regard to the existing use of the lands and the predominant manufacturing function of the Etex Campus and in order to ensure that any manufacturing expansion at this site will be facilitated in the future, it is considered more appropriate to amend the overall land use zoning for the Etex lands to H - Industry and Warehousing.</p> <p><b>Chief Executive's Recommendation</b></p> <p><b>Proposed Material Alteration</b></p> <p>Amend all reference from <del>Tegral</del> to <i>Etex Ireland</i> throughout the Draft Athy Local Area Plan.</p>

Sub. No.	Name	Summary of Submission
		<p><b>Proposed Material Alteration</b> Amend <b>Map Ref 6 Land Use Zoning</b> to designate Etex lands H - Industry and Warehousing and any consequential amendments to the Plan.</p> <p><b>Athy Architectural Conservation Area (ACA) Statement of Character</b> Remove all reference to the 'Tower' being in the ownership of Tegral in the ACA Statement of Character.</p>
16.	Etex Ireland	<p>The Submission by David Mulcahy Planning Consultants LTD on behalf of ETEX Ireland, Kilkenny Road, Athy. ETEX Ireland own the Tegral manufacturing plant in Athy.</p> <p>The submission wishes to make the case that the two landholdings belonging to ETEX Ireland are prime sites for residential development and should be re-zoned from 'Open Space and Amenity' to 'New Residential.' The submission contends that both sites in question are actually closer to the town centre than other lands zoned new residential in the draft LAP.</p> <p>Further notes that the SEA Report specifically noted that the northern 'F' zoned site as 'a prime site for development'.</p> <p>It is submitted that the two sites represent the most suitable landholding within Athy for residential development on account of:</p> <ul style="list-style-type: none"> <li>• Their close proximity to the town centre</li> <li>• The lands are serviceable,</li> <li>• The excellent road, cycle and pedestrian network in the vicinity,</li> <li>• The absence of any built or natural heritage constraints</li> </ul> <p>Notes that the zoning of the subject land for New Residential development would directly accord with national and regional planning policy, as well as being consistent with policies and objectives in the Kildare County Development Plan 2017-23.</p>

Sub. No.	Name	Summary of Submission
		<p>Submission states Site A and Site B are inside the development boundary under the draft LAP for Athy and are zoned Open Space and Amenity ('F'), the objective of which, is "To protect and provide for open space, amenity and recreation provision". The submission seeks for both lands to be zoned for New Residential ('C').</p> <ul style="list-style-type: none"> <li>• Notes that the two sites extend to 1.6 hectares (site A) and 1.26 hectares (site B) and both are greenfield in nature.</li> <li>• The submission includes a number of images and maps relating to the subject site.</li> <li>• The submission outlines the adjoining land uses around site A including the N78 road, Athy 38 KV substation, Etex Ireland complex and residential dwellings,</li> <li>• The adjoining land uses around site B are listed as residential dwellings, Etex Ireland along the Fortbarrington Road and Athy Distributor Road (once constructed).</li> <li>• Submission notes the characteristics of Athy and its rapid population growth over the past number of decades.</li> <li>• Submission notes the sites as being within the 'western edge' of the town.</li> <li>• States that there is no planning history associated with the subject sites.</li> <li>• Outlines the provisions of the draft LAP regarding the subject sites. In this regard, it is highlighted that the subject sites are in private ownership and therefore there is/will be no amenity or recreational benefit arising for members of the public during the 6-year lifetime of the plan.</li> <li>• Outlines the provisions of the draft Plan relating to the desire for compact growth in adherence with objective 3(c) of the National Planning Framework.</li> <li>• Notes that the sites shows no constraints in relation to natural/built heritage or flood risk. States that there are two Protected Structures in the general vicinity of the site however, neither is considered to have any fundamental impact on the future development of these lands.</li> </ul> <p><b>Rationale for 'F' Zoning</b></p> <ul style="list-style-type: none"> <li>• Submits that there appears to be no rationale or justification in the draft Athy LAP for the zoning of the subject lands as Open Space and Amenity ('F'), other than the fact that the existing zoning has been carried over into the draft Plan.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Submits that Site A is in private ownership and there is no access to Site A by members of the community. In regard to Site B, it is stated that this site is accessible to the public but only by private arrangement with ETEX Ireland on a temporary basis. Further states that there is no car parking provision associated with these lands which can lead to parking problems when matches are played.</li> <li>• Section 8.0 of the Social Infrastructure Audit prepared to inform the draft Plan did not include Site A as part of diagram 13 'Amenity Open Spaces by Typology'. This submission notes this is because it does not fall into any of the categories listed in the legend or in Table 16 of the report.</li> <li>• Furthermore, the submission notes that the quantum of zoned Open Space and Amenity 'F' in the Draft Athy LAP would exceed the open space required in the supporting Social Infrastructure Assessment. Submission concludes that both sites are inappropriate for 'F' zoning.</li> </ul> <p><b>SEA Environmental Report</b></p> <ul style="list-style-type: none"> <li>• Submission notes that the SEA Environmental Report prepared for the draft Athy Local Area Plan 2021- 2027 examined 4 no. alternatives for new development within the town. It is submitted the SEA report emphasises Site A is a 'prime site for development'. It further notes that this report recommended site A for residential development in Alternative 4. The submission queries how despite this, this site was not zoned for new residential development. Notes that if developed at 35 units per hectare this site would provide 67 units.</li> </ul> <p><b>Sustainable Planning and Infrastructural Assessment (SPIA)</b></p> <ul style="list-style-type: none"> <li>• The submission also queries why sites A and B were not considered as part of the SPIA. It states they were more suitable to be analysed as they are within an 800m radius of the town centre. They submit that both of these sites would score far higher than those identified in the SPIA.</li> </ul> <p><b>Drainage Services</b></p> <ul style="list-style-type: none"> <li>• Submits that Site A is within the vicinity of foul and water supply infrastructure but states that a site investigation is required to determine its proximity to storm sewer infrastructure and if SUDs measures may be more appropriate. Report refers to Appendix A of the submission which shows that foul and water supply infrastructure are in situ in the immediate vicinity of Site A.</li> <li>• States also that site B is well served in respect of drainage infrastructure.</li> </ul> <p><b>Roads</b></p>

Sub. No.	Name	Summary of Submission
		<p>Submits that both sites would be easily accessible by the existing road network and would benefit from the new Southern (Athy) Distributor Road. Notes the sites are within the 50kph speed limit. Site B is directly accessible via the Fortbarrington Road.</p> <p><b>Pedestrian Connections</b> Submission notes that both sites have excellent pedestrian infrastructure in the vicinity, linking them with the town centre.</p> <p><b>Built and Natural Heritage</b> Submission states there are no built or natural heritage constraints associated with either site.</p> <p><b>Flood Risk</b> Submission states neither site is in an area of flood risk.</p> <p><b>Proximity to Social Infrastructure, Park and Recreation</b> Notes that both sites are within walking distance of a wide range of facilities including educational services and parks and recreation amenities.</p> <p><b>Compliance with National and Regional Planning Policy</b> Submission notes the provisions of both the NPF and RSES and emphasises that developing both sites would contribute to the compact growth of Athy, which is a key aim of the NPF 2040 and is emphasised through National Policy Objectives (NPO) 11 and 35. Also submits that developing these sites would be in line with the Regional Spatial and Economic Strategy for the Eastern and Midland Region, ('RSES') 2019 which emphasises the need for compact growth and urban regeneration.</p> <p><b>Conclusion</b> Submission concludes by reiterating that both subject sites are more suitable for residential development. Or alternatively, in the event the Council does not consider these lands suitable for new residential zoning, the submission requests that they should be zoned 'Q' to allow for their owner ETEX Ireland to expand their complex.</p> <p>Appendix A entitled '<i>Irish Water Infrastructure Mapping</i>' is attached to this submission which is composed of 3 maps and illustrates foul and water supply infrastructure in situ in the immediate vicinity of Sites A and B.</p>

Sub. No.	Name	Summary of Submission
		 <p><b>Chief Executive's Response</b></p> <p>The contents of the submission are noted. For the purposes of clarity in addressing the issues raised in this submission, each site (A and B) will be addressed individually below.</p> <p><b>Site A</b></p> <p>Site A is located to the west of the town on the N78 (Bennetsbridge Road) and is currently a greenfield site bounded to the west and south by existing residential development and to the east by ETEX Ireland (formerly Tegral) a well-established industrial manufacturing facility. It should be noted that the overall development strategy for the Draft Plan is to conform with the principles of compact growth and to consolidate development within the urban area. Whilst the lands, which present well in terms of consolidation, were considered for residential development in the formulation of the future development strategy for the town and also in the SEA alternatives, the significant issue arising with these lands were their proximity to the national road and the predominant access to the lands being from the N78, in addition to the presence of significant sized overhead powerlines.</p>

Sub. No.	Name	Summary of Submission
		<p>The Draft LAP acknowledges that national roads play a key role within Ireland's overall transport system and in the country's economic, social and physical development. In this regard, the national road network provides strategic transport links between the main centres of population and employment, including key international gateways such as the main ports and airports, and provides access between all regions in the state. Accessibility is also provided to more remote peripheral communities. The LAP must therefore ensure, the preservation of the efficiency, capacity and safety of the N78, which is contained within the Local Area Plan area (See also Sub 18 and associated CE Response and Recommendation).</p> <p>The Strategic Investment Framework For Land Transport (DTTAS, 2014), Smarter Travel (DTTAS, 2009) and the provisions of the Section 28 DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (2012) all outline the critical need to manage national road assets in accordance with official policy. The Draft LAP also acknowledges that safeguarding the strategic capacity and function of the national road network in the Athy Local Area Plan area will give effect to supporting other critical strategic objectives including those related to Tourism, Employment and Economic Activity in the Draft Local Area Plan. Specifically, Spatial Planning and National Roads Guidelines (January 2012) state that plans must protect existing and any proposed national roads and the wider transport network from adverse direct and indirect effects of development provided for by the plan.</p> <p>The submission notes that these lands were not the subject of consideration under the SPIA which accompanied the plan. In this regard, the lands have been historically zoned for open space and amenity in the Athy Town Development Plan 2012-2018, and having considered their potential impact on the national road network at this location, in addition to the constraints relating to the presence of overhead lines, the lands were not considered suitable for housing delivery during the life of the proposed draft LAP.</p> <p>The subject lands are not required to meet the requirements of the CDP Core Strategy (as varied) in accordance with the requirements of the NPF and RSES as sufficient lands have been identified for development which are</p>

Sub. No.	Name	Summary of Submission
		<p>considered more appropriate having regard to policy context including Section 28 Guidelines, the NPF and RSES, sequential approach, physical suitability and supporting infrastructure.</p> <p><b>Note:</b> The submission requests that where the Council is not favourably disposed to the rezoning of these lands for residential purposes that consideration be given to a Q – Enterprise and Employment zoning. In this regard, taking cognisance of the response to submission no. 15 (Etex Ireland) regarding the land use zoning matrix and the recommended amendment to the land use zoning of the Etex campus, it is proposed to amend the zoning of the Etex campus to H – Industry and Warehousing and therefore it is considered appropriate to amend the zoning of these lands to provide for the potential expansion of the existing facility subject to a number of specific objectives regarding the requirement for a site specific transport impact assessment and an objective requiring that access to these lands be via the existing campus.</p> <p><b>Site B</b> The contents of the submission as they relate to Site B are noted. The submission requests a revised zoning from F- Open space and Amenity to C - New Residential for the lands which are located to the south west of the town on the Fortbarrington Road.</p> <p>The submission notes that these lands were not the subject of consideration under the SPIA which accompanied the plan. In this regard, the lands have been historically zoned for open space and amenity in the Athy Town Development Plan 2012-2018. The proposed land use zoning as set out in the Draft Local Area Plan reflects the existing land use of the site for sporting/recreational purposes (pitches) which are currently in short supply in Athy. The subject lands are not currently required to meet the requirements of the CDP Core Strategy (as varied) in accordance with the requirements of the NPF and RSES as sufficient lands have been identified for development which are considered more appropriate having regard to policy context including Section 28 Guidelines, the NPF and RSES, sequential approach, physical suitability and supporting infrastructure. In this regard it is considered appropriate to retain the existing land use zoning.</p> <p><b>Chief Executive's Recommendation</b></p>

Sub. No.	Name	Summary of Submission
		<p><b>Proposed Material Alteration</b>  <b>Site A</b>                      Amend Map Ref 6 to include lands to the west of the Etex Ireland campus as H – Industry and Warehousing. Insert new specific development objective a) and b) in Table 11.3, as follows:  <i>H lands – Athy West (Bennetsbridge Road)</i></p> <ul style="list-style-type: none"> <li><i>a) Access to these lands shall be via the existing industrial lands to the immediate east. No further access shall be permitted on to the N78 national primary route.</i></li> <li><i>b) The development of these lands shall be subject to a site-specific transport assessment to protect the integrity and carrying capacity of the N78 at this location.</i></li> </ul>
17	Healthy Ireland (Health Service Executive)	Prescribed body. Please refer to <b>Table 3.1 (a)</b> .
18.	Transport Infrastructure Ireland (TII)	Prescribed body. Please refer to <b>Table 3.1 (a)</b> .
19.	Pat Mealey	<p>The submission by David Mulcahy Planning Consultants LTD on behalf of Pat Mealey relates to lands extending to 2.34 hectares at Gallowshill, Athy. The submission notes that under the current Athy TDP 2012-18 (Athy Town Development Plan 2012 - 2018) the subject lands are zoned 'H3' and a Nursing Home is a Permitted land use. However, under the Draft Athy LAP 2021-27 the H zoning which applies to the lands does not allow for a Nursing Home use.</p> <p>The submission contends that a Nursing Home use should be a Permitted use under the Land Use Zoning Matrix for the area having regard to:</p> <ul style="list-style-type: none"> <li>• the close proximity to the primary care centre,</li> <li>• the need to provide a gateway type development on these high profile lands,</li> <li>• the employment generation that would accrue for the town (c.75 jobs)</li> <li>• the fact that the lands are serviceable,</li> <li>• the excellent road, cycle and pedestrian network in the vicinity,</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• the absence of any built or natural heritage constraints, or flood risk.</li> <li>• the proximity to an existing shop for staff.</li> </ul> <p>The submission refers to an established precedent for a nursing home development in a similar location in Rathangan Co. Kildare which was permitted by Kildare County Council and upheld on appeal by An Bord Pleanala.</p> <ul style="list-style-type: none"> <li>• The submission provides details on the location and characteristics of the subject site which had significant road frontage onto the N78 Link Road and the R418.</li> <li>• The submission includes a number of images and maps relating to the subject site.</li> <li>• Notes the adjoining land uses and outlines the characteristics of Athy town as a rapidly growing town with only two nursing home facilities at present.</li> <li>• Notes sites location within the eastern edge of the town which is largely undeveloped.</li> </ul> <p><b>Planning History</b></p> <ul style="list-style-type: none"> <li>• Notes that permission was granted for a car showroom on the lands to the west of the site in 2007 (Reg. Ref. 07/00003) but this was never acted upon and has lapsed.</li> </ul> <p><b>Zoning</b></p> <p>The submission outlines:</p> <ul style="list-style-type: none"> <li>• In the Athy Town Development Plan 2012 -18 (as Varied) the subject lands are located within the development boundary for Athy Town and are zoned 'H3: Light Industrial &amp; Commercial'. A Nursing Home was Permitted in Principle under the H3 zoning objective.</li> <li>• In the Draft Athy Local Area Plan 2021-2027 the subject lands are zoned H under the draft LAP for Athy, the objective being to "Provide for industry, manufacturing, distribution and warehousing". A Nursing Home is not permitted under the H zoning objective under the Draft Plan.</li> </ul> <p><b>Built/Natural Heritage and Flood Risk</b></p> <ul style="list-style-type: none"> <li>• It is submitted that there are no such constraints associated with the subject lands.</li> </ul> <p><b>Nursing Home Policy</b></p> <p>The submission outlines:</p>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Athy has a higher percentage of population aged 65+ (11.1%) when compared to the county average of 9.9%.</li> <li>• Notes the provisions of the draft Plan relating to healthcare facilities including policy HC3 and objective HCO3.4: <i>Support and co-operate with promoters or operators of public and private health care facilities by facilitating and encouraging the provision of improved health care facilities in appropriate locations in Athy.</i></li> </ul> <p><b>Need</b></p> <ul style="list-style-type: none"> <li>• Notes that the National Planning Framework 2040, Eastern &amp; Midland Regional Assembly Regional Spatial &amp; Economic Strategy 2019-2031 and Kildare County Development Plan 2017-2023 all have policies supporting nursing homes and age friendly communities.</li> </ul> <p><b>Location</b></p> <p>It is submitted that:</p> <ul style="list-style-type: none"> <li>• Co-location with the new primary care centre (250m) would be beneficial for patients health and traffic generation.</li> <li>• Planning permission granted by Kildare County Council and upheld on appeal by An Bord Pleanala for a nursing home at Rathangan Demesne, Rathangan, Co. Kildare (Reg. Ref. 17/215) is at a similar location to the subject lands, relative to the town centre.</li> <li>• This site is close to the town centre and many facilities and shops.</li> </ul> <p><b>Visual Impact</b></p> <p>It is stated that:</p> <ul style="list-style-type: none"> <li>• A nursing home would have a similar impact to warehouse which is permissible under the proposed zoning.</li> </ul> <p><b>Employment</b></p> <ul style="list-style-type: none"> <li>• A nursing home development on this site would generate approximately 75 jobs.</li> </ul> <p><b>Drainage Services</b></p> <ul style="list-style-type: none"> <li>• Notes that in c.2004 the gravity foul drainage network was brought to the roundabout and the watermain had been extended to the Clanard Court Hotel. States that this was confirmed to Mr. Pat Mealey by the Council in October 2019 who had no objection in principle to a nursing home on the subject lands.</li> </ul> <p><b>Flood Risk, Built and Natural Heritage</b></p> <ul style="list-style-type: none"> <li>• There is no flood risk associated with the subject site.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• There are no built or natural heritage constraints associated with the subject site.</li> </ul> <p><b>Roads, Pedestrian and Cycleway Connections</b></p> <ul style="list-style-type: none"> <li>• States that there is a good existing road network with excellent pedestrian and cyclist infrastructure which would cater for any proposed nursing home.</li> </ul> <p><b>Built/Natural Heritage and Flood Risk</b></p> <ul style="list-style-type: none"> <li>• Reiterates that there are no such constraints associated with the subject lands.</li> </ul> <p><b>Office</b></p> <ul style="list-style-type: none"> <li>• It is submitted that lands to the south-west of the roundabout are ideal for high-quality office development. It is suggested that a footnote be added to the zoning matrix to clarify that both standalone offices and ancillary offices are open for consideration.</li> </ul> <p>Two Appendices are attached to this submission as follows:</p> <ol style="list-style-type: none"> <li>a) Site location map showing the site outlined in red.</li> <li>b) Indicative site layout drawings showing a nursing home development on the subject lands, along with office development at the south-western portion near the roundabout junction.</li> </ol> 

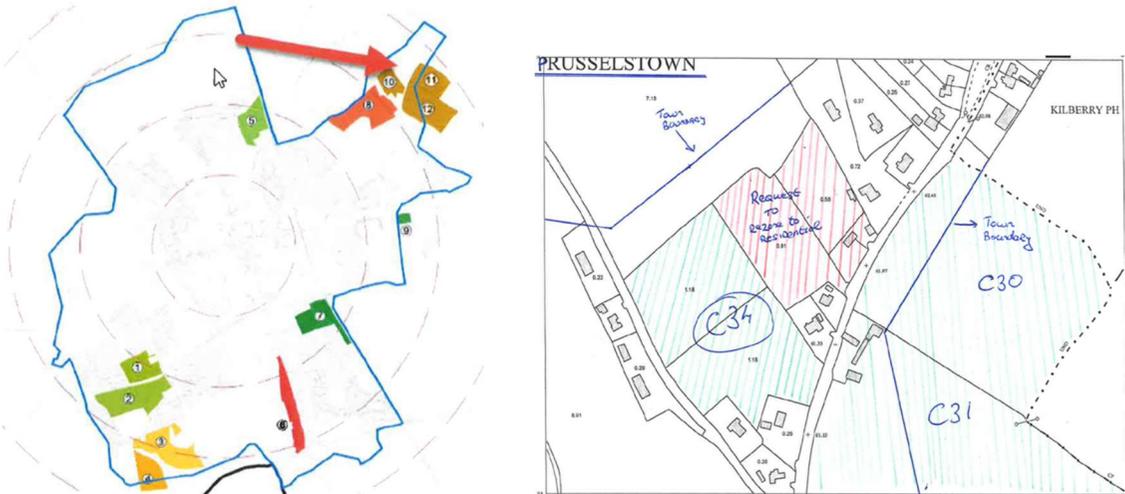
Sub. No.	Name	Summary of Submission
		<p><b>Chief Executive's Response</b></p> <p>The submission relates to lands proposed to be zoned for 'H: Industry and Warehousing' to the east of the town and requests an amendment to the land use zoning matrix set out in the Draft Local Area Plan for Athy under table 11.5. The submission specifically requests that Table 11.5 be amended to accommodate 'Nursing Home' developments.</p> <p>In this regard, the lands identified for industry and/or economic development in the context of the LAP have been selected based on the key principle underpinning this draft Plan being the pursuit of sustainable economic development opportunities to provide for an increase in the number of jobs based in the town. For Athy to fulfil its designated role in the economic hierarchy of the county and become a more self-sustaining settlement, the town must aim to increase its jobs ratio over the longer term. Key to the delivery of the Economic Development Strategy for Athy is the pursuit of an asset-based approach to development, where the town's social, economic and natural/built heritage capital are viewed as existing environmental resources. These assets, if fully utilised and subject to targeted investment, can sustainably support an increased level of residential population and employment activity, whilst also providing an enhanced level of social infrastructure, amenity, and design quality.</p> <p>It should be noted that under Table 11.5 nursing homes are 'open for consideration' and 'permitted in principle' on lands zoned 'E- Community and Educational', 'New and Existing Residential' and 'Town Centre' subject to relevant development management standards.</p> <p>Furthermore, OP3 of the Kildare County Development Plan 2017-2023 (as varied) sets out that it is the policy of the Council to provide for a mixed urban/rural setting for nursing homes in the county and to site residential care facilities for the elderly in accordance with the following:</p> <ul style="list-style-type: none"> <li>(i) Facilities should be located close to community and social facilities required by occupants (e.g. shops, post office, community centres, etc) thereby ensuring that older people can remain part of existing communities.</li> <li>(ii) Facilities should be easily accessible for residents, employees, visitors and service providers. Such facilities will generally be acceptable in villages and rural settlements to cater for local demand. A</li> </ul>

Sub. No.	Name	Summary of Submission
		<p>mobility strategy shall be provided detailing connections to town and village centres for residents, employees and visitors.</p> <p>(iii) Facilities should be located within an environment that is suitable for their stated purpose, integrating within the wider community while providing a safe environment for residents.</p> <p>(iv) Facilities should be located in an area which can benefit from the creation of strong links between the care for the elderly facilities and the local community including activities linked to other community groups.</p> <p>In this regard, notwithstanding, the subject lands proximity to the Primary Care Centre, it is considered that there is sufficient capacity within these lands at locations which are more appropriately located in close proximity to social infrastructure services in accordance with policy requirements of the Kildare County Development Plan.</p> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>
20.	<b>National Transport Authority (NTA)</b>	Prescribed body. Please refer to <b>Table 3.1 (a)</b> .
21.	<b>Irish Water (IW)</b>	Prescribed body. Please refer to <b>Table 3.1 (a)</b> .
22.	<b>Cois Bhearú and Cluain Bearú Residents' Association</b>	<p>Submission relates to the proposed connectivity links WN18, WN19 and WN20 and their potential to affect the estates of Cois Bhearú and Cluain Bearú noting the following:</p> <ul style="list-style-type: none"> <li>• Neither Cois Bhearú nor Cluain Bearú were designed to take through traffic from vehicles or pedestrians. States that all residents purchased, or are renting their homes on the basis that entrants into the estates were not simply passing through; the only reason that someone should be entering these estates is if they have legitimate business or visiting a resident.</li> <li>• States that from a safety perspective residents are concerned that facilitating additional ingress and egress paths in the estates will provide a choice of exit points for those intent on committing crimes such as</li> </ul>

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		<p>burglary and theft. This is of particular concern for the elderly residents, some of whom are located in the cul-de-sac of Slí Bearú.</p> <ul style="list-style-type: none"> <li>• Raises concerns about the volume of pedestrian traffic that proposals would invite, noting that two existing pedestrian entrances to Cois Bhearú have had to be modified to prevent passing pedestrian traffic from congregating/hiding in these areas and to reduce littering and anti-social behaviour.</li> <li>• Notes that a number of residents patrol the estate for litter and it is clear that the majority of litter is from those that do not live in the estate, however are simply passing by the front of the estate.</li> <li>• Further notes that while the residents' association is in receipt of some funding from the Council, additional funds are required from the residents to maintain the estate. In this regard, the residents feel that opening-up links (WN18, WN19 and WN20) will lead to additional unplanned costs associated with the upkeep of the estates.</li> <li>• Concludes by stating that to invite more pedestrians to pass through Cois Bhearú and Cluain Bearú would adversely impact two of the most family friendly estates in the town and therefore the Residents' Association objects to these proposed connectivity links for the reasons outlined above.</li> </ul> <p><b>Chief Executive's Response</b></p> <p>The submission by the committee members of the Cois Bhearú and Cluain Bearú Residents' Association is noted. The Council also wishes to acknowledge the work of the Resident's Association in maintaining the public areas of their estate to a high standard and free of litter.</p> <p>Whilst the concerns outlined in relation to proposed routes WN18, WN19 and WN20 are acknowledged, it should be noted that the provisions of the draft LAP relating to the proposed Connectivity Programme were prepared in response to research which found Athy to have a poorly connected urban structure in which key destinations (such as schools, retail services and employment areas) are not easily accessible on foot or by means other than the private car. This has long term consequences for the overall health of the resident population, their ability to access key services and social infrastructure, in addition to levels of isolation and loneliness. The LAP (informed by the Area Based Transport Assessment) outlines a vision for a more sustainable, integrated and climate resilient settlement, adapted to cater for the needs of a growing and aging population</p>

Sub. No.	Name	Summary of Submission
		<p>and to alleviate private car dependency in order to assist general movement around the town of Athy. Accordingly, the ‘Connectivity Programme’ as outlined in the draft LAP, seeks to translate this vision into reality by initiating meaningful change on the ground to make the town universally accessible for all of its residents. Whilst some routes may appear to be local interventions only, their delivery will in fact provide a vital component in the overall strategic pedestrian/cycle network in the town. When complete these routes will provide for a safe, practical and convenient walking/cycling off-road route to several primary and secondary schools for students living within a large area of Athy north of the town centre. The delivery of such cycling/pedestrian routes is also in keeping with the provisions of the Kildare County Council Climate Adaptation Strategy (2019 – 2024) which requires that land use plans include provisions to promote the transition to a low carbon society.</p> <p>With regard to residents’ specific concerns regarding the lack of consultation, it should be noted that objective MTO1.1 of the draft Plan provides that the final design and planning of each of the specific routes identified in the draft LAP shall <i>‘be subject to appropriate environmental assessment, where applicable, and undergo a separate public consultation process’</i>. Accordingly, the plan provides an inbuilt safeguard to ensure that the development of the proposed connectivity routes will be subject to a separate public consultation procedure, which will take into consideration specific siting and design concerns of residents and other interested parties.</p> <p><b>Chief Executive’s Recommendation</b> No change recommended.</p>
23.	<b>Athy Hurling Club</b>	<p>Submission welcomes the proposed new sports training hub at Ardrew and states that not only will it be beneficial to Athy Hurling Club but also a marvellous community asset which could accommodate a range of activities. Notes its location within the built-up area of the town with easy connections to the residential population could lead to an increase in the numbers of young people playing hurling in Athy. The submission concludes by thanking Mark Wall, Aoife Breslin and all the other councillors who helped to get this facility included in the Draft Plan.</p> <p><b>Chief Executive’s Response</b></p>

Sub. No.	Name	Summary of Submission
		<p>The submission by Athy Hurling Club welcoming the proposed new 'sports training hub' at Andrew is noted.</p> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>
24.	Paul Murphy	<p>Submission requests that the Plan re-zone the Prusselstown old Pitch &amp; Putt course (R14 NV99) to 'C- New Residential' for group housing on serviceable sites. Notes that the 1.49 ha site is within the Athy Town boundary development limits and is surrounded by existing new residential zoned lands and has existing pedestrian pathways, street lighting, electricity and water supplies.</p> <p>The submission outlines a number of reasons for re-zoning the site, as follows;</p> <ul style="list-style-type: none"> <li>• The site would be developed by the owner, developed by submitter and is an ideal site as it is too small for efficient agricultural use.</li> <li>• Notes that residential zoned sites of C34, C31 and C30 are adjacent to the site (see map below).</li> <li>• It is a very sheltered site, hidden from road view, however has 75 yards of road frontage and two entrances for a safe one-way entrance and exit configuration.</li> <li>• Pathways, street lighting, electricity and water supply are in place.</li> <li>• It is a natural and safe setting for family and pensioner dwellings.</li> <li>• Athy Train station is a 10-minute walk and Lidl is a 15-minute walk.</li> <li>• GAA, Rugby, Soccer and Tennis clubs are a 15-minute walk and the golf club is a 5-minute walk.</li> <li>• Access to schools can be made by avoiding Athy centre when one travels via the Geraldine Road, L8067 and R417 Monasterevin road. Car journey time is 5 minutes.</li> </ul> <p>The submission is accompanied by <u>2 annotated maps</u> which illustrate the location of the lands in question (see below).</p>

Sub. No.	Name	Summary of Submission
		<p><b>Athy Town Boundary Map – Ty Bach site at red arrow</b></p>  <p><b>Chief Executive's Response</b></p> <p>The contents of the submission are noted.</p> <p>In preparing a development strategy for Athy, particular cognisance was placed on the policy objectives outlined in the National Planning Framework (2018) and the Regional Spatial and Economic Strategy (RSES) 2019 – 2031 for the Eastern and Midland Region. In this regard, the plan was required (under National Planning Objective (NPO) 7) to apply a tailored approach to urban development with a particular focus on encouraging population growth in strong employment and service centres, reversing the decline of smaller centres, addressing the legacy of rapid unplanned growth, and supporting a continuation of balanced population and employment growth. Accordingly, it is considered that the subject site, given its distant location well removed from access to the services of the town and, in particular the town centre means that zoning the lands for new residential development would be contrary to national and regional objectives to provide for compact growth (NPO3c; NSO1 and RSO2).</p> <p>It is further noted that the site was zoned I: Agricultural in the Athy Town Development Plan (2012 – 2018). In the context of this draft Plan, which is seeking to reverse a legacy of over-zoning acknowledged in the previous</p>

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		<p>Town Development Plan (pages 49 - 50), it would not be considered appropriate to zone previously zoned agricultural lands at the outer edges of the built-up area at the expense of more suitable locations which would comply with the requirements for compact growth and sequential development.</p> <p>With regard to having these lands specifically developed as individual serviced sites, it is considered that the designation of such low density residential development would not be in accordance with the level of residential density for 'outer suburban / greenfield' lands such as this, as required by the Section 28 Guidelines for Sustainable Residential Development in Urban Areas (2009). These statutory guidelines require that such lands be developed for residential purposes at a density of 35-50 units per hectare. Furthermore, the zoning of such low-density serviced sites would not be considered appropriate, given the strategic position of Athy as a 'Self-Sustaining Growth Town' in the hierarchy of settlements in the county, as set out in the Kildare County Development Plan 2017 - 2023 (as varied).</p> <p>It should be noted however, that the Planning Department is preparing a Small Towns and Villages Strategy which will form an integral part of the upcoming Draft Kildare County Development Plan 2023-2029 (anticipated Q4 2021/Q1 2022). This strategy will address the national and regional policy objectives of the National Planning Framework and Regional Spatial and Economic Strategy as they relate to the regeneration and renewal of small towns and villages, of which the provision of serviced sites for new homes <u>will be a key component</u>.</p> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>
25.	Ger Kelly	<p>Submission concerns a long-term resident (35 years) of the Kingsgrove residential estate who outlines a number of concerns regarding the green open spaces in the estate and the possibility that they are to be developed for future housing. Submission notes that these spaces are been maintained by the residents since they were built and their presence creates a safe environment for children to play and are frequently used by many elderly residents to exercise. Refers to the open space opposite No. 69 and No. 90 which are only a fence away from new residential development land at Chanterlands and states that any access for vehicular traffic would seriously impact on the roads infrastructure of the estates. Note the extra volume of traffic arising from the</p>

Sub. No.	Name	Summary of Submission
		<p>relatively new Glebelands residential estate has already impacted the area. Lastly, the submission refers to the area between missing house No. 97 and No. 98 Kingsgrove and states that providing any new access way would create a totally inadequate situation which would disrupt this quiet cul de sac.</p> <p><b>Chief Executive's Response</b>                      The concerns outlined in the submission are noted. With regard to the issue of designated open spaces within the Kingsgrove residential estate, the draft Plan does not contain any provisions to develop any existing designated green open spaces. With reference to the main green area of Kingsgrove/Graysland being designated as <i>'Open Space and Amenity'</i> it is noted that dwellings are not permitted under this land use (see draft LAP, page 119; Table 11.5). On the issue of the smaller areas of open space within Kingsgrove, it should be noted that a land use zoning map associated with a Local Area Plan is a high-level indication of either:</p> <ul style="list-style-type: none"> <li>a) land uses which are acceptable at a particular location.</li> <li>b) the established and/or predominant land use in an area.</li> </ul> <p>These designations are based on the consideration of a significant number of criteria and are not designed to be prescriptive to every site within a settlement. In this specific case, the open space areas referred to are conditioned by way of a statutory planning permission to be public open space associated with the permitted development and therefore further housing would not be permitted on these areas. The importance of retaining existing green open space for reasons relating to peoples' health and wellbeing and biodiversity is acknowledged by the Council and is a prominent feature of the draft Plan.</p> <p>It should be noted that neither the Draft LAP or the supporting Athy Area Based Transport Assessment (ABTA) have included any proposals/measures for new roads to be constructed between the residential estate of Kingsgrove and the undeveloped Chanterlands site.</p> <p><b>Chief Executive's Recommendation</b>                      No change recommended.</p>
26.	Rheban Manor, Hollands,	<ul style="list-style-type: none"> <li>• Submission by the committee members of the Residents Association strongly objects to the inclusion of open pathways (proposed connectivity links) being suggested for the estates.</li> </ul>

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	<p><b>Moneen and Cyprian Residents' Association</b></p>	<ul style="list-style-type: none"> <li>• Submission notes many incidents of anti-social behaviour from youths coming outside the estate who show no respect for the area. Such cited behaviour ranges from verbal abuse of residents, fires being lit and litter and noise pollution. Submission states that this is when there are already walls in place.</li> <li>• Notes that they also hold events for residents within the estate which would be hard to maintain for residents should anyone be allowed to wander in.</li> <li>• States that there is no clear advantage to the residents of the estate for these proposed walkways and that Planners should consider how they impact on the lives of existing residents, taking into account the wider picture of criminality and anti-social behaviour in future plans.</li> <li>• Notes that too many decisions are taken without proper consultation with people on the ground and invites planners to join the association to pick up litter in the estate to understand the issues.</li> <li>• States that the committee feels so strongly about this that they will immediately resign if these walkways are not removed from the plan.</li> <li>• Concludes submission by stating that they have a large enough task maintaining a 300+ housing estate, however have raised the standards and have received the best kept large estate for 2 years running, noting that it would be a shame to ruin all that effort.</li> </ul> <p><b>Chief Executive's Response</b></p> <p>The submission by the committee members of the Rheban Manor, Hollands, Moneen and Cyprian Residents' Association is noted. The Council also wishes to acknowledge the work of the Resident's Association in maintaining the public areas of the estate to a high standard and free of litter.</p> <p>Whilst the concerns outlined by the residents are noted, the provisions of the draft LAP relating to the proposed Connectivity Programme were prepared in response to research which found Athy to have a poorly connected urban structure in which key destinations (such as schools, key services and employment areas) are not easily accessible on foot or by means other than the private car. This has long term consequences for the overall health of the resident population, their ability to access key services and social infrastructure, in addition to levels of isolation and loneliness. The LAP (informed by the Area Based Transport Assessment) outlines a vision for a more sustainable, integrated and climate resilient settlement, adapted to cater for the needs of a growing</p>

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		<p>and aging population and to alleviate private car dependency in order to assist general movement around the town of Athy. Accordingly, the 'Connectivity Programme' as outlined in the draft LAP, seeks to translate this vision into reality by initiating meaningful change on the ground to make the town universally accessible for all of its residents. Whilst some routes may appear to be local interventions only, their delivery will in fact provide a vital component in the overall strategic pedestrian/cycle network in the town. When complete these routes will provide for a safe, practical and convenient walking/cycling route to several primary and secondary schools for students living within a large area of Athy north of the town centre. The delivery of such cycling/pedestrian routes is also in keeping with the provisions of Kildare County Council Climate Adaptation Strategy (2019 – 2024) which requires that land use plans include provisions to promote the transition to a low carbon society.</p> <p>With regard to residents' specific concerns regarding lack of consultation, it should be noted that objective MTO1.1 of the draft Plan provides that the final design and planning of each of the specific routes identified in the draft LAP shall <i>'be subject to appropriate environmental assessment, where applicable, and undergo a separate public consultation process'</i>. Accordingly, the plan provides an inbuilt safeguard to ensure that the development of the proposed connectivity routes will be subject to a separate public consultation procedure, which will take into consideration specific siting and design concerns of residents and other interested parties.</p> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>
27.	Clifford Reid	<p>Submission from the owner of a boat company which operates boat tours at four locations along the Canal including Athy. The submission welcomes the plan stating that it is extensive and innovative. The submission then goes on to outline a number of suggested changes and amendments to the Draft, as follows;</p> <ul style="list-style-type: none"> <li>• Section 6.5.1 – Water Tourism. Remove the follow text from Paragraph 3: <i>"It is considered that a longstanding obstacle to achieving improved utilisation of the waterways in the town is the deficit in safe and convenient mooring facilities. Boats and barges are being restricted in their ability to moor in Athy and this is a major disincentive to considering the town as a stopover location"</i>. States this was included in the previous Town Development Plan and is no longer true noting that at present, there are numerous boats moored</li> </ul>

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		<p>behind a gated entrance on the East bank of the river (Under AIB). These moorings are available to all waterways users. Suggest text should be replaced with the following wording:  <i>“Athy has witnessed substantial growth in boating tourism in recent years. This regularly results in over demand for berths on all town centre mooring facilities. To accommodate this demand, and the predicted future growth, a major upgrade of the current in-place facilities is needed. In addition, investment to dramatically expand the number of berths and moorings available is essential”.</i></p> <ul style="list-style-type: none"> <li>• Under Section 9 - Natural Heritage, would like to see space made for the Irish Bat population. Having facilitated a number of Bat Walks/Surveys on the Barrow in recent years, it is evident that the section of river from Cromaboo Bridge to Ardreigh has a thriving population of bats. On a number of occasions, up to seven out of the nine native Irish Bats species have been identified.                      Regarding this, suggests that all future floodlighting of infrastructure for this area, in particular along the Distributor Road bridge, the disused Wolfhill Railway bridge and the Horse Bridge, be floodlit with Bat friendly lighting and could become Irelands’ first Bat Observatory. Notes this would establish Athy as a forerunner in Conservation/Eco Tourism. Also recommends that the aforementioned bridges be floodlight with bat friendly lighting to increase tourist potential.</li> <li>• In relation to Green Infrastructure GI1.7 which states that a <i>“biodiversity protection zone be maintained 60 meters from the river Barrow and 20 meters from the canal”</i>. I would like to clarify/suggest that in this regard, the Lateral Cut of the Barrow Navigation from the disused Wolfhill Railway Bridge to Ardreigh lock is considered part of the river Barrow and not the Grand canal Barrow-line which terminates at Hoare's lock (Lock 28th). In addition, the submission states that due to being designated part of the River Nore and River Barrow SAC, it therefore is afforded the 60-metre protection zone from the top of the bank along this stretch.</li> <li>• Submission makes a number of suggestions regarding the Tourism Policy Section 6.5.4 as follows:                         <ul style="list-style-type: none"> <li>○ The establishment of a Circular Canoe/Kayaking Trail between Athy and Monasterevin. This should tie in with the new Blueway. The very successful 2015 canoe race established a kayaking/canoeing route of 47km (longest canoe race in Ireland) starting in Athy, up the Canal to Monasterevin before portaging into the river Barrow once more and back to the jetty at Athy. Notes this is the race which</li> </ul> </li> </ul>

Sub. No.	Name	Summary of Submission
		<p>Athy Rowing &amp; Canoeing have since taken on and run every year. States that this route can be established as a leisurely tourism attraction that can be completed over a number of days.</p> <ul style="list-style-type: none"> <li>○ Submitter further notes that he also established a shorter 21km route that travels up the canal to the Aqueduct at Vicarstown, down onto the Stradbally river which flows into the Barrow and back to Athy. This can also be made into a shorter canoeing trail (1day) route (provides links to a webpage). States that these routes have significant potential, as the main issue facing those embarking on a canoeing adventure, is the need for two cars or a drop-off and pick-up point as 99% of all canoe trails are linear. This route allows for the one location, Athy.</li> <li>○ Staying with trail routes, it would be possible by working with local farmers to reopen the old Barrow riverbank route between Monasterevin and Athy that was used by the Barrow Drainage Scheme for dredging the river over decades up until recent times. This route runs adjacent to the Barrow and could be re-established/reopened to facilitate a circular walking route between Athy and Monasterevin, taking in both the Grand canal and River Barrow. Similar to above, this allows for the use one starting/finishing point.</li> </ul> <ul style="list-style-type: none"> <li>● As part of tourism development policy, it is submitted that the Council develop parameters around the design and distribution of all published materials and leaflets. In this regard the council is requested to refrain from continually using the same old photo of Athy, taken approximately twenty years ago and showing the river Barrow prior to the installation of the town Jetty or moored boats. Notes that there are numerous pictures freely available on a number of stated websites included the submitter's</li> <li>● Suggests the implementation of a 11 km speed for watercraft on the section of Barrow above the Horse Bridge. This would mirror the Barrow Navigation speed limit of 11km and help dissuade water-skiing which has a detrimental impact on both natural heritage and tourism.</li> <li>● Notes Athy as being one of the most popular course angling locations in the Mid-Eastern region. In this regard an expansion in the number of wheelchair friendly fishing stands is of huge importance.</li> <li>● Suggests, designating the entire waterways of Athy as a "Catch &amp; Release". Notes that this "Catch &amp; Release" designation is already in place on all of Waterways Ireland controlled waters. States that designating local waters the same will complement the policy.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Further suggests the self-designation of Athy as a “Waterways Friendly” town. Other towns have done this by self-designating themselves as “dog friendly” or “pet friendly” towns therefore illustrating the Councils commitment to attracting waterways-based tourism to Athy.</li> <li>• Requests the council to commit to put in infrastructure that will further serve to attract anglers and increase tourism.</li> <li>• The need to complete the development of a private marina in Athy is of paramount importance not only to the town from a boating tourism perspective , in addition to the overall development of Athy. Other towns up and down the waterways system, particularly on the Shannon have benefited greatly by the establishment of privately built, run and operated marinas; seeing large increases in holidaying tourist mooring vessels long-term in locations (particularly over winter months) which they can visit at weekends to take local day only boat journeys.</li> <li>• There is a need to put in place a floating walkway/mooring from Cromaboo Bridge to the Horse Bridge on the Western bank of the river that will facilitate boating, angling, walking, kayaking, dragon boating and rowing. It would also tie in and accommodate the future needs of the proposed development on the Dominican site.</li> <li>• States that there also needs to be a commitment to providing the following infrastructure: <ul style="list-style-type: none"> <li>○ kayak friendly jetties,</li> <li>○ triathlon/swim entry/exit points</li> <li>○ wheelchair mooring facilities</li> <li>○ wheelchair fishing stands</li> <li>○ boat pump-out facilities and electrical hook-up points</li> <li>○ water safety/rescue infrastructure and training</li> <li>○ long-term secure parking for trail walkers/canoers,</li> <li>○ canoe polo infrastructure at the harbour</li> <li>○ roofing the dry dock</li> </ul> </li> <li>• Submission concludes by requesting that there is a commitment to market Athy from a Waterways Tourism perspective.</li> </ul>

Sub. No.	Name	Summary of Submission
		<p><b>Chief Executive's Response</b></p> <p>The contents of the submission in relation to the tourist, heritage and ecological potential of Athy's waterways are noted.</p> <p>The suggestion to amend the text in the third paragraph of Section 6.5.1 is accepted.</p> <p>It is acknowledged that the section of the River Barrow between Cromaboo Bridge to Ardreich is home to several species of bats, a protected species under Annex 4 of the Habitats Directive. Accordingly, the request that the bat population need to be protected against any future floodlight along the River is accepted. With regard to lighting along the new Athy Distributor Road it is noted that this scheme has already received planning permission and therefore is outside of the remit of this Plan.</p> <p>The request for clarity in relation to objective GI1.7 on the issue of what constitutes the River Barrow is accepted. It is proposed that the following additional text be inserted after 'River Barrow' in the objective: 'including all areas covered by the Special Area of Conservation (SAC)'.</p> <p>With regard to include various potential kayaking/canoeing routes and walking routes along the River Barrow and Grand Canal Barrow-line/ Barrow Navigation route, it is noted the majority of these routes are outside of the Plan area. Furthermore, it is considered that objectives EDTO3.1 to EDTO3.4 provide sufficient support to promote and facilitate the appropriate development of Athy's waterways with regard to tourist and recreational activities.</p> <p>In relation to the request regarding the promotion of Athy as a tourist destination, aside from outlining strategic policies to support tourism in the town and tourism/amenity based regeneration, issues relating to the design and distribution of promotional materials and leaflets are outside the remit of this plan. Regarding the comments relating to imagery, it should be noted that the Council engaged with Athy Photography Society and other interested parties to obtain new imagery for the draft Plan.</p>

Sub. No.	Name	Summary of Submission
		<p>It should be noted that rules relating to “Catch &amp; Release” along Athy’s waterways and the implementation of speed limits for watercraft within Athy are outside the remit of this land use plan. Regarding the suggestion to designate Athy as a “<i>Waterways Friendly</i>” town, it should be noted that this too falls outside the remit of the Plan.</p> <p>The request for the plan to support the development of angling and associated infrastructure including wheelchair friendly fishing stands is accepted.</p> <p>It should be noted that aside from including strategic objectives to support the provision and development of Athy’s waterways infrastructure, it is outside the remit of the plan for the Council ‘to commit’ to the delivery of specific pieces of infrastructure. In this regard it is considered that policy EDT3 and objectives EDTO3.1 to EDTO3.4, along with EDTO3.7 (draft Plan, pages 61-62) provide appropriate support for the development of Athy’s waterways infrastructure.</p> <p>Regarding the development of a marina in the town, it is noted that the Athy Urban Regeneration Framework envisages the marina (located within the Abbey and Marina Lands character area) as playing a ‘<i>complementary role to the Dominican Lands across the river, in that it should also be home to various water-based recreational and amenity spin-off activities arising from the development of the Barrow Blueway and Blueway Hub.</i>’ (draft LAP, Appendix 1, page 31).</p> <p>In relation to the need for new waterways based infrastructure within the Dominican Lands, it is noted that the development of such facilities will be included as part of the Dominican Lands and Blueway Hub Masterplan which has been identified as a Priority Project of the Athy Urban Regeneration Framework (draft LAP, Appendix 1). In this regard, it is noted that the Council has commenced the preparation of the Dominican Lands Masterplan.</p> <p><b>Chief Executive’s Recommendation</b> <b>Proposed Material Alteration</b></p>

Sub. No.	Name	Summary of Submission
		<p>Amend the third paragraph of Section 6.5.1, as follows:  <del>It is considered that a longstanding obstacle to achieving improved utilisation of the waterways in the town is the deficit in safe and convenient mooring facilities. Boats and barges are being restricted in their ability to moor in Athy and this is a major disincentive to considering the town as a stopover location. Athy has witnessed substantial growth in boating tourism in recent years. This regularly results in over demand for berths on all town centre mooring facilities. To accommodate this demand, and the predicted future growth, a major upgrade of the current in-place facilities is needed. In addition, investment to dramatically expand the number of berths and moorings available is essential.</del> The development of a marina, or at least the expansion of the existing mooring facilities is <i>considered</i> an essential <i>requirement</i> <del>piece of infrastructure that is required</del> in order to maximise the possibilities presented by the increase of tourism activities based around Athy's waterways with the completion of the Barrow Blueway.</p> <p><b>Proposed Material Alteration</b>            Insert the new objective following objective NH1.6, as follows:  <b>NH1.7</b> <i>Ensure that any proposals for the lighting/flood lighting of waterways infrastructure, buildings or pedestrian/cycling routes along waterways within the Plan area incorporate bat friendly lighting schemes as set out in 'Bats and Lighting, Guidance Notes for: Planners, engineers, architects and developers' (Bat Conservation Ireland, December 2010).</i></p> <p><b>Proposed Material Alteration</b>            Amend objective GI.1.7, as follows:  <b>GI1.7</b> Maintain a biodiversity protection zone of 60 metres from the top bank of the River Barrow <i>(including all areas covered by the River Barrow and River Nore SAC)</i>, 20 metres from the canal and not less than 10 metres from the top bank of smaller watercourses, with the full extent of the protection zone to be determined on a case by case basis by the Planning Authority, based on site specific characteristics and sensitivities. Strategic green routes and trails will be open for consideration within the biodiversity protection zone, subject to appropriate safeguards and assessments.</p>

Sub. No.	Name	Summary of Submission
		<p><b>Proposed Material Alteration</b>                      Inserted new objective as follows after objective EDTO3.3 and renumber subsequent objectives accordingly:  <i>EDTO3.4 Support and facilitate the development of angling activities and supporting infrastructure, including the provision of wheelchair friendly stands in Athy, subject to appropriate environmental assessments.</i></p>
28.	Sergej Merenkov	<p>Submission from a resident of the Cois Bhearú residential estate who states that he purchased his house in 2017. Notes that the property was more expensive than others in Athy, however it appealed to him due to its location in a small, private and family friendly estate without any through roads or walkways. The submission states that the estate should stay this way and strongly objects to proposed routes WN19 and WN20 contained in the Draft Plan. Further states that additional non-resident foot traffic through the estate would cause an adverse effect on the estate: more litter, higher chance of anti-social behaviour and criminal activity from non-residents and therefore routes WN19 and WN20 should not go ahead.</p> <p><b>Chief Executive's Response</b>                      The submission outlining the resident's concerns regarding proposed routes WN19 and WN20 is noted. Research conducted as part of the preparation for the draft LAP found Athy to have a poorly connected urban structure in which key destinations (such as schools and services) are not easily accessible on foot or by means other than the private car. This has long term consequences for the overall health of the resident population, their ability to access key services and social infrastructure, in addition to levels of isolation and loneliness. The LAP (informed by the Area Based Transport Assessment) outlines a vision for a more sustainable, integrated and climate resilient settlement, adapted to cater for the needs of a growing and aging population and to alleviate private car dependency in order to assist general movement around the town of Athy. Accordingly, the 'Connectivity Programme' as outlined in the draft LAP, seeks to translate this vision into reality by initiating meaningful change on the ground to make the town universally accessible for all of its residents. Whilst WN19 and WN20 may appear to be local interventions only, their delivery would in fact provide a vital component in the overall proposed pedestrian/cycle network in the town. When complete these routes will provide for a safe, practical and convenient walking/cycling route to the schools campus for students living within a large area of</p>

Sub. No.	Name	Summary of Submission
		<p>Athy north of the town centre. The delivery of such cycling/pedestrian routes is also in keeping with the provisions of Kildare County Council Climate Adaptation Strategy (2019 – 2024) which requires that lands use plans include provisions to promote the transition to a low carbon society.</p> <p>Furthermore, it should be noted that objective MTO1.1 in the draft Plan provides that the final design and planning of each of the specific routes identified in the draft LAP shall <i>'be subject to appropriate environmental assessment, where applicable, and undergo a separate public consultation process'</i>. Accordingly, the plan provides an inbuilt safeguard to ensure that the development of the proposed connectivity routes will be subject to a separate public consultation procedure, which will take into consideration specific siting and design concerns of residents and other interested parties.</p> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>
29.	Katie Whelan	<p>Submission outlines concerns relating to the potential development of green spaces within the Kingsgrove/ Graysland residential estate. Notes that the residents deserve the right to retain these areas which have been maintained by the residents for many years and which the Council has made no effort to maintain in the last 20+ years. States that children play on these areas and that proposals bring the fear of extra traffic congestion in the morning particularly since the congestion on the Carlow Road is severe during this period. Notes that the new houses in Glebelands have added to the build-up and the area doesn't need further congestion. States that there is a danger of more vehicles driving through the estate and the residents of the area have not been considered both in terms of their safety, and also their entitlements to green amenity spaces. The submission concludes by saying that residents in the area have not been informed enough about the new plan and the idea being put forward is scandalous.</p> <p><b>Chief Executive's Response</b> The concerns outlined in the submission are noted. With regard to the issue of designated open spaces within both the Kingsgrove and Graysland residential estates, the draft Plan does not contain any provisions to develop any existing designated green open spaces. With reference to the main green area of Kingsgrove/Graysland</p>

Sub. No.	Name	Summary of Submission
		<p>being designated as <i>'Open Space and Amenity'</i> it is noted that dwellings are not permitted under this land use (draft LAP, page 119; Table 11.5). On the issue of the smaller areas of open space, it should be noted that a land use zoning map associated with a Local Area Plan is a high-level indication of either:</p> <ul style="list-style-type: none"> <li>a) Land uses which are acceptable at a particular location.</li> <li>b) The established and/or predominant land use in an area.</li> </ul> <p>These designations are based on the consideration of a significant number of criteria and are not designed to be prescriptive to every site within a settlement. In this specific case, the open space areas referred to are conditioned by way of a statutory planning permission to be public open space associated with the permitted development and therefore further housing would not be permitted on these areas. The importance of retaining existing green open space for reasons relating to peoples' health and wellbeing and biodiversity is acknowledged by the Council and is a prominent feature of the draft Plan.</p> <p>It should be noted that neither the Draft LAP or the supporting Athy Area Based Transport Assessment (ABTA) have included any proposals/measures for new roads to be constructed between the residential estate of Kingsgrove and the undeveloped Chanterlands site.</p> <p>Regarding the issue of informing residents about the provisions of the draft Plan, Kildare County Council has fulfilled its statutory requirements relating to public consultation as set out in the Planning and Development Act 2000 (as amended). Furthermore, it should be noted that objective MTO1.1 in the draft Plan provides that the final design and planning of each of the proposed connectivity routes identified in the draft LAP shall <i>'be subject to appropriate environmental assessment, where applicable, and undergo a separate public consultation process'</i>. Accordingly, the plan provides an in-built safeguard to ensure that the development of the proposed connectivity routes will be subject to a separate public consultation procedure, which will take into consideration specific siting and design concerns of residents and other interested parties.</p> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>

Sub. No.	Name	Summary of Submission
30.	Jekaterina Merenkova	<p>Submission relates to a resident of Cois Bhearú who objects to proposed connectivity links WN19 and WN20 contained in the Draft Plan. States that when they purchased in 2017, the property was more expensive than others in Athy, however it appealed to her because it was in a small, private and family friendly estate without any through roads or walkways. States that as a family with three children they would like to keep it that way and strongly objects to proposed connectivity links WN19 and WN20 in Cois Bhearú (Ard Bhearú/Whitecastle Lawns). Concludes by stating that additional non-resident foot traffic through the estate would cause an adverse effect on the estate increasing litter, heightening the potential of anti-social behaviour and criminal activity from non-residents.</p> <p><b>Chief Executive's Response</b></p> <p>The submission is noted. The submission outlining the resident's concerns regarding proposed routes WN19 and WN20 is noted. Research conducted as part of the preparation for the draft LAP found Athy to have a poorly connected urban structure in which key destinations (such as schools and services) are not easily accessible on foot or by means other than the private car. This has long term consequences for the overall health of the resident population, their ability to access key services and social infrastructure, in addition to levels of isolation and loneliness. The LAP (informed by the Area Based Transport Assessment) outlines a vision for a more sustainable, integrated and climate resilient settlement, adapted to cater for the needs of a growing and aging population and to alleviate private car dependency in order to assist general movement around the town of Athy. Accordingly, the 'Connectivity Programme' as outlined in the draft LAP, seeks to translate this vision into reality by initiating meaningful change on the ground to make the town universally accessible for all of its residents. Whilst WN19 and WN20 may appear to be local interventions only, their delivery would in fact provide a vital component in the overall strategic pedestrian/cycle network in the town. When complete these routes will provide for a safe, practical and convenient walking/cycling route to the schools campus for students living within a large area of Athy north of the town centre. The delivery of such cycling/pedestrian routes is also in keeping with the provisions of Kildare County Council Climate Adaptation Strategy (2019 – 2024) which requires that lands use plans include provisions to promote the transition to a low carbon society.</p>

Sub. No.	Name	Summary of Submission
		<p>Furthermore, it should be noted that objective MTO1.1 in the draft Plan provides that the final design and planning of each of the specific routes identified in the draft LAP shall <i>'be subject to appropriate environmental assessment, where applicable, and undergo a separate public consultation process'</i>. Accordingly, the plan provides an in-built safeguard to ensure that the development of the proposed connectivity routes will be subject to a separate public consultation procedure, which will take into consideration specific siting and design concerns of residents and other interested parties.</p> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>
31.	Don Watchorn	<p>Submission refers to a property owner who lives adjacent to the proposed new <i>'sports training hub'</i> referred as Ardrew Key Development Area in the Draft Plan. Submission outlines concerns relating to additional traffic the proposal could generate at this location. States that if this proposed development goes to planning , the additional traffic at this location including the proposed feeder road in the plan which has the potential to cause severe traffic problems and disruption to access to the owner's property. States that as previously noted during the planning phase for the new Athy Road (Athy Distributor Road) the owner feels that the entrance to his property is highly dangerous because there will be a new junction within a few car lengths of the existing entrance.</p> <p>Requests that the Council will give serious consideration to providing a new safe entrance to the property in question. Submission concludes by stating that they are open to an entrance on the new Distributor Road or at a safe location to be agreed on the Fortbarrington Road. Request for a wall to be constructed along the length of the property of the submitter should this development proceed.</p> <p><b>Chief Executive's Response</b> The concerns outlined in the submission are acknowledged by the Council. With regard to the issue of additional traffic generation on foot of the envisaged development of the Ardrew Key Development Area (KDA) it should be noted that under the Chief Executive's Response to the submission of Transport Infrastructure Ireland it is recommended that objective MTO4.6 of the Plan be strengthened so that it stipulates the requirement for</p>

Sub. No.	Name	Summary of Submission
		<p>Traffic Impact Assessment (TIA) as part of the planning application process for all new residential land including the Ardrew Key Development Area.</p> <p>On the issue of the proposed boundary wall along the interface of the subject site and the KDA, it is noted that any development on the site will be subject to a separate statutory planning and public consultation process. Accordingly, specific design related details such as boundaries and entrances will be dealt with as part of this process rather than addressed within the broader remit of the LAP.</p> <p><b>Chief Executive's Recommendation</b> Refer to Chief Executive's Response and Recommendation to Submission No. 18 (Transport Infrastructure Ireland) with regard to strengthening the provisions of objective MTO4.6 so that it stipulates the requirement for Traffic Impact Assessment (TIA) to be undertaken as part of the planning application process for all new residential lands including the Ardrew Key Development Area.</p>
32.	Ludmila Cupikova	<p>Submission is from a resident of the Cois Bhearu estate who has been living there for over a decade. States that it is a calm and child-friendly place and that proposed routes WN19 and WN20 would make it unsafe for the children to play and heightened chances of criminal and anti-social activity from non-residents along with bringing more littering/pollution to the estate. Concludes by stating that she and her family are against the proposed route and that it should not be built.</p> <p><b>Chief Executive's Response</b> The submission outlining the resident's concerns regarding proposed routes WN19 and WN20 is noted. Research conducted as part of the preparation for the draft LAP found Athy to have a poorly connected urban structure in which key destinations (such as schools and services) are not easily accessible on foot or by means other than the private car. This has long term consequences for the overall health of the resident population, their ability to access key services and social infrastructure, in addition to levels of isolation and loneliness. The LAP (informed by the Area Based Transport Assessment) outlines a vision for a more sustainable, integrated and climate resilient settlement, adapted to cater for the needs of a growing and aging population and to alleviate private car dependency in order to assist general movement around the town of Athy. Accordingly, the</p>

Sub. No.	Name	Summary of Submission
		<p>'Connectivity Programme' as outlined in the draft LAP, seeks to translate this vision into reality by initiating meaningful change on the ground to make the town universally accessible for all of its residents. Whilst WN19 and WN20 may appear to be local interventions only, their delivery would in fact provide a vital component in the overall strategic pedestrian/cycle network in the town. When complete these routes will provide for a safe, practical and convenient walking/cycling route to the schools campus for students living within a large area of Athy north of the town centre. The delivery of such cycling/pedestrian routes is also in keeping with the provisions of Kildare County Council Climate Adaptation Strategy (2019 – 2024) which requires that lands use plans include provisions to promote the transition to a low carbon society.</p> <p>Furthermore, it should be noted that objective MTO1.1 in the draft Plan provides that the final design and planning of each of the specific routes identified in the draft LAP shall '<i>be subject to appropriate environmental assessment, where applicable, and undergo a separate public consultation process</i>'. Accordingly, the plan provides an in-built safeguard to ensure that the development of the proposed connectivity routes will be subject to a separate public consultation procedure, which will take into consideration specific siting and design concerns of residents and other interested parties.</p> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>
33.	Thomas Redmond	<ul style="list-style-type: none"> <li>• Submission concerns a resident of Athy Town Centre who notes the potential of the towns extensive backland sites which could be redeveloped.</li> <li>• States that the over development of residential housing in Athy East Urban is set to continue with an Approved Housing Body in Flinter's (Field). In this regard he would hope that the current cohort of elected representatives look to alternative areas for development of this nature.</li> <li>• Notes that there is currently only one bridge in the town which significant numbers of people have to cross to bring children to school. Notes the town needs a pedestrian bridge which was dropped from the last development plan</li> <li>• Refers to the planning of a Northern (Distributor) Road, which is considered likely to be removed again</li> <li>• Questions if we will see the Southern Distributor Road (Athy Distributor Road) by the end of the Plan period.</li> </ul>

Sub. No.	Name	Summary of Submission
		<p>The submission outlines a number of issues of concern/requests relating to various aspects of the Draft Plan under a number of areas, as outlined below.</p> <p><b>Spatial Planning Context and Vision for Athy</b></p> <ul style="list-style-type: none"> <li>• Requests that the following objectives be included in the draft plan: <ul style="list-style-type: none"> <li>○ That “<i>the council lands be rezoned as residential be given a hierarchy (sic)</i>”</li> <li>○ That the Council municipalize the collection of Waste throughout the whole municipality and to develop a policy within this plan or waste recovery.</li> </ul> </li> <li>• The submission identifies two sites within the town centre and one site outside the town centre boundary as opportunity sites i.e., sites that have the potential to transform the vitality of the town. These sites are identified because of their prominence and underutilisation. <ul style="list-style-type: none"> <li>○ Site 1: Raggett Site</li> <li>○ Site 2. Old CBS School in the vicinity of Greenhills</li> </ul> <p>Submission notes that these sites remain in a similar neglected state as when they were identified in the previous plan and that this is an unfortunate indicator of the economic stagnation within the town.</p> </li> <li>• States that It should be an objective of the plan to develop a masterplan for the Woodstock Street area</li> </ul> <p><b>Home and Communities</b></p> <p>Submission seeks that the plan should include the following provisions</p> <ul style="list-style-type: none"> <li>• To support and facilitate disabled specific housing with specific lands made available by the Municipal Council in areas near facilities.</li> <li>• To encourage retirement village housing initiatives.</li> <li>• To remove from the development plan zoned lands that are not built on within the timeframes of 1 full scheduled Plan.</li> <li>• That all residential plans include adequate parking for EV's.</li> <li>• To promote and support innovative housing within the town centre.</li> </ul> <p><b>Urban Centre and Retailing</b></p> <ul style="list-style-type: none"> <li>• Submission states that it should be an objective of the Council to: <ul style="list-style-type: none"> <li>○ Prioritise the town centre backland development to consolidates and regenerate the existing urban core.</li> </ul> </li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Requests that the plan improve the quality, ambience, vitality and vibrancy of the town centre, through the following:               <ol style="list-style-type: none"> <li>1. Remove/underground all wiring from electricity poles</li> <li>2. Facilitate the development of the market on a Tuesday with investment from outside bodies to continue this heritage market.</li> <li>3. Encouragement of alternative uses and functions as outlined in Section 3.4 of the Urban Regeneration Framework for vacant units within the town centre.</li> </ol> </li> <li>• Notes that the strategy should also address the following issues:               <ul style="list-style-type: none"> <li>○ Ensure that the town centre is accessible to all members of the community, including people with disabilities, the elderly and people with young children.</li> <li>○ Support and facilitate the delivery of age friendly seating, bus stops and other public realm initiatives identified in the Athy Public Realm Strategy.</li> <li>○ Develop a comprehensive car parking plan for the town which will balance the needs of vehicular access to the town centre without compromising the overall quality and visitor experience of the public realm.</li> <li>○ Seek to reduce the use of line marking, signage and overhead wiring in the town centre of Athy.</li> </ul> </li> <li>• Submission suggests a list of actions, as follows:               <ul style="list-style-type: none"> <li>○ Work with the owners of Woodstock Castle with a view to providing public access to this historic building as a tourist and heritage destination</li> <li>○ Seek to update the Town walkability Survey on a biennial basis during the lifetime of the Plan.</li> <li>○ To investigate the feasibility of appointing an Athy Town Architect.</li> <li>○ That the Council develop a new signage policy and strictly administer the said policy</li> <li>○ That the council initiate in its development plan a walkability survey (notes the poor condition of the streets)</li> <li>○ That when cobble/walkways are removed they are not replaced with tarmac or cement as per Emily square.</li> <li>○ The Council should try and offer free parking in its car parks for EV'S.</li> <li>○ The lighting in the town centre should be brought back to period lighting style lights and with LED bulbs.</li> <li>○ The council should put into plan a rejuvenation plan for the Woodstock street area.</li> </ul> </li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>○ That the council reintroduce the bins that were on the streets. Many of which were taken to be painted or fixed and never returned. The new bins should be solar types such as in Bray, Co. Wicklow.</li> <li>○ That the council identify the amount of energy is being used and highlight these figures for all to see. And that all council buildings get PV Solar installed.</li> </ul> <p>Notes that the Dominican Lands become a park for people as over 5 years has passed now since an application for housing and the gates to this land are still shut. Requests that this council look to develop part of this for public use.</p> <p><b>Economic Development and Tourism/Enterprise</b></p> <ul style="list-style-type: none"> <li>● Requests that the council should prioritise infrastructure for boat owners.</li> <li>● States that the council should develop a plan for a new industrial site on the Dublin Road side of the town.</li> <li>● States that Athy's redevelopment should include creating a visitor experience in this unique waterfront area. The location of Canal Docks between the town centre / Barrow requires careful consideration of amenities and linkages required to draw people between these locations.</li> <li>● Requests that the Dry Dock be redeveloped</li> <li>● Notes that the Historic Malting industry in Athy and old scout centre at the canal may be a place for redevelopment.</li> <li>● Requests that the council should undertake a business plan for the use of waterways and that it should look to employ a Waterways Coordinator.</li> </ul> <p><b>Movement and Transport</b></p> <ul style="list-style-type: none"> <li>● Requests that the council explore the removal of HGV Vehicles at schools at certain times.</li> <li>● That this development explores the development of a walkway from the Carlow Road to the Kilkea road.</li> <li>● That the Council include a pedestrian bridge over the river barrow at Rathstewart,</li> <li>● That the Plan explore the CPO of the lands immediately at the Train station for the safe use of pedestrians.</li> <li>● That the Plan explore options for safe passage for pedestrians from the rail station.</li> <li>● That the development plan makes specific note of the lack of bus shelters for travellers and look to develop such amenities.</li> </ul> <p><b>Built Heritage and Archaeology</b></p>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Submission proposes to make an addition to the Register of Protected Structures in accordance with a review or variation of its Development Plan as set out in Section 12 of the Act.</li> <li>• The House within the confines of the Boortmalt Factory. See image below attached with the submission.</li> </ul>  <p><b>Natural Heritage, Green Infrastructure and Strategic Open Space</b>  Requests that the Council undertake the following:</p> <ul style="list-style-type: none"> <li>• Seek to develop more playing pitches and manage said pitches.</li> <li>• Look to develop fishing activities by better access and signage.</li> <li>• Greatly improve the facilities for those in Castlepark by offering a changing facility for held sports such as soccer.</li> <li>• Develop a walkway on the AIB side of the Barrow with moorings for boats.</li> <li>• That the council look to improve the green areas in Clonmullion for residents there.</li> </ul> <p><b>Chief Executive's Response</b>  The contents of the submission relating to the draft Local Area Plan for Athy are noted.</p> <p>Regarding the potential for the development of extensive backland sites within the town centre, the draft Plan acknowledges the potential contribution such development can have in the rejuvenation of the town and</p>

Sub. No.	Name	Summary of Submission
		<p>consequently contains a suite of policy objectives which is supported by a comprehensive vision, as detailed in the Urban Regeneration Framework (Appendix 1 to the draft Plan)</p> <p>The comment in relation to over development of residential housing in Athy East Urban and the role of elected representatives in this regard is noted.</p> <p>Regarding the issue of additional bridges in the town, it should be noted that the draft Plan provides for and supports the construction of 3 additional river crossings, the first being the Athy Distributor Road and the other two being pedestrian/cyclist bridges. The pedestrian/cyclist bridge connections are listed as WN5 and WN6 in Table 7.1 of the draft Plan and has a delivery timeframe of 3-5 years (medium term). The proposed connections (WN5 and WN6) are also illustrated on Map 1.1 Movement and Transport (Walking and Connectivity Measures).</p> <p>The comments in relation to the northern and southern distributor roads are noted. Regarding the development of the Athy Distributor Road, it is envisaged that construction will commence in Q4 2021.</p> <p>Regarding the request <i>'that the council lands to be rezoned as residential be given a hierarchy'</i>, it is considered that further clarity needs to be provided in order to provide an informed response.</p> <p>On the request the Council municipalise the collection of waste, it is noted that the issue of strategic waste management is outside the remit of this local area plan.</p> <p>The identification of the 'Raggett Site' and the 'Old CBS School in the vicinity of Greenhills' as opportunity sites is noted (note the submission does not provide maps which specifically identify these sites). The Raggett Site, which is presumably the significant backlands site to the south of Leinster Street has been identified as an Opportunity Site in the Urban Regeneration Framework (Appendix 1 to the draft Plan). The site referred as the 'Old CBS School in the vicinity of Greenhills' is presumably the former St. Patrick's National School on St. John's Lane. It is considered that a town centre designation on the site instead of its current designation of 'E:</p>

Sub. No.	Name	Summary of Submission
		<p>Community and Education' would offer the potential of offering a far broader range of permissible uses (refer to Submission No. 59 for further details).</p> <p>In relation to the request for a masterplan for the Woodstock Street area, it is considered that the proposed Public Realm Strategy (see Objective UCRO1.10) will perform an instrumental role in the rejuvenation of this important part of the town centre.</p> <p>With regard to requests relating to the Homes and Communities Chapter, it is considered that the draft Plan contains appropriate provisions to support and facilitate disabled specific housing (objectives HCO2.1 and HCO2.2) on appropriate sites, including within the town centre. In regard to retirement village housing, it should be noted that such developments are permitted in principle across a broad range of land use designations in the draft Plan.</p> <p>In relation to the request to remove from the development plan zoned lands that are not built on within the timeframe of the Plan, its considered that such an action would not be in keeping with the principle of sequential development, where designated lands closest to the town centre and public transport nodes should be always prioritised for development. However, it should be noted that the draft Plan includes an Active Land Management Strategy which places a particular emphasis on the Vacant Site Levy, which will apply to residential land and regeneration (town centre) lands, as provided by objective HCO1.3.</p> <p>In relation to EV infrastructure, it should be noted that objective MTO2.3 in the draft Plan provides support for a significant increase in the provision of clearly and exclusively designated electric car charging points on public and private land in partnership with ESB and other relevant stakeholders and landowners. Furthermore, it is noted the County Development Plan (CDP) is currently under review, with requirements relating to the provision of electric charging points being examined as part of the review of the Development Management Guidelines chapter of the CDP.</p> <p>Response to specific comments and requests relating to Urban Centre and Retail issues:</p>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• The draft Plan (supported by the Athy Urban Regeneration Framework) contains a comprehensive range of provisions (including objectives) to support and promote town centre backland development.</li> <li>• In addition to the point above the objective providing for a Public Realm Strategy (UCRO1.10) also provides for the removal of overhead wiring along with a reduction in the use of line marking and signage to be undertaken as actions of the strategy.</li> <li>• The comments on the contents of the proposed Public Realm Strategy are noted.</li> <li>• The Draft plan contains an objective (UCRO2.11) to support and encourage the continuation and improvement of the Athy Town Market.</li> <li>• The draft Plan includes an objective (OS1.8) to support the development and implementation of a masterplan for the Woodstock Lands surrounding Woodstock Castle, this would ensure that the Castle would remain the central focus of any design scheme, as outlined in the section 3.3.5 of the Urban Regeneration Framework (Appendix 1 to the draft Plan).</li> <li>• Rather than update the walkability survey, it is intended that the actions contained in the 2020 Walkability Survey will be implemented over the life of the Plan both as part of the Public Realm Strategy and the Connectivity Programme, both of which are noted to be priority projects of the Urban Regeneration Framework.</li> <li>• The appointment of a Athy Town Architect is a corporate decision and consequently outside the remit of this Plan.</li> <li>• The proposed Public Realm Strategy includes the development of a bespoke materials palette for the town which will cover the provision of signage, pavement and street furniture (including bins and light fixtures). For further information see section 3.5, Athy Urban Regeneration Framework (Appendix 1 of the draft Plan).</li> <li>• The request that the council identify the amount of energy being used and highlight these figures for all to see and that all council buildings get PV Solar installed is noted. However it is considered that such an action falls outside the remit of this land use plan.</li> </ul> <p>In relation to the Dominican Lands, it is noted that the Council has commenced the preparation of a Masterplan for the area. It is intended that the majority of the lands will become a public park and consequently, fully accessible to the public.</p>

Sub. No.	Name	Summary of Submission
		<p>Response to specific comments and requests relating to Economic Development and Tourism/Enterprise:</p> <ul style="list-style-type: none"> <li>• It is noted that both the Dominican Lands Masterplan and the proposed Blueway Hub will contain provisions to expand and improve infrastructure relating to boating and other waterways amenities in order to maximise the potential opportunities to the town of the development of the Barrow Blueway.</li> <li>• In relation to the request to develop a new industrial site on the eastern (Dublin Road) site of the town, it should be noted that the Economic Development Strategy in the draft Plan provides for a targeted increase in employment of 1,330 jobs in the period to 2027. The increase in employment would be focused on employment based lands 'H: Industrial and Warehousing' and 'Q: Enterprise and Employment'. In this regard, it is noted that there is already a sufficient quantum of lands zoned in the draft Plan to accommodate this ambitious target.</li> <li>• The draft Plan includes the provision (a priority project of the Urban Regeneration Strategy) for a Blueway Hub / Education Centre to be located on the Dominican lands at the strategic location where the Barrow Line Canal meets the River Barrow. The Blueway Hub / Education Centre is designed to complement the development of the Barrow Blueway route, thereby attracting tourists in addition to providing enhanced facilities for the resident population.</li> <li>• The request to redevelop the Dry Dock is acknowledged and accepted. For further information refer to Submission No. 50.</li> <li>• The draft Plan does acknowledge Athy's rich malting history and includes an objective (EDTO3.13) to recognise and support the town's association with the malting industry and support its promotion as a tourism attraction.</li> <li>• The requests that the Council should undertake a business plan for the use of waterways and that it should look to employ a waterways coordinator is noted. In this regard, it is further noted that Waterways Ireland and not the Council control the Barrow Line of the Grand Canal and the Barrow Navigation system.</li> <li>• The appointment of a Waterways Coordinator is a managerial decision and consequently outside the remit of this Plan.</li> </ul> <p>Response to specific comments and requests relating to Movement and Transport issues:</p>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• In relation to the request that the Council explore the removal of HGV Vehicles at schools at certain times, it is considered that such a specific proposal is considered to be unfeasible, since there is no appropriate alternative route for HGVs traveling between Athy and Monasterevin, a route which also accesses several schools.</li> <li>• With regard to the development of a walkway from the Carlow Road to the Kilkea Road, it is noted that the Athy Distributor Road when open, will contain dedicated pedestrian and cyclists paths, thereby providing for such a link.</li> <li>• The plan includes a proposal for such pedestrian bridge over the River Barrow at Rathstewart. The pedestrian/cyclist bridge connection is listed WN6 in Table 7.1 of the draft Plan and has a delivery timeframe of 3-5 years (medium term). The proposed connection (WN6) is also illustrated on Map 1.1 Movement and Transport (Walking and Connectivity Measures).</li> <li>• In relation to the request to compulsorily purchase lands immediately at the Train Station for the safe use of pedestrians, there is lack of clarity in the submission regarding the particular lands in question. It should be noted however, that the Athy Distributor Road will provide for a high-quality dedicated pedestrian and cyclist connection to the Train Station.</li> <li>• The draft Plan does acknowledge the lack of bus shelters and related facilities in the town. This is also noted in the Area Based Transport Assessment (published alongside the plan). It is noted that objective M3.4 provides support to the development of bus infrastructure within the town.</li> </ul> <p>Response to specific comments and requests relating to Built Heritage and Archaeology issues:</p> <ul style="list-style-type: none"> <li>• The request relating to the proposed addition to the Register of Protected Structures is noted. In relation to the listing of protected structures, the process for adding/deleting structures to/from the register of protected structures is generally undertaken as part of the review of the County Development Plan (CDP). In this regard, it is noted that the review of the current Kildare CDP 2017 – 2023 (as varied) was commence by the Council in January 2021.</li> </ul> <p>Response to specific comments and requests relating to Natural Heritage, Green Infrastructure and Strategic Open Space issues:</p>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• In relation to the development of amenities and facilities including for waterways activities the draft Plan includes a range of provisions which supports an increase in both the quantum and quality of such infrastructure.</li> <li>• Whilst the Plan can identify locations for development and support the development of specific pieces of infrastructure like pitches and changing rooms, it should be noted that the Plan has no remit to ensure their delivery.</li> <li>• In relation to the specific improvement of green areas, this is considered to be an operational matter and consequently is outside the remit of this Plan.</li> </ul> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>
34.	<b>Clarnard Court Hotel</b>	<p>The submission requests that an objective be inserted within the Draft Plan to form extend a footpath link from Conlan's Centra to The Clarnard Court Hotel to promote guest safety and comfort and ensure that our many tourists visiting and staying in Athy will have ease of access to the greater urban area.</p> <p><b>Chief Executive's Response</b> In response to this submission it is noted that the draft LAP already provides for a such a walking/connectivity link to be developed. This connection is listed as WN26 in Table 7.1 of the draft Plan and has a delivery timeframe of 1-2 years (short term). The proposed connection (WN26) is also illustrated on Map 1.1 Movement and Transport (Walking and Connectivity Measures).</p> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>
35.	<b>Tesco Ireland</b>	<p>Submission by Avison Young Consultants on behalf of Tesco Ireland Limited, Gresham House, Marine Road, Dún Laoghaire, Co. Dublin.</p> <p><b>Benefits of the Retail Sector</b></p>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• The submission states the retail sector makes a major contribution to Co. Kildare by increasing the vitality and viability of towns and villages and acting as an anchor, creating significant employment and indirect economic and social activity.</li> <li>• It also states that local convenience retail facilities are now more important than ever given the COVID-19 pandemic.</li> <li>• Submission requests that on foot of this submission that the council would provide policies that would support and promote the development of retail stores of an appropriate scale at suitable locations within the town.</li> </ul> <p><b>Retail zoning</b></p> <ul style="list-style-type: none"> <li>• The submission notes that there has been no significant improvements to the retail sector in Athy Town since the development of Aldi at the Former Batchelor's Factory site.</li> <li>• Having regard to the increased population of Athy and the increased importance of convenience retail due to the Covid-19 pandemic, the submission considers that the draft Athy LAP does not provide for any new suitably-zoned sites for retail development to meet the needs of the Town.</li> </ul> <p><b>Requirement for Additional Convenience Retail</b></p> <ul style="list-style-type: none"> <li>• Notes the population growth of Athy since 2006 and the targeted growth outlined in the draft Plan and that no new retailers have established themselves in the town since 2014.</li> <li>• Previously the submission notes both the Local Authority and An Bord Pleanála permitted a convenience retail store (Reg. Ref. 13/30018; ABP Ref. 243512) on a site at the former 'Greencore' site, Woodstock South, demonstrating retail capacity. However, this site was acquired by Mitch Malt and is no longer available for retail.</li> <li>• It is also noted that Kildare County Council permitted a mixed-use development with a retail element in 2008 (Reg. Ref. 07/300058) and extended this permission to 2019. However, this development was never commenced and has since expired.</li> </ul> <p>The submission outlines consideration of the following potential sites for retail:</p> <ul style="list-style-type: none"> <li>• Former Batchelor's Factory Site – now occupied by Aldi.</li> </ul>

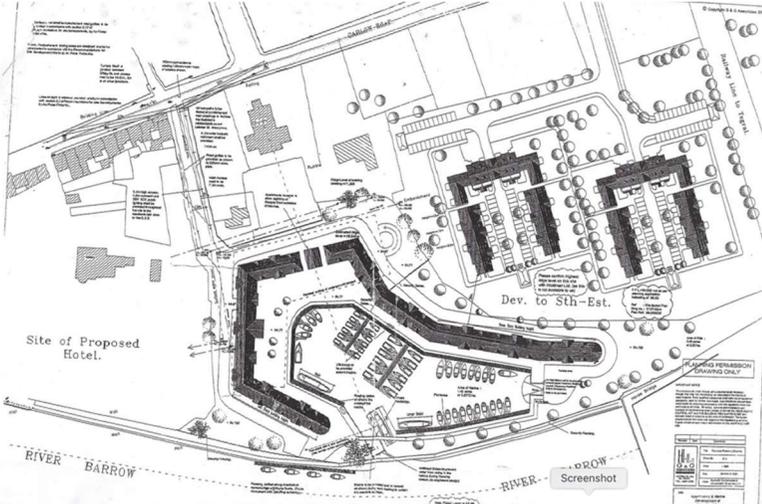
Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Former Greencore Site to the West – planning permission was granted for a retail development on this site but since it was bought by Mitch Malt it has been re-zoned from ‘Retail/Commercial’ to ‘Enterprise and Employment’ yet no alternative sites were identified for ‘Retail/Commercial’ premises.</li> <li>• The Dominican Church and Abbey House Lands – These lands have too many constraints for development including flood risks and proximity to designated SAC and NHA.</li> <li>• Geraldine Road Site – There is an undeveloped site adjacent to the Galú factory at Geraldine Road, zoned ‘Neighbourhood Centre’. According to this submission it was accepted previously by the Local Authority and An Bord Pleanála that this site does not meet the requirements of a large modern convenience supermarket of a scale to meet the needs of the town.</li> <li>• Land off Leinster Street – There is an undeveloped backland site south of Leinster Street and west of Saint Michael’s Terrace however this site may pose difficulties in terms of delivering a large floorplate associated with modern convenience retailers.</li> </ul> <p>The submission states there are no sites within the Draft LAP that would meet the criteria of larger modern convenience retailers and the council needs to identify future opportunity sites to enable the convenience retailing needs of the town.</p> <p><b>General Retailer Requirements</b></p> <p>Submission outlines issues relating to the optimal siting of retail developments stating convenience retail as very specific requirements. States that as no such sites are currently available in the draft Athy LAP or they are designated for other uses, alternative lands that are sequentially appropriate need to be identified for retail convenience uses.</p> <p>In this regard, the submission notes that many modern retailers operate to an established business model that is capable of delivering competitive goods to customers at accessible locations. Notes that while these models do have some flexibility in relation to the physical layout and scale of the building, certain other aspects such as accessibility and retailer profile are fundamental to a successful operation.</p> <p>Submission notes an array of factors that determine the attractiveness of a location for new retail development:</p> <ul style="list-style-type: none"> <li>• Quality of the public realm.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Retail layout achievable.</li> <li>• Traffic management and movement strategy.</li> <li>• Servicing / deliveries and accessibility.</li> <li>• Height / mix of use.</li> <li>• Car parking.</li> <li>• Health and Safety.</li> <li>• Planning policy restrictions.</li> </ul> <p>It states the following general retailer requirements:</p> <ul style="list-style-type: none"> <li>• Retail and convenience retail has very specific requirements for sites relating to access, servicing, shape, size.</li> <li>• Unobstructed floor space.</li> <li>• Flexible land use zonings.</li> <li>• Additionally, convenience retail stores typically require a large quantum of car parking spaces.</li> <li>• Servicing requires large vehicles.</li> <li>• Large back of house requirements to support efficient operation of supermarket. In this regard the submission includes a detailed table outlining the facilities required by a modern retail convenience store.</li> <li>• Click and collect facility which is becoming an increasingly popular service.</li> </ul> <p>In addition to the above, the submission requests that the policies in the forthcoming LAP recognise that the design of the modern retail formats are dictated by a range of requirements including; retailers' own requirements, building regulations, fire safety and disability access etc. which each necessitate extra space requirements.</p> <p>The submission conclusion reiterates that it has long been recognised that there has been under provision of modern convenience retail floor space in the town and that this coupled with the impacts of COVID-19 has heightened the importance of local convenience and the lost opportunity associated with the delivery of extant permissions means that now more than ever there is a requirement for suitable lands to be designated for the</p>

Sub. No.	Name	Summary of Submission
		<p>delivery of a modern convenience retailer to ensure that the everyday shopping needs of Athy residents can be met locally.</p> <p><b>Chief Executive's Response</b></p> <p>The contents of the submission and its request for the LAP to designate suitable sites and that the Council would provide policies that would support and promote the development of retail stores of an appropriate scale at suitable locations within the town are noted.</p> <p>In preparing the draft Athy Local Area Plan, particular cognisance was placed on policy objectives outlined in the National Planning Framework (2018) and the Regional Spatial and Economic Strategy (RSES) 2019 – 2031 for the Eastern and Midland Region. In this regard, the plan was required (under National Planning Objectives 6 and 7) to apply a tailored approach to urban development with a particular focus on urban and town centre regeneration. Given the sustained weaknesses and underperformance of Athy Town Centre over the last decade or more, it is no exaggeration to state that the future viability of the town centre as a Key Service Centre is at stake. This contention is supported by analysis undertaken in preparing the Urban Regeneration Framework which found a worryingly high town centre retail vacancy rate of 24.1% (see Appendix 1 of the draft Plan).</p> <p>It is therefore critical that there should be no provisions contained in the Plan that would act to further undermine the already fragile state of the town centre. Accordingly, the draft Plan seeks to '<i>prioritise the commercial core as the primary retail area of the town</i>' (draft Athy Local Area Plan, page 39). Whilst the draft Plan contains provisions to support and facilitate the development of convenience retail services, the development of such services must be carried out within the framework of the development strategy set out for the town, which provides for the protection of the designated Athy Core Retail Area.</p> <p>The contention that the draft Plan does not provide for any '<i>suitably zoned sites for retail development to meet the needs of the Town</i>' is not correct. Whilst it is acknowledged that there are constraints present in the town relating to the suitability of sites for such retail development, the Urban Regeneration Framework (Appendix 1 to the draft Plan) specifically identifies an '<i>opportunity site</i>' to the rear of Leinster Street which has the potential</p>

Sub. No.	Name	Summary of Submission
		<p>to accommodate both 'an anchor retail tenant' and associated 'car parking'. It is considered that the development of this strategically located 1.45 hectare town centre-zoned site will complement the existing core retail area and make a major contribution to the overall regeneration of town centre lands to the east of the River Barrow. It should be noted that Figure 3.15 (Appendix 1) provides an 'indicative design framework' with the layout of any proposed development on the site to be the subject of further consultation with the Council.</p> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>
36.	Gas Networks Ireland (GNI)	Prescribed body. Please refer to <b>Table 3.1 (a)</b> .
37.	Michael O'Brian	<p>This submission concerns lands adjacent to the existing residential estate of Shanrath, located in the east of the town and proposes that the Draft Plan retains the lands as residential and infill residential. The submission notes that using the existing and established entrance at Shanrath Rise it would be good practice to see this use developed and expanded upon allowing support infrastructure to grow in this location of Athy. States that the existing entrance is accessed off the quiet R418 Kilkea/Castledermot Road and does not currently create any issues. Notes that the lands are linked by an existing footpath directly into the town and services are readily available to expand the housing need in this location. The submission concludes by stating that the location would be within the proposed link road and would support the town infrastructure as residential use.</p> <p><b>Chief Executive's Response</b> The submission to retain the proposed '<i>B: Existing Residential/Infill</i>' designation for the lands in question in the draft Plan is noted and accepted. It is considered that the lands do indeed have an existing residential character given the location of the unfinished residential housing estate (Shanrath Rise) on the lands and its strategic location within the town. In this regard it is noted that the lands are located adjacent to the future Athy Distributor Road which, when complete, will incorporate high-quality pedestrian/cycle lanes between the subject site, the train station, the Barrow Blueway (under construction) and by extension the town centre. Also of note is the site's proximity such key facilities such as Athy Primary Care Centre and the Showgrounds training pitches, located immediately to the north and west of the site respectively. Taking the above into consideration,</p>

Sub. No.	Name	Summary of Submission
		<p>along with the fact that the site is not affected by flood risk issues (refer to Draft Plan, Map 2 Strategic Flood Risk Map) demonstrates a strong rationale for keeping the lands zoned as B: Existing Residential/ Infill.</p> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>
38.	John Lynch	<ul style="list-style-type: none"> <li>• Submission requests that a Riverside Historical Walk can be established by putting the necessary infrastructure in place along the route. This would commence at the Town Jetty on the River and continue upstream past the White Castle to the Rowing Club in Rathstewart where a new pedestrian bridge across the river brings people to Woodstock Castle. The route would then travel back downstream by Pettitt's, so along a new boardwalk on the Dominican Lands to meet the Barrow Blueway at the Horsebridge. Walkers can then cross the Horsebridge and return back by the marina to the jetty at the town centre. Submission notes that this would also facilitate school going children, walking or cycling and would reduce private car use at peak school traffic times.</li> <li>• Requests that Lord's Island should be designated and adapted for Canoeing. Notes that there is a perfect opportunity for a circular canoeing route starting at Ardreich and heading up the canal to the railway bridge, down over the weir and back down stream. States that for this to work, canoe friendly jetties need to be put in place at Ardreich, above and below the lock.</li> <li>• Suggests that changing the route of Athy Boat Tours to travel down under the Horsebridge and up through Hoare's lock onto the canal and continue up to the harbour at Minch Norton's would have a number of benefits. Firstly, this could be a pickup point for those coming in along the new Blueway. Secondly, a Malting Barley/Guinness Story interpretative centre could be established in the adjacent building. Notes that customers could then get off the boat and do a tour of the malting process before walking back down through the town. Suggests that a link bus service could also be established to collect visitors from Kildare Village to bring them on a half day trip to Athy for these combined attractions which would facilitate large Tour operating companies as that would have a stop off point halfway on their route from Dublin to Kilkenny.</li> <li>• States that the dry dock on the canal needs to be roofed by the local authority in conjunction with Waterways Ireland. If done, this facility has the potential to employ up to five full-time employees working</li> </ul>

Sub. No.	Name	Summary of Submission
		<p>on and repairing boats at the location. States that the nearest dry dock operating on the system is either Tullamore or New Ross.</p> <ul style="list-style-type: none"> <li>• Requests that the Harbour on the canal should be designated as a canoe polo site with canoe jetties put in place low to the water for access. Notes that this area is very unique as it can accommodate up to four canoe polo pitches simultaneously. States that this is unmatched anywhere else on the entire waterways system and that having jetties and facilities to access the water and erect temporary goal nets would attract clubs from all over the region that currently struggle to find playing locations and hosting competitions.</li> <li>• Requests that the designation of the Marina site for development within the town centre is of the utmost importance for the future growth of the town. States that this site has the potential to create hundreds of jobs both locally during development and over the long term and that when complete, the marina will be the only marina on the entire Barrow Navigation and will attract both domestic and international visitors who wish to cruise the river Barrow. Submission includes an aerial photo of the Marina and a plan of a proposed development of the Marina site (see below)</li> </ul>  <p>The second part of the submission states that Athy needs to focus its future growth and prosperity on the following areas -</p>

Sub. No.	Name	Summary of Submission
		<p><b><u>Athy's Waterways</u></b></p> <ul style="list-style-type: none"> <li>• Focus on tourist and recreational activities such as water cruising, guided water tours of historic castles and Athy's historic buildings along the River, Course Fishing, Tri Athy and Triathlon Training, , Dragon Boat Racing, Water Based transport history of Malting Barley Canoe Polo etc. States that these all need to be supported and promoted.</li> <li>• States that there must be a Speed Limit of 5km for watercraft within the town boundaries on the river</li> <li>• Requests that the views from the Railway Bridge, on the S.D.R (Athy Distributor Road) and the Horse Bridge up river and down river must be preserved</li> <li>• Requests that the views of the new Library from Cromaboo Bridge and the floating jetty must be protected, especially after dark and suggests that the removal of six leylandii trees would enhance this.</li> <li>• Notes that the shrubs on the east side of Shaw's car park are obstructing the view of the castle and should be manicured (includes photo illustrating this).</li> <li>• States that the area within 200m radius of the New Bridge of the S.D.R (Athy Distributor Road) needs very special attention because it's at the end of the new Blueway and the link up of the new road and also the crossroads of the barrow and the grand canal. Suggests that there should be CCTV directly linked to Athy Garda Station.</li> <li>• Notes that the old Railway Bridge is home to a large roost of bats and needs special bat friendly lighting in that area. States that The Environmental Impact Statement (EIS) for the Distributor Road did not take this roost of bats into consideration.</li> <li>• States that it is an absolute must to provide a pathway on the east side of the Horse Bridge Towpath for health and safety reasons as two people have been killed in the past 50 years at this point.</li> </ul> <p><b><u>Malting Barley</u></b></p> <ul style="list-style-type: none"> <li>• Notes the importance of this special product to the development of Athy and The Grand Canal which can be linked to the Guinness drinks empire and has a huge tourist potential for Athy. Suggest that the roundabout on the new Distributor Road on the Ballylynan Road should have a centrepiece, a Gigantic Concrete Grain of Malting Barley painted gold and ask Minch Malt to sponsor it.</li> </ul> <p><b><u>Gordon Bennett</u></b></p>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>Notes Athy was the site of the first Formula 1 racing track in Europe and this presents significant tourist potential.</li> </ul> <p><b>Macra na Feirma, The Ploughing Championships and the IFA</b></p> <ul style="list-style-type: none"> <li>States that Athy is the cradle of the above organisations/events and notes huge tourist potential in this regard.</li> </ul> <p><b>Shackleton Museum</b></p> <p><b>Lanigan's Ball</b></p> <ul style="list-style-type: none"> <li>States that Athy needs to copy Tralee with a festival like the Rose of Tralee, based on the theme of the most famous Athy song, Lanigan's Ball by The Bards.</li> </ul> <p><b>Roads and Traffic Flow</b></p> <p>On the issue of roads and Traffic the submission outlines the following suggestions:</p> <ul style="list-style-type: none"> <li>Acknowledges the importance of the Athy Distributor Road once constructed in terms of relieving congestions etc. However, submission notes that all the school traffic on the southern side of the route will then travel through Offaly Street which is very narrow. States that this could be effectively dealt with by diverting at least some of the school traffic to the Ballylynan Road end of the Distributor Road and guide them to Woodstock Street and out the Stradbally Road as far as Castlepark Road, down by the castle to the previously proposed cycle/footbridge across the river barrow at the centre of Rathstewart Crescent and they may walk/cycle the last 150m to school. Notes that this would reduce the school traffic on the Monasterevin Road and would also give the residents of Rathstewart Crescent access to huge open space on the West side of the river (the submission includes two images relating to this).</li> <li>Notes that a new route from Shaw's car park (Edmund Rice Square) up St. John's Lane to the entrance to the Old Christian Brothers School at this point to the north side of the church on the Woodstock Street (Stradbally Road) to a new roundabout at this point. Notes that this suggestion necessitates the demolishing of two houses, which are protected structures in the previous town development plan. States that they should be delisted in this new plan as this 100m of proposed new road within the town centre creates the ability to make Duke Street one-way and the new road two-way. Furthermore, the submission states that this plan would effectively create a circular route for cycling/walking as well as reducing the traffic on Duke Street by half and needs careful consideration (the submission includes 3 images relating to this).</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• States that the proposed Inner Relief Road, part of this line should be removed from the new plan, from Offaly Street across the Back Square over the river as far as Dominican Lane as it is no longer relevant. States that from the Dominican Lane to the canal should be one-way, Traffic Flow East - West, with the removal of two overhead barriers and that from the east side of the canal the line should be removed from the future plan to facilitate the development of a Malting Barley Interpretative/Tourist Centre beside the 'Old Sheiben Pub'</li> </ul> <p><b>Flooding within the Town</b></p> <p>Regarding flooding the submission makes the following points:</p> <ul style="list-style-type: none"> <li>• States that with the re-wetting of the Bog of Allen, 70% of the upper Barrow catchment area and the increase of the amount of forestry upstream of Athy the measures proposed in the SEFRAM (South Eastern Flood Study Assessment &amp; Management) are unnecessary</li> <li>• Notes that with Proper Maintenance and good pre-flooding control of the four sluice gates at the lifting bridge at Ardree Athy can avoid major flooding events in the future.</li> </ul> <p><b>Chief Executive's Response</b></p> <p>The contents of the submission in relation to various aspects of the Draft Plan are noted.</p> <p>With regard to the request for a Riverside Historical Walk it is noted that objective EDTO3.4 of the draft Plan supports and facilitates <i>'the development of an integrated network of greenways, Heritage/Tourist Trails and looped walks where appropriate, within the town centre and along the River Barrow and the Barrow Blueway route.'</i> The development of such tourism/amenity routes within the town is also provided for in section 6.5.4 and section 7.4.1 of the draft Plan as well as in the Athy Urban Regeneration Framework (Appendix 1 of the Plan). It is also noted that the under the suggested new pedestrian bridge over the River Barrow at a location proximate to Woodstock Castle is provided for under Walking and Connectivity Measure WE6 (Table 7.1 and Map 1.1 of the draft Plan).</p> <p>Regarding the request that Lord's Island should be designated and adapted for Canoeing, it is noted that the island forms part of the a Natura 2000 site (River Barrow and River Nore SAC) and is an extremely</p>

Sub. No.	Name	Summary of Submission
		<p>environmentally sensitive location. The development of such facilities on the island would therefore be considered as problematic. However, it is noted that objectives EDTO3.1 to EDTO3.4 of the draft Plan support and facilitate the development of water-based activities in the town such as canoeing and kayaking, subject to appropriate environmental assessments.</p> <p>On the suggestion to alter the route of the Athy Boat Tours company and the provision of bus-pick up/drop-off services it is noted that this is a private company and therefore outside the remit of the Local Area Plan.</p> <p>Regarding the suggestion for a Malting Barley/Guinness Story interpretative centre to be established on specific private lands, it is noted that this too is outside the remit of the Local Area Plan. However, the draft Plan does acknowledge Athy's rich malting history and includes an objective (EDTO3.13) to recognise and support the town's association with the malting industry and support its promotion as a tourism attraction.</p> <p>On the issue of the dry dock, it is noted that this is under the ownership of Waterways Ireland. However, it is accepted that a working dry dock would bring benefits to the town in terms of employment and have positive consequences for Athy's tourism and amenities sector. In this regard, it is proposed that a new objective be inserted to explore the feasibility of restoring the dry dock, in consultation with Waterways Ireland (see Chief Executive's Recommendation to Submission No. 50 for the Proposed Material Alteration in relation to the restoration of the dry dock).</p> <p>Regarding the request that the Harbour on the canal should be designated as a canoe polo site with canoe jetties put in place low to the water for access, it is noted that the harbour is under the ownership of Waterways Ireland and not Kildare County Council. However, it is noted that objectives EDTO3.1 to EDTO3.4 of the draft Plan would support the development of such a designation, subject to appropriate environmental assessments.</p> <p>Regarding the request to zone the Marina site as Town Centre lands, it is noted that the site is located within an extremely environmentally sensitive area. In this regard, it is clear that the subject site is at an extreme risk of flooding and a significant portion of the lands is also European designated (Natura 2000) site (River Barrow and River Nore Special Area of Conservation). It is further noted that the subject site is home to significant green</p>

Sub. No.	Name	Summary of Submission
		<p>infrastructure features and is located along the River Barrow Green Infrastructure Route (see draft LAP, Map 4: Green Infrastructure Map). Given the environmental constraints of the site and taking into consideration national and regional policy objectives relating to biodiversity, flood risk, green infrastructure and climate change, a responsive approach was adopted in the draft Plan in which the northern portion of the subject site, adjacent to Emily Square and closest to the designated Athy Core Retail Area was zoned as 'A: Town Centre,' with the balance being zoned as 'F: Open space and Amenity' (for a more detailed response to this request refer to Submission No. 47).</p> <p>The submission requests relating to the development of Athy's Waterways are noted. It is considered that the plan places a particular emphasis on town centre regeneration based on the appropriate utilisation of Athy's town existing historic and natural assets such as its waterways. In this regard, the Urban Regeneration Framework (Appendix 1) of the draft Plan provides considerable detail including the destination of priority projects which focuses very much on the role that the river and canal can play in the rejuvenation and future development of the town.</p> <p>Response to specific requests relating to Athy's Waterways;</p> <ul style="list-style-type: none"> <li>• It is noted that mandating of speed limits for watercraft lies outside the remit of this plan.</li> <li>• On the protection of bats, it is proposed that a material alteration be inserted in the draft Plan which would provide for bat friendly lighting schemes along Athy's waterways (for further information refer to response to Submission No. 27)</li> <li>• The removal/manicuring of trees along the River Barrow is a maintenance issue and outside the remit of the Local Area Plan.</li> <li>• Issues relating to the planning and design of both the Barrow Blueway and the Athy Distributor Road are outside the remit of the Local Area Plan.</li> <li>• The requests that the views from the Railway Bridge, on the S.D.R (Athy Distributor Road) and the Horse Bridge up river and down river must be preserved are noted. It is considered that an additional protected view should be inserted into section 8.3.2 of the draft Plan which would be located on the east bank of the</li> </ul>

Sub. No.	Name	Summary of Submission
		<p>River Barrow to the south of the Horse Bridge and protect the prospect of the Horse Bridge and the Sluice Gates (located at the southern end of the Dominican lands)</p> <p>The requests relating to tourist promotion of Gordon Bennett Macra na Feirme, The Ploughing Championships, the IFA and Lanigan's Ball are noted however specific actions relating to the promotion of these are considered to be outside the remit of the Local Area Plan. With regard to the development of the Shackleton Museum, it is noted that this is a priority project of the Athy Urban Regeneration Framework (Appendix 1 of the draft Plan)</p> <p>The suggestions of the submission relating to the development of Athy's roads and streets network are noted. The preparation of the draft Plan was also accompanied by the development of an Area Based Transport Assessment (ABTA). The outputs of the ABTA include a series of proposed options and measures to improve the transport network of the town and have informed the contents and policy objectives of this Chapter. In this regard it should be noted that sustainable transport options (walking, cycling and public transport), rather than new road developments, constituted the key area of focus for the assessment.</p> <p>On the issue of flooding, notwithstanding any re-wetting of the Bog of Allen, the outputs of the SEFRAM Study are considered essential, particularly in light of the increased level of risk relating to climate change.</p> <p><b>Chief Executive's Recommendation</b>  <b>Proposed Material Alteration</b>                      Include a new View/Prospect in Figure 8.1 and Table 8.2, along with consequential amendments to the Athy Architectural Character Areas Statement of Character, as follows:  <i>View H: View towards Horse Bridge and River Barrow Sluice Gate</i></p>
39.	Department of Education	Prescribed body. Please refer to <b>Table 3.1 (a)</b> .
40.	Joseph and Gerard Cahalane	Submission which includes a cover letter and submission report by Genesis Planning Consultants on behalf of Joseph and Gerard Cahalane relates to lands extending to 5.3 hectares and located at the north-east of Athy

Sub. No.	Name	Summary of Submission
		<p>Town Centre, along the western border of the Geraldine Road and directly opposite Liffey Mills Hardware and existing residential development.</p> <ul style="list-style-type: none"> <li>• Notes that under the Athy TDP 2012-2018 (Athy Town Development Plan) the subject lands are zoned 'C' (New Residential) however the draft Athy LAP 2021-2027 proposes to zone the site 'I' agriculture. This submission puts forward the case the subject site is wholly appropriate for residential development and should remain zoned 'New Residential' in the Local Area Plan.</li> <li>• The submission outlines an overview of the characteristics of the subject lands noting their largely flat nature and their proximity adjacent to lands granted permission for new residential development under Plan Ref. 18921.</li> <li>• Submits that on the basis of the existing Athy Town Development Plan (2012-2018) the subject lands are currently designated as agricultural land. States that this is despite lands which are further removed from the town centre (less sequentially acceptable) currently being designated and developed for residential development(s).</li> </ul> <p>The submission notes the following about the Area Based Transport Assessment (ABTA) which accompanies the Draft LAP:</p> <ul style="list-style-type: none"> <li>• The subject site is within the 1km buffer of the town centre.</li> <li>• It is noted that adjacent lands have recently received planning permission for residential development so it is unclear why this site is considered inappropriate for residential development.</li> <li>• It is noted that Figure 4 of the ABTA notes the site adjoining the subject site is well connected and has good access to the town centre and train station.</li> <li>• On this basis the submission submits it is clear that this location is already deemed acceptable by the Planning Authority under the ABTA which accompanies the draft LAP in relation to location and transport which could facilitate residential development.</li> <li>• Access can be provided onto the Geraldine Road in accordance with DMURS requirements.</li> </ul> <p>The submission outlines various provisions contained in current planning policy, noting the following:  <b>Development Plans, Guidelines for Planning Authorities (2007)</b></p>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Notes various relevant provisions of the guidelines including the requirement that development plans should be a catalyst for positive change and progress and that they should anticipate future needs on an objective basis.</li> </ul> <p><b>National Planning Framework 2040</b></p> <ul style="list-style-type: none"> <li>• The submission states it is clear the guidelines set out requirements for Planning Authorities to focus on the strategic and socio-economic matters which are to be provided for through the land use zoning process.</li> <li>• The submission states the subject lands are appropriate for residential zoning as envisaged by the NPF given: <ul style="list-style-type: none"> <li>○ The subject lands are serviced; under the tiered approach set out in the NPF, these lands should therefore be prioritised as Tier 1 under the development plan process.</li> <li>○ The lands are within walking distance of the town centre, Athy train station, the health centre and a number of significant employment centres.</li> <li>○ The subject lands are sequentially acceptable, contiguous to existing developed lands and in close proximity to the urban core of Athy</li> <li>○ Objectives 3a, 3c, 4, 5, 6, 7,11, 13, 18a, 28 and 35 are complied with</li> <li>○ The NPF sets out a clear 'presumption in favour' of the land use/zoning as proposed for a residential development.</li> </ul> </li> <li>• Submits the policy context set by the NPF particularly in respect of Tier 1 (serviced lands) has not been incorporated into the published draft LAP to date regarding the subject lands.</li> <li>• Notes that lands are the next available parcel of lands along the Geraldine Road, and with existing residential development being located further removed from the town centre which means the lands are to be regarded as infill.</li> <li>• Request for lands to be zoned 'C New Residential'</li> </ul> <p><b>Regional Spatial Economic Strategy – Eastern &amp; Midland Region</b></p> <ul style="list-style-type: none"> <li>• As the subject lands are strategically positioned within walking distance of both the train station and the town centre it is clear that the zoning of the lands for 'new residential' would be consistent with the objectives set down by the RSES, facilitating compact growth and offering a viable alternative to rural one-off housing.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• The zoning of the subject lands will improve the supply of residential units for Athy in a sustainable manner, being located in close proximity to the town centre and transport hubs along with facilitating compact growth through the consolidation of the urban area as the lands represent a sequentially appropriate and infill parcel of lands. The zoning of the lands for residential development is consistent with objectives RPO 3.3, RPO 4.78 and RPO 4.83 of the RSES.</li> </ul> <p><b>Draft Athy LAP &amp; Core Strategy</b></p> <p>The submission notes various provisions of the Draft Athy LAP and Core Strategy including:</p> <ul style="list-style-type: none"> <li>• The omission of the subject site from the Sustainable Planning and Infrastructure Assessment (SPIA) is a significant error by the Planning Authority in the preparation of the draft LAP, given the clear physical appropriateness of the subject lands for development purposes.</li> <li>• States that the Planning Authority has erred in its assessment of the lands as it has failed to examine the physical appropriateness of the lands for residential development purposes under the SPIA.</li> <li>• Submits this approach taken by the Planning Authority has formed a basis for '<i>predetermination of the development plan</i>' and in particular land use zonings, without relevant landowners or appointed project teams who have site-specific engineering, architectural and planning expertise to demonstrate that lands are indeed appropriate for development and to be regarded as Tier 1.</li> <li>• Further submit in terms of land designation that the designation in Map 4 (Green Infrastructure Map) as per the draft LAP which details to retain the commercial timber Norway spruce conifer plantation is withdrawn by the Planning Authority. The retention map (map 4 of the draft LAP) is contradicted by figure 9.1 which has the plantation correctly listed as a WD4 conifer plantation.</li> </ul> <p>The submission states the following regarding zoning:</p> <ul style="list-style-type: none"> <li>• In the Athy LAP 2012-2018 (Athy Town Development Plan) various sites surrounding the subject site were zoned for residential use.</li> <li>• The basis for the core strategy allocation fails to provide adequate headroom and also fails to take account of the extremely low vacancy rate of residential units in Athy.</li> <li>• It is noted Athy is in a rent pressure zone and has a low rate of vacancy. Refers to the publication 'Geodirectory Residential Issue' (June 2020) to support this contention</li> </ul>

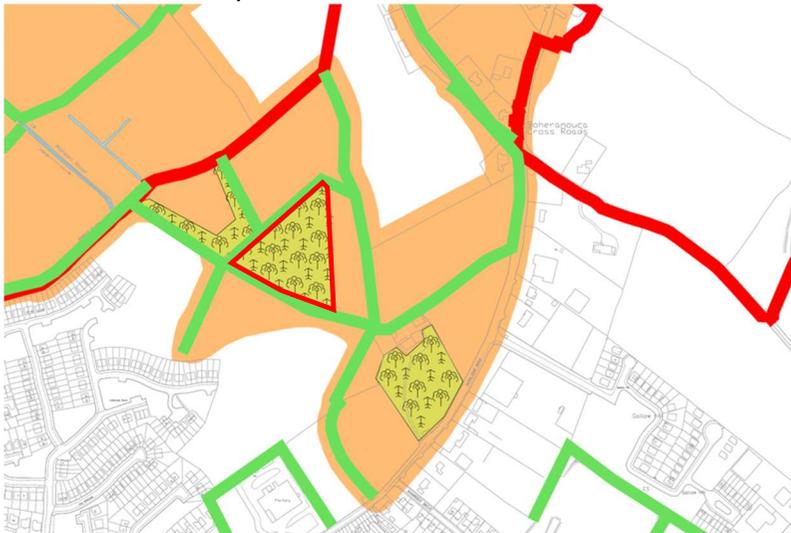
Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• It is stated there is high demand for housing in Athy due to its proximity and excellent transport links to Dublin and wider planning policy that restricts rural housing.</li> <li>• It is submitted that de-zoning these sites and not considering the subject site for residential zoning fails to provide adequate headroom to accommodate the dwellings required by the Draft Athy Local Area Plan.</li> <li>• Highlights the recent Section 28 guidelines 'Housing Supply Target Methodology for Development Planning' as published December 2020 and the accompanying circular dated 18th December 2020.</li> <li>• <i>Submits that</i> the approach incorporated into the core strategy to date is therefore based on out-of-date evidence, provides no detail on occupancy/vacancy/availability of units in Athy and is not consistent with the requirements of either objectives 36, 37 or 72A of the NPF or the recently published Section 28 guidelines 'Housing Supply Target Methodology for Development Planning'.</li> <li>• <i>Submission details that they have</i> reviewed the lands designated for new residential in the draft Athy Local Area Plan for the period 2021- 2027. On foot of this work the submission states that the Athy LAP 2021-2027 needs make better provision for new residential development under the land zoning provisions.</li> <li>• Specifically argues that with a population increase of 82.4% between the 20-year period of 1996- 2016 it is reasonable to assume the housing market in Athy will only experience further acute pressure, derived from its proximity and excellent transport links to Dublin and the wider planning policy of rural housing now being restricted under objective 19 of the NPF.</li> </ul> <p><b>Sequential Development of Lands Services and Connectivity</b></p> <p>Regarding sequential development of land, services and connectivity, the submission makes the follow contentions;</p> <ul style="list-style-type: none"> <li>• The subject site should be examined in a sequential test by the Planning Authority to review its location adjacent to existing services, infrastructure and its ability to strategically provide an opportunity to connect to the wider community.</li> <li>• They submit             <ul style="list-style-type: none"> <li>○ The site is 'Tier 1' serviced lands</li> <li>○ The site is accessible from existing road infrastructure.</li> <li>○ The site is within walking distance of local amenities and train station.</li> </ul> </li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>○ The site is sequentially the next available parcel of land for residential development and also represents infill development.</li> <li>○ The lands are available to deliver a residential scheme.</li> </ul> <p><b>Conclusion</b></p> <p>The submission reiterates its request (along with points of justification) for the following:</p> <ul style="list-style-type: none"> <li>● To include the subject lands within the settlement envelope of Athy Town in the 2021-2027 LAP, and designate these lands as suitable for zoning 'C New Residential'.</li> <li>● That the designation in Map 4 of the draft LAP to retain the commercial timber Norway spruce conifer plantation crop is withdrawn based on the reasoning set out in paragraph 3.6.11.</li> <li>● That the Planning Authority incorporates locational policies and zoning objectives under the land use zoning matrix within the draft LAP to permit alternative uses as acceptable in principle and open for consideration.</li> </ul> <div data-bbox="568 751 1144 1305" style="text-align: center;"> <p>The map shows an aerial view of Athy Town. A central area is labeled 'Athy Town Centre'. Below it is 'Athy Train Station'. To the east of the station, a red arrow points to a specific area labeled 'Subject Lands'. The map also shows various roads and green spaces.</p> </div> <p><b>Chief Executive's Response</b></p>

Sub. No.	Name	Summary of Submission
		<p>The contents of the submission are noted. The submission relates to lands to the west of the Geraldine Road at Prusselstown which are currently zoned for Agricultural use in the Athy Town Development Plan.</p> <p>The Athy Town Development Plan 2012-2018 acknowledged there was an excessive provision of lands zoned for residential use (p49 and p50), much of which has remained undeveloped during the lifetime of the current plan. Athy's legacy of over zoning lands for residential purposes, has often tended to be at the outer edges of the built-up area, contributing to the potential for urban sprawl.</p> <p><b>NPF and RSES</b></p> <p>In preparing and formulating the Draft LAP in the context of the National Planning Framework and Regional Spatial and Economic Strategy, it was important, that these legacy issues did not determine the future development of the town by establishing an accepted pattern of development in inappropriate locations. The Sustainable Planning and Infrastructural Assessment (SPIA) which accompanied the Draft LAP evaluated the relevant NPOs and RPOs in the context of each site which was currently zoned. In this regard, it is also important to note that environmental considerations such as flood risk and proximity to European (Natura 2000) sites were also a significant factor (see also SPIA below).</p> <p>National Strategic Outcome (NSO) No. 1 of the National Planning framework (NPF) is Compact Growth. The NPF states that this will be achieved by managing the sustainable growth of compact cities, towns and villages. The Regional Spatial and Economic Strategy for the Eastern and Midland Regional Assembly (RSES) 2019-2031 reinforces this approach stating that <i>'Compact Growth and Urban Regeneration promote the regeneration of our cities, towns and villages by making better use of under-used land and buildings within the existing built-up urban footprint and to drive the delivery of quality housing and employment choice for the Region's citizens'</i>. Section 2.3.1 of the Draft Athy Local Area Plan sets out the Strategic Development Principles for the town, of which Compact Growth is paramount. In this regard it states, <i>"a key priority of the plan is to develop a compact and coherent urban form with particular emphasis being placed on the regeneration of the town centre, building within the urban footprint and providing for orderly sequential development"</i>. This is supported by the objectives of developing an integrated sustainable community.</p>

Sub. No.	Name	Summary of Submission
		<p><b>Draft Athy LAP</b>                      The Draft Athy LAP is supported by a suite of evidence-based assessments which provide a robust and comprehensive justification for the preferred development strategy.</p> <p>As required under objective 3(c) of the National Planning Framework (NPF) at least 30% of all new housing units must be delivered within the existing urban footprint of the town as defined by the 2016 CSO Settlement boundary. Due to the nature of the settlement boundary that defines the built-up area of the town and the emphasis on delivering sequential and compact growth, this Local Area Plan aims to deliver far in excess of the 30% required. It is estimated that the Plan provides for over 99% of all new housing units on 'Town Centre' and 'New Residential' lands inside the CSO settlement boundary. The plan also provides for an increased density of residential development within the town by providing for an average of 35 units per hectare on new residential zoned land, in line with National Policy Objective 35 of the NPF.</p> <p><b>Methodology for a Tiered Approach to land zoning (SPIA)</b>                      Appendix 3 of the National Planning Framework sets out a methodology for a Tiered Approach to land zoning (which is reflected in the Sustainable Planning Infrastructure Assessment (SPIA) which accompanies the Draft LAP). Such an approach is set out to ensure that the lands zoned within an LAP are Tier 1- Serviced or Tier 2- Serviceable (within the life of the Plan).                      In order to assess the suitability of particular lands in Athy for future development and the potential timeline for such lands to be brought forward a SPIA was prepared to provide an evidence-based assessment to inform the future development strategy for Athy.</p> <p>The SPIA is an evidenced based assessment to assess both the presence of physical and social infrastructure servicing various sites in addition to assessing a particular sites compliance with the National Strategic Outcomes and National Policy Objectives of the NPF and Regional Policy Objectives of the RSES including proximity to the town centre (i.e. the sequential approach) and percentage requirements around achieving compact growth.                      The principles underlying the SPIA approach are as follows:</p>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• National/Regional/Local Policy Context (i.e. the NPF, RSES, County core strategy)</li> <li>• Section 28 Ministerial Guidelines</li> <li>• Flood Risk data</li> <li>• Compact Growth/Sequential approach</li> <li>• Physical suitability i.e. landscape and environmental features/constraints</li> <li>• Supporting infrastructure (social, community and commercial, both existing and planned)</li> <li>• Water, drainage and road infrastructure (existing and planned)</li> </ul> <p>Following the completion of the SPIA a number of sites were identified as suitable for development within the lifetime of this LAP where housing could be achieved at locations which were considered suitable in terms of the various considerations outlined above. Those which were considered the most suitable and appropriate lands for new residential development in the current plan period in the context of NSO 1 of the NPF (Compact Growth) and RSO 2 of the Regional Spatial and Economic Strategy (Compact Growth and Urban Regeneration) were identified for new housing development in the overall development strategy set out in the Draft LAP.</p> <p>Further to the SPIA outlined above and the submissions contention that this approach taken by the Planning Authority has formed a basis for 'predetermination of the development plan' and in particular land use zonings, without relevant landowners or appointed project teams who have site-specific engineering, architectural and planning expertise to demonstrate that lands are indeed appropriate for development and to be regarded as Tier 1, are not accepted. The requirement of Appendix 3 of the NPF is to determine a tiered approach to land use zoning. In this regard, there is no statutory requirement to address all lands within the LAP boundary. A screening exercise based on the relevant NSO/NPO's and RSO/RPOs was also undertaken to identify those lands which should be assessed in the context of the SPIA.</p> <p>The SPIA is a robust consideration and assessment of the availability of services to a particular site in addition to environmental considerations and relevant national and regional objectives.</p>

Sub. No.	Name	Summary of Submission
		<p>The draft LAP boundary and the associated development strategy contained therein is based on the principles of compact growth and sequential development and, insofar as is practical, follows the defined CSO settlement boundary of the town. The subject lands are not required to meet the requirements of the CDP Core Strategy in accordance with the requirements of the NPF and RSES as sufficient lands have been identified for development which are considered more appropriate having regard to policy context, sequential approach, physical suitability and supporting infrastructure.</p> <p><b>Request to Amend Map 4 Green Infrastructure Map</b>                      The request that the designation in Map 4 of the draft LAP to retain the commercial timber Norway spruce conifer plantation crop is withdrawn based on the reasoning set out in paragraph 3.6.11, is accepted.</p> <p><b>Chief Executive's Recommendation</b>  <b>Proposed Material Alteration</b>                      Remove the woodland/scrub designation from the triangular area outlined in red (below) on Map 4: Green Infrastructure Map.</p> 

Sub. No.	Name	Summary of Submission
41.	Athy Gymnastics Club	<ul style="list-style-type: none"> <li>• Submission provides some background details on Athy Gymnastics Club which was formed in 1974 and currently caters for over 250 gymnasts in Athy and surrounding areas, providing classes to young people of all abilities in the disciplines of Trampolining, Acrobatics, Tumbling and Special Needs gymnastics.</li> <li>• Notes that due to the rapid growth of gymnastics in Ireland, Athy Gymnastics Club has seen huge demand for places in our classes and we are currently at maximum capacity. The club currently uses a local school sports hall and are limited to training on weekends only. The club can therefore not increase capacity and a large amount of young people are missing out. Also due to the equipment required to host classes for 250 gymnasts, setting up equipment can take 2-3 hrs per day and this reduces available class time.</li> <li>• The submission wishes to highlight a significant gap in the proposed sporting facilities noted on the Draft Athy LAP as the provision and availability of indoor sporting space is lacking in the plan. The submission notes that current FIT guidelines which are used in the plan don't recognise the need for additional indoor sports areas for clubs in Athy, which focus purely on indoor activities.</li> <li>• States there is currently huge demand for indoor sports in Athy and with the suggested population growth over the course of this plan, the growing demand will not be accommodated resulting in many young people missing out on a chance to participate.</li> <li>• Submits that the provision of a new indoor sports facility in Athy would mean that hundreds more children and adults will have the opportunity to take part in new sports. States that It will also provide the options for many more people in Athy to become coaches/trainers and teachers as it will help provide a new sports education pathway for indoor sports. Concludes submission by stating that the club believes that this addition will be hugely beneficial to Athy in the future and would add greatly to an exciting plan.</li> </ul> <p><b>Chief Executive's Response</b>                      Whilst the concerns relating to the lack of indoor training facilities within Athy is acknowledged, it should be noted that it is not within the remit of a Local Area Plan (LAP) to provide for the development of such a specific facility. The draft LAP is a strategic land use document which consequently has limitations in terms of enabling the development or delivery of new social infrastructure within the town.</p>

Sub. No.	Name	Summary of Submission
		<p>It is noted that 'Community / Recreational / Sports' buildings are either 'Permitted in Principle' or 'Open for Consideration' within the majority of most land use zoning designations under the Land Use Zoning Matrix (Table 11.5 of the draft Plan). It is considered however, that the provisions of objective HCO4.1 be strengthened to specifically include reference to indoor community facilities.</p> <p><b>Chief Executive's Recommendation</b>  <b>Proposed Material Alteration</b>                      Amend objective HCO4.1, as follows:  <b>HCO4.1</b> Support and facilitate the provision of <i>both indoor and outdoor</i> multi-functional community facilities to meet the needs of the population of Athy.</p>
42.	Sean O'Fearghail TD	<p>The submission is composed of two parts, as follows:</p> <p><b>1. Priorities for Implementation in the Athy Local Area Plan 2021 – 2027</b></p> <ul style="list-style-type: none"> <li>• Submission suggests that the local authority must pay particular attention to the areas of Housing and Employment.</li> <li>• Considers that there needs to be a comprehensive socio-economic impact study on the existing housing infrastructure in Athy.</li> <li>• Notes that cognisance needs to be had of Athy's long-time designation as a disadvantaged area, earning it RAPID status. Further attention must be given to the fact that since the recession and the recovery, the demand for social housing has dramatically increased, exacerbating social imbalances which is compounded by the high levels of unemployment and by the urgent need to generate sustainable employment in the town and hinterland.</li> <li>• Submits that the balance between social and private housing needs to be considered in Athy. In this regard, the needs of the indigenous Athy population for social housing should and must be met, the council should be reluctant to allow development which would draw people into Athy from central and North Kildare, thus impacting the essential social balance that needs to be achieved.</li> <li>• States that consideration must also be given to the fact that housing units of a certain size and cost will attract purchasers from the middle and upper management sectors of both the private and public sector, thereby increasing the potential for local spend and investment.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• On the issue of Athy's aging population the submission proposes that a number of town centre locations be considered for refurbishment or new build to provide for sheltered accommodation or independent retirement living villages or schemes.</li> <li>• Notes the need to consider the huge number of vacant former shop premises which could be redeveloped as town centre residential properties, both private and social. In addition, consideration needs to be given, as a matter of urgency, to delisting many of these properties or finding an alternative method to protect their architectural value while at the same time not impeding their development as residential properties.</li> <li>• Notes the need to prioritise the Southern Distributor Road and ensure its early delivery in order that the level of accessibility necessary to create an environment conducive to investment and job creation is achieved as soon as possible.</li> <li>• Recognises the work done by the local voluntary sector and the council in providing for the sporting/recreational needs of the community however states that further consideration needs to be given as to how the sporting and recreational offer can be enhanced in order to meet the demands of the local population and to help attract short to medium stay tourists to the area.</li> </ul> <p><b>2. To Zone Folio KE3860 residential from agricultural</b></p> <ul style="list-style-type: none"> <li>• Submits that Folio KE3860 on the Fortbarrington Road, Athy should be zoned residential. States that this land, right on the edge of the town, has no agricultural value and with an increasing number of one-off housing getting refused, this site would be a welcome compromise for those who wish to have some semblance of living rurally, while at the same time having serviceable sites. Concludes by noting that, in light of the housing crisis, this would be ideal to meet some of that need.</li> </ul> <p><b>Chief Executive's Response</b>  The contents of both parts of the submission are noted.</p> <p>The issues in Athy relating to both housing and employment are comprehensively addressed by the draft plan. Regarding employment, it is noted that for Athy to fulfil its designated role in the economic hierarchy of the county and become a more self-sustaining settlement, the town must aim to increase the level of jobs based in the town over the longer term. In this regard, the economic strategy outlined in the draft Plan places particular</p>

Sub. No.	Name	Summary of Submission
		<p>emphasis on the principle of assets-based development within the town. This means the full utilisation of the town's existing built and natural heritage assets. It is considered that targeted investment in this area can sustainably support an increased level of residential population and local employment activity, whilst also providing an enhanced level of social infrastructure, amenity, and design quality. In this regard, the draft LAP is accompanied by a supporting Urban Regeneration Framework (Appendix 1) which identifies a number of regeneration / employment generating opportunities for the town which are designated as 'Priority Projects' to be implemented over the period of the plan and beyond. On the issue of housing, the draft Plan acknowledges the effects of the housing crisis in the town and includes provisions to implement a tailored Active Land Management Strategy which seeks to ensure the sustainable delivery of a continuous supply of new housing in the town in a consolidated and sequential manner (see Section 3.3).</p> <p>In relation to the contention that the balance between social and private housing needs to be considered in Athy and that the council should be reluctant to allow development which would draw people into Athy from central and North Kildare, which could affect such a balance, it is noted that the housing growth allocation for Athy is provided for in the Core Strategy of the Kildare County Development Plan (2017 - 2023) (as varied) and is therefore considered within the context of the entire county. It is noted that a review of the County Development Plan is currently underway. In this regard, the new housing allocations for all settlements in Kildare will be re-examined on the basis of (inter alia); recent growth trends; national and regional planning policy; Section 28 Ministerial Guidelines and the individual socioeconomic attributes of each town and village.</p> <p>Regarding the request that consideration be given to the fact that housing units of a certain size and cost will attract purchasers from the middle and upper management sectors of both the private and public sector, thereby increasing the potential for local spend and investment, it is noted that the draft Plan, in keeping with ministerial guidelines, contains provisions (including statutory objectives) to ensure that all new residential development provide for a sustainable mix of housing types, sizes and tenures and that new development complements the existing residential mix in the town.</p>

Sub. No.	Name	Summary of Submission
		<p>Regarding the request that a number of town centre locations be considered for refurbishment or new build to provide for sheltered accommodation or independent retirement living villages or schemes, it is noted that plans are being progressed to develop independent living units for people aged 55+ on the Dominican lands in the centre of the town. The Council is committed to providing age-friendly accommodation within an age-friendly town, in this regard it is noted that Kildare County Council has appointed an age friendly housing specialist who will be involved in developing a programme to implement the age friendly housing policy at local level ("<i>housing options for the ageing population</i>").</p> <p>On the issue of vacancies within the town centre and the request to consider delisting protected structures, it should be noted that the council has been very proactive in Athy and has over the past number of years engaged with private land owners in the town centre with the aim of reducing instances of vacancy and dereliction. This has yielded very positive results with instances of residential vacancy and dereliction within the town centre notably reduced over the past number of years. The Council is committed to maintaining this positive momentum and assisting individual property owners where possible (refer to sections 2.5.2 and 3.4 of Appendix 1 to the draft Plan). In relation to delisting protected structures, the process for adding/deleting structures to/from the register of protected structures is generally undertaken as part of the review of the County Development Plan (CDP). In this regard, it is noted that the review of the current Kildare CDP 2017 – 2023 (as varied) was commenced by the Council in January 2021.</p> <p>Issues relating to the delivery schedule of the Athy Distributor Road (formerly Southern Distributor Road) is outside the remit of this plan. It is however envisaged that the construction of the Distributor Road will commence in Q4 2021.</p> <p>In relation to enhancing the sporting and recreational offer of the town, it is noted that in preparing the draft Plan a Social Infrastructure Audit (SIA) of facilities in the town was undertaken. The SIA (published alongside the draft Plan) examined the current context with respect to social infrastructure provision in Athy and also involved identifying the future requirements of the town and makes recommendations on priority areas for investment within the plan area. The Audit identified relevant social infrastructure including sporting that will contribute to</p>

Sub. No.	Name	Summary of Submission
		<p>improving quality of life in the town, forming a key part of the fabric of an area, not just in terms of wellbeing, in addition to sense of place and local identity. Accordingly, as informed and supported by the SIA, the draft Plan contains a number of provisions which support the development of specific sporting/amenity infrastructure in Athy including; a proposed Blueway Hub/Education Centre and new public park for the Dominican Lands and a new Sports Training Hub on a 5 ha site in the ownership of the Council at Ardrew. The Blueway Hub / Education Centre is designed to complement the development of the Barrow Blueway route, thereby attracting tourists in addition to providing enhanced facilities for the resident population.</p> <p>The request to rezone Folio KE3860 on the Fortbarrington Road, Athy from 'I: Agricultural' to residential is noted. In this regard, it is noted that the Athy Town Development Plan 2012-2018 acknowledged there was an excessive provision of lands zoned for residential use (p49 and p50), the majority of which has remained undeveloped during the lifetime of this plan. Athy's legacy of over zoning lands for residential purposes, has often tended to be at the outer edges of the built-up area, contributing to the potential for urban sprawl. In the context of this overprovision of lands zoned for residential purposes, the draft LAP was prepared having regard to the requirements of the National Planning Framework (NPF) and Regional Spatial and Economic Strategy (RSES). It was imperative for the future of Athy as a Self-Sustaining Growth Town, that these legacy issues did not determine the future development of the town by establishing an accepted pattern of development in inappropriate locations.</p> <p>The Draft Athy LAP is also supported by a suite of evidence-based assessments which provide a robust and comprehensive justification for the preferred development strategy. Appendix 3 of the NPF sets out a methodology for a Tiered Approach to land zoning (which is reflected in the Sustainable Planning Infrastructure Assessment (SPIA) which accompanies the draft LAP). On completion of this a number of sites were identified as suitable for development within the lifetime of this LAP where housing could be achieved at locations which were considered suitable in terms of the various considerations outlined above i.e. proximity to the town centre, schools, public transport and health services. Those which were considered the most suitable and appropriate lands for new residential development in current plan period in the context of NSO 1 of the NPF (Compact Growth) and RSO 2 of the Regional Spatial and Economic Strategy (Compact Growth and Urban Regeneration)</p>

Sub. No.	Name	Summary of Submission
		<p>were identified for new housing development in the overall development strategy set out in the Draft LAP. In this regard, the subject lands are not required to meet the requirements of the CDP Core Strategy in accordance with the requirements of the NPF and RSES as sufficient lands have been identified for development which are considered more appropriate having regard to policy context, sequential approach, physical suitability and supporting infrastructure (for further details refer to Chief Executive's Response to Submission No. 54).</p> <p>With regard to having these lands specifically developed as individual serviced sites, it is considered that the designation of such low density residential development would not be in accordance with the level of residential density for 'outer suburban / greenfield' lands such as this, as stipulated by the Section 28 Guidelines for Sustainable Residential Development in Urban Areas (2009). These statutory guidelines require that such lands be developed for residential purposes at a density of 35-50 units per hectare. Furthermore, the zoning of such low-density serviced sites would not be considered appropriate, given the strategic position of Athy as a 'Self-Sustaining Growth Town' in the hierarchy of settlements in the county, as set out in the Kildare County Development Plan 2017 - 2023 (as varied).</p> <p>It should be noted however, that the Planning Department is preparing a Small Towns and Villages Strategy which will form an integral part of the upcoming Draft Kildare County Development Plan 2023-2029 (anticipated Q4 2021/Q1 2022). This strategy will address the national and regional policy objectives of the National Planning Framework and Regional Spatial and Economic Strategy as they relate to the regeneration and renewal of small towns and villages, of which the provision of serviced sites for new homes <u>will be a key component</u>.</p> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>
43.	P.J. Lawler	<p>Submission by MCD Civil Engineering Consultants Ltd. on behalf of P.J. Lawler relates to the zoning of lands at Closeburn, Woodstock North, Athy Co. Kildare.</p> <ul style="list-style-type: none"> <li>The submission notes that the lands in question were previously granted planning permission by Athy Town Council for the development of 3 houses and associated services under Plan Ref: 08/300010 and that and</li> </ul>

Sub. No.	Name	Summary of Submission
		<p>Extent of Duration (EoD) to this permission was granted under 13/300033. The permission has subsequently expired.</p> <ul style="list-style-type: none"> <li>• Notes that a current application for a similar development is being considered by the Council under Plan Ref. 21/67 and that under the draft Plan the lands which were previously zoned as 'C - New Residential' would no longer be zoned (as they would be outside the LAP plan area). In such a case the occupants of these dwellings would need to comply with the 'local needs' requirements greatly reducing the market for these houses and effectively preventing their sale on the open market.</li> <li>• Notes that the new settlement boundary is based on the CSO settlement boundary without any public consultation and argues that there is no reason why the original boundary cannot be retained. States that the original (Athy Town Boundary) is in fact preferable as it would protect the land around the settlement from inappropriate development by treating them as 'Environs', as has been the practice with Athy Town Plans for years.</li> <li>• Submission concludes by requesting the Local Area Plan development boundary be retained in its current form and that the subject lands are retained as 'New Residential Lands'.</li> </ul> <p><b>Chief Executive's Response</b></p> <p>The contents of the submission are noted. In preparing a development strategy for Athy, particular cognisance was placed on the policy objectives outlined in the National Planning Framework (2018) and the Regional Spatial and Economic Strategy (RSES) 2019 – 2031 for the Eastern and Midland Region. In this regard, the plan was required (under National Planning Objective (NPO) 7) to apply a tailored approach to urban development with a particular focus on encouraging population growth in strong employment and services centres, reversing the decline of smaller centres, addressing the legacy of rapid unplanned growth, and supporting a continuation of balanced population and employment growth. Accordingly, it is considered that the subject site, given its distance outside the defined settlement boundary of the town (CSO, 2016), its remote location well removed from access to the services of the town and, in particular the town centre meant that zoning the lands for new residential development would be contrary to national and regional objectives to provide for compact growth (NPO3c; NSO1 and RSO2).</p>

Sub. No.	Name	Summary of Submission
		<p>Furthermore, it is considered that the new residential zoning of the subject site in the Athy Town Development Plan (2012-2018) constitutes part of a legacy of '<i>significant overzoning</i>' in the town, a situation which has been acknowledged in the Athy Town Development Plan 2012-2018 (pages 49-50). Accordingly, due to the fact that a more than adequate quantum of existing 'new residential' zoned land was located within the settlement boundary, this site was not included as part of the Sustainable Planning and Infrastructural Assessment (SPIA) which determined the lands that were to be zoned for new residential development in the draft LAP. Unlike the new residential lands in the Draft plan, the subject site is neither part of an unfinished residential estate, proximate to a town centre or public transport interchange, or sequentially appropriate. Neither would the subject site have the capacity to accommodate the level of residential density stipulated by the Section 28 <i>Guidelines for Sustainable Residential Development in Urban Areas (2009)</i>. Furthermore, the zoning of such a low-density residential site would not be considered appropriate, given the strategic position of Athy as a 'Self-Sustaining Growth Town' in the hierarchy of settlements in the county, as set out in the Kildare County Development Plan 2017 - 2023 (as varied).</p> <p>It should be noted that the draft LAP boundary is based on the principles of compact growth and sequential development and, as far as practical, follows the defined CSO settlement boundary of the town. Regarding the contention that the original (Athy Town Boundary) is in fact preferable as it would protect the land around the settlement from inappropriate development by treating them as '<i>Environs</i>', it is considered that the provisions of the Kildare County Development Plan 2017 - 2023 (as varied) are sufficiently robust in protecting the environs of Athy town from inappropriate development.</p> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>
44.	Aaron McHale	<p>The submission by Brock McClure consultants on Behalf of Aaron McHale relates to lands extending to 3.87 hectares at Prusselstown Green, off the Geraldine Road, Athy. The submission seeks that the entire landholding be zoned as 'B: Existing Residential / Infill' in the Athy Local Area Plan (2021 – 2027) as per the provisions of the Athy Town Development plan (2012 – 2018). The submission notes that the site is listed as an '<i>unfinished</i></p>

Sub. No.	Name	Summary of Submission
		<p><i>housing development</i>' by the Department of Housing, Local Government and Heritage, with enabling infrastructure already in place for the overall development of the site.</p> <ul style="list-style-type: none"> <li>• The submission further notes the subject site is undeveloped and adjoins a partially completed 13 unit development site in separate ownership (Prusselstown Green), now occupied by individual owners (see map below). The site is accessed from a vehicular entrance in Prusselstown Green.</li> </ul> <p>It states that:</p> <ul style="list-style-type: none"> <li>• The subject site has been subject to ground works leaving the site in a disturbed and unfinished condition which was not the overall intention and should not be the intention in the context of sustainable planning objectives.</li> </ul> <p>Submission outlines the provisions of the Athy Town Development Plan (2012-2018) as follows:</p> <ul style="list-style-type: none"> <li>• The subject site was zoned 'B: Existing Residential and Infill' under the Athy Town Development Plan (TDP) (2012 - 2018).</li> <li>• Submission notes the purpose of this zoning and that residential development was a key use permitted in principle under this land use zoning.</li> <li>• Notes the provisions of the TDP in relation to the consolidation of existing built-up areas.</li> </ul> <p>It outlines the following regarding the current planning context:</p> <ul style="list-style-type: none"> <li>• Permission was originally granted for 100 residential units and a childcare facility on the overall site. This was reduced to 84 units in 2005 and permission was extended to August 2017.</li> <li>• Enabling infrastructure has been put in place to facilitate this development with 13 units completed.</li> <li>• There are issues with low flow in the drainage pipe which results in the line becoming septic resulting in unwelcome odours. Completing the previously approved development would remedy this as the pumping station was designed for over 80 dwellings and not 13.</li> <li>• Submits that the completion of unfinished housing estates is a key tenet of the Housing Agency and will aid in the realisation of the objectives of Rebuilding Ireland.</li> <li>• States that the landowner was subsequently refused permission in 2019 (ref. 18718) for 69 residential units along with a creche and associated works. Kildare County Council refused this application due to the location of the site in proximity to Athy Town Centre and the availability of more centrally located land in the order of</li> </ul>

Sub. No.	Name	Summary of Submission
		<p>priority, contrary to policies on compact growth and inappropriate housing mix. The decision was appealed to An Bord Pleanála (Ref. 305091-19) who refused permission on the grounds of insufficient density and inappropriate dwelling mix. States that notably, An Bord Pleanála did not refuse the application on the basis of sequential development.</p> <ul style="list-style-type: none"> <li>• Further states that the intention of the landowner in relation to residential development is clear and should not now be impeded through a de-zoning process with no appropriate justification.</li> </ul> <p>It states the following regarding the Draft Athy Local Area Plan 2021-2027:</p> <ul style="list-style-type: none"> <li>• There has been a fundamental change in this draft Plan which has removed the 'infill zoning' of the subject site.</li> <li>• The submission notes the draft Plan removes the subject site from the LAP boundary despite it being previously identified as suitable for residential development and that a portion of the overall scheme (13 no. dwellings) is completed.</li> <li>• Enabling infrastructure is also in place and underutilisation of this infrastructure has caused legacy issues in terms of amenity and drainage.</li> <li>• The proposed de-zoning does not reflect the history of the site being a residential landholding dating back to 2003.</li> <li>• The majority of dwellings to be provided within 'C: New residential' zoned sites in the Draft Plan have no planning history and may never come forward due to a myriad of issues including site constraints, land ownership or development finance.</li> <li>• The submission concludes that the proposed de-zoning directly conflicts with the established planning principles, to provide for much needed housing supply that will meet demand requirements over the plan period and this should inform the zoning for the lands in the Athy LAP 2021-2027.</li> </ul> <p>The submission outlines there is no justification provided for de-zoning the subject site, stating:</p> <ul style="list-style-type: none"> <li>• The site is opportunely located to provide appropriate residential housing supply within the town of Athy.</li> <li>• Development of the site would complete a partially finished development and improve the current unsightly appearance of the subject site.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Infrastructure is already in place to cater for the greater number of residential units previously granted.</li> <li>• Developing the subject site would resolve existing drainage issues of the adjoining 13 dwellings.</li> <li>• No specific reasons have been given to de-zone the subject site in the Draft LAP.</li> <li>• If developed the site would provide much needed housing, a crèche for Athy and Kildare, as well as resolving any legacy issues.</li> <li>• The development of the site will also mean that new amenity space will be provided for existing residents.</li> <li>• The development contribution associated with developing the subject site would benefit adjoining dwellings.</li> </ul> <p>The submission also outlines that the draft plan is contrary to Strategic Planning Policy stating:</p> <ul style="list-style-type: none"> <li>• The subject site complies with the NPF definition of 'Compact Growth' (National Policy Objective (NSO) 1). Furthermore, the subject site falls directly into the category of sites which already have significant investment in infrastructure, with a landowner who is willing to be proactive about the development of this landbank as an added benefit.</li> <li>• Development of the site for residential accommodation would comply with National Policy Objectives 11, 13 and 35 in the NPF.</li> <li>• Outlines provisions of the Regional Spatial and Economic Strategy (RSES). States that Athy is identified as being located within the Core Region of the RSES.</li> <li>• The Draft LAP must have regard to the provisions of the NPF and RSES and therefore suitable infill sites that can be appropriately developed must be zoned accordingly. De-zoning formally residential sites at the expense of other sites that may never come forward for development or are beyond the timeline of the LAP 2021-2027 would be contrary to the regeneration of towns and villages that is at the heart of national strategic policy and therefore must be avoided.</li> <li>• Maximisation of existing infrastructure is also a priority in the context of unfinished housing estates.</li> </ul> <p>Submission refers to the Ministerial Letter to Local Authorities – '<i>Structural Housing Demand in Ireland and Housing Supply Targets</i>' (December 2020), outlining its contents:</p>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• The submission contends that housing in Kildare is clearly lagging behind calculated housing demand. With this shortfall in mind the submission states it is not sensible for this site to be de-zoned.</li> <li>• The submission states it is likely that there will be a period of accelerated growth prior to the end of the current global pandemic and housing will be much in demand.</li> </ul> <p>Submission contends that the draft Athy LAP is premature, stating:</p> <ul style="list-style-type: none"> <li>• The submission notes the Kildare County Development Plan 2023-2029 is currently at 'Issues Paper' stage of review and the preparation of an LAP is premature pending a detailed analysis of population and housing need within the county.</li> </ul> <p>It outlines issues regarding the Kildare County Development Plan 2017-2023, Variation No. 1:</p> <ul style="list-style-type: none"> <li>• Notes the various provisions of the variation including amendments to the following; Kildare County Core Strategy; settlement hierarchy; preferred development strategy; development capacity and; underutilised sites.</li> <li>• Notes that Table 3.3 provides a unit forecast to 2023 of 675 units for Athy. States these figures do not take into account the further 2 years of this LAP. The submission concludes this LAP is premature.</li> <li>• The submission states that no flexibility has been built into the forecast dwelling requirements in the County Development Plan (as varied).</li> <li>• States that the county targets set out in the Core Strategy have not been met in the period 2007-2016 which has undoubtedly contributed to an increase in average household size and a 'pent-up; demand in the county.</li> <li>• In relation to development capacity the submission states that the site is ideally placed to provide complementary residential housing supply to Athy, as was originally intended.</li> <li>• Notes the objective in the draft Plan (EDTO1.16) providing for the support of remote working. States that this can only be meaningfully implemented by providing adequate housing. Notes that the draft LAP does not account for the potential of this new demand related to remote working and therefore needs to be reviewed in this regard.</li> <li>• With regard to the issue of underutilised sites that the submission states that it is well placed to mitigate the threats identified in the draft Plan including 'continued development of poorly integrated housing developments at 'edge-of-town' locations. In this regard it notes that finishing the estate would contribute</li> </ul>

Sub. No.	Name	Summary of Submission
		<p>to compact growth and urban regeneration and also that the subject site is connected to the town by an existing footpath. Reiterates that a full build-out of the site would address the current problems experienced relating to the drainage infrastructure.</p> <p>On the issue of inappropriate zoning, states that the decision to de-zone is not a viable land use objective for the subject site given the 'development ready' nature of the subject site. Submission reiterates the various attributes of the site and notes the contribution that the site would make to the town if it were to be zoned as 'Existing Residential / Infill'.</p> <p>Submission outlines the various options for procuring Social Housing. Contends that the subject site would offer an opportunity to deliver on social and affordable housing, stating re-zoning this site to 'B' Existing Residential and Infill would allow for the delivery of much needed social housing (Part 5, Rental Accommodation Scheme and Housing Assistance Payment Scheme). Reiterates the attributes of the site with regards to its suitability for 'Existing Residential / Infill' zoning and states that maintaining such a zoning objective would be 'logical' in this regard.</p> <p>Submission concludes by reiterating its request for the Draft Local Area Plan (2021 - 2027) to be suspended until the review of the County Development Plan is completed. However, it requests that if the Local Authority are so minded to progress the draft Plan then the subject site should be zoned 'B; Existing Residential and Infill' as per the provisions of the Athy Town Development Plan (2012 – 2018)</p>

Sub. No.	Name	Summary of Submission
		 <p><b>Chief Executive's Response</b>  <b>Current Planning Context</b>                      The Athy Town Development Plan 2012-2018 acknowledged there was an excessive provision of lands zoned for residential use (p49 and p50), much of which has remained undeveloped during the lifetime of this plan. Athy's legacy of over zoning lands for residential purposes, has often tended to be at the outer edges of the built-up area, contributing to the potential for urban sprawl.</p> <p>In preparing and formulating the Draft LAP in the context of the National Planning Framework and Regional Spatial and Economic Strategy, it was important, that these legacy issues did not determine the future development of the town by establishing an accepted pattern of development in inappropriate locations. The Sustainable Planning and Infrastructural Assessment (SPIA) which accompanied the Draft LAP evaluated the relevant NPOs and RPOs in the context of each site which was currently zoned. In this regard, it is also important to note that environmental considerations such as flood risk and proximity to European (Natura 2000) sites were also a significant factor (see also SPIA below).</p>

Sub. No.	Name	Summary of Submission
		<p>The contention that since these lands were considered suitable and zoned for new residential under the Athy Town Development Plan (2012 - 2018) they should remain so under the draft Plan is not accepted (see also SPIA below). In this regard, it should be noted that the Town Development Plan was prepared taking into account the policy context in force at that time, which did not include the National Planning Framework, the Regional Spatial and Economic Strategy and certain objectives relating to compact growth and climate mitigation.</p> <p><b>Note:</b> Sections 10(8) and 19(6) of the Planning and Development Act 2000 (as amended) provides that there shall be no presumption in law that any land zoned shall remain so zoned in any subsequent plan.</p> <p><b>Justification for the Rezoning/Rationale for zoning</b></p> <p>National Strategic Outcome (NSO) No. 1 of the National Planning framework (NPF) is Compact Growth. The NPF states that this will be achieved by managing the sustainable growth of compact cities, towns and villages. The Regional Spatial and Economic Strategy for the Eastern and Midland Regional Assembly (RSES) 2019-2031 reinforces this approach stating that <i>'Compact Growth and Urban Regeneration promote the regeneration of our cities, towns and villages by making better use of under-used land and buildings within the existing built-up urban footprint and to drive the delivery of quality housing and employment choice for the Region's citizens'</i>.</p> <p>Section 2.3.1 of the Draft Athy Local Area Plan sets out the Strategic Development Principles for the town, of which Compact Growth is paramount. In this regard it states, <i>"a key priority of the plan is to develop a compact and coherent urban form with particular emphasis being placed on the regeneration of the town centre, building within the urban footprint and providing for orderly sequential development"</i>. This is supported by the objectives of developing an integrated sustainable community. The draft Athy LAP is supported by a suite of evidence-based assessments which provide a robust and comprehensive justification for the preferred development strategy.</p> <p>As required under objective 3(c) of the National Planning Framework (NPF) at least 30% of all new housing units must be delivered within the existing urban footprint of the town as defined by the 2016 CSO Settlement boundary. Due to the nature of the settlement boundary that defines the built-up area of the town and the</p>

Sub. No.	Name	Summary of Submission
		<p>emphasis on delivering sequential and compact growth, this Local Area Plan aims to deliver far in excess of the 30% required. It is estimated that the draft Plan provides for over 99% of all new housing units on 'Town Centre' and 'New Residential' lands inside the CSO settlement boundary. The plan also provides for an increased density of residential development within the town by providing for an average of 35 units per hectare on new residential zoned land, in line with National Policy Objective 35 of the NPF.</p> <p><b>Strategic Planning and Infrastructure Assessment</b></p> <p>Appendix 3 of the National Planning Framework sets out a methodology for a Tiered Approach to land zoning (which is reflected in the Sustainable Planning Infrastructure Assessment (SPIA) which accompanies the Draft LAP). Such an approach is set out to ensure that the lands zoned within an LAP are Tier 1- Serviced or Tier 2- Serviceable (within the life of the Plan).</p> <p>In order to assess the suitability of particular lands in Athy for future development and the potential timeline for such lands to be brought forward a SPIA was prepared to provide an evidence-based assessment to inform the future development strategy for Athy.</p> <p>The SPIA is an evidence based assessment to assess both the presence of physical and social infrastructure servicing various sites in addition to assessing a particular sites compliance with the National Strategic Outcomes and National Policy Objectives of the NPF and Regional Policy Objectives of the RSES including proximity to the town centre (i.e. the sequential approach) and percentage requirements around achieving compact growth.</p> <p>The principles underlying the SPIA approach are as follows:</p> <ul style="list-style-type: none"> <li>• National/Regional/Local Policy Context (i.e. the NPF, RSES, County core strategy)</li> <li>• Section 28 Ministerial Guidelines</li> <li>• Flood Risk data</li> <li>• Compact Growth/Sequential approach</li> <li>• Physical suitability i.e. landscape and environmental features/constraints</li> <li>• Supporting infrastructure (social, community and commercial, both existing and planned)</li> <li>• Water, drainage and road infrastructure (existing and planned)</li> </ul>

Sub. No.	Name	Summary of Submission
		<p>The lands in question were assessed in the context of the principles above and were not considered the most appropriate lands for new residential development in the Draft Athy Local Area Plan 2021-2023.</p> <p><b>Housing Needs Demand Assessment</b></p> <p>The need to carry out a Housing Needs Demand Assessment (HNDA) in Kildare in order to fulfil the requirements of NPO 37 is acknowledged. However, the HNDA is a county wide process related to the local authority's overall housing need that will be required to address and satisfy future demands. The Kildare HNDA will therefore be carried out during the review of the CDP (which is currently underway) and will form a critical element of the future settlement strategy and housing strategy, which will cover the period from 2023 to 2029. It is acknowledged that an amendment to the LAP may be required to align with the Core Strategy of the Kildare County Development Plan 2023-2029 and to incorporate other material changes relevant to Athy, once the CDP is adopted. The draft LAP provides for this scenario in objective CDP1. It is noted that in its submission, the OPR 'supports this approach in the draft LAP which is consistent with Sections 19(2) and 19(2B) of the Act (Planning and Development Act 2000 (as amended)).'</p> <p>It is noted that in its submission, the OPR '<i>supports this approach in the draft LAP which is consistent with Sections 19(2) and 19(2B) of the Act (Planning and Development Act 2000 (as amended)).</i>'</p> <p><b>Insufficient lands have been zoned for residential purposes</b></p> <p>The submissions' assertions regarding the core strategy are not accepted. On the issue of inadequate headroom, it is noted that the current core strategy, as set out in the Kildare County Development Plan is the result of a statutory variation (Variation No. 1) which was adopted by the Council on 9th of June 2020. The figures contained in this varied core strategy have been calculated based on the Transitional Population Projections set out for County Kildare in the National Planning Framework Implementation Roadmap (July 2018). It is acknowledged that 50% headroom was previously provided for in the Section 28 Guidelines on Development Plans (2007), however the NPF roadmap is explicit in relation to the universal application of 'headroom' and states that scope for up to 25% may be considered to 2026 in counties where projected population growth is</p>

Sub. No.	Name	Summary of Submission
		<p>above the national average. Kildare is identified as a county where headroom of up to 25% is allowable, for the purposes of transitioning to the revised targets.</p> <p>This is further clarified in the RSES which states ‘this may be supplemented by an additional 25% headroom, applicable in the local authority areas that are projected to grow at or above the national average growth figure (page 5 of the NPF Roadmap). This further headroom may be applied regionally and locally, at RSES and city and county development plan stage. In this regard, in accordance with the NPF and the RSES the 25% headroom was applied in the revised core strategy calculations set out in Variation No. 1 of the Kildare County Development Plan 2017-2023, Table 2.4 specifically references same.</p> <p>It should also be noted that in its submission to the draft Plan, the Office of the Planning Regulator expressed no concerns regarding the overall development strategy for the town with no specific requests around any of the proposed zonings.</p> <p><b>Conclusion</b> The draft LAP boundary is based on the principles of compact growth and sequential development and, insofar as is practical, follows the defined CSO settlement boundary of the town. The subject lands are not required to meet the requirements of the CDP Core Strategy in accordance with the requirements of the NPF and RSES as sufficient lands have been identified for development which are considered more appropriate having regard to policy context, sequential approach, physical suitability and supporting infrastructure.</p> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>
45.	Andrew Bergin	<p>Submission by Tom Phillips and Associates, Town Planning Consultants on behalf of Andrew Bergin relates to lands (extending to c.7 hectares) located at the Geraldine Road and L40071, Athy. This submission requests the subject site to be zoned ‘<i>New Residential</i>’.</p> <p>The submission outlines the following points:</p>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• The draft Athy LAP 2021-2027 proposes to significantly alter the amount of residentially zoned lands in the town, decreasing the quantum of lands zoned 'New Residential' from the current figure of 75.8 ha to a proposed figure of just 25 ha. This approach is considered fundamentally flawed as it is predicated on the idea that all of these zoned lands will be brought forward for development and completed within the lifetime of the Plan.</li> <li>• In reality and as evidenced within this submission, the historical record of development at both county and town level demonstrates that the conversion of zoned lands into lands permitted for development is unpredictable as it is dependent on a range of factors.</li> <li>• The translation of permitted units to completed units is also not reliable as CSO data suggests that the rolling 5-year average translation rate for County Kildare is just 0.53, meaning almost half of the units permitted are not completed within this timeframe. In the context of Athy, it would appear that this translation rate is significantly lower.</li> <li>• As such, the draft Plan should propose a significantly greater quantum of lands zoned 'new residential' in order to allow for delays in some lands coming forward for development and delays associated with developing lands and preparing finance and planning applications. In this way, the draft Plan can properly ensure that sufficient lands are zoned.</li> <li>• The actual delivery of residential units in the town (demonstrated by quarterly CSO housing completion data is required to meet current and anticipated levels of demand in the town. The focus on 'delivered units' as opposed to zoned for or permitted units is emphasised in recent Section 28 Guidelines, published by the Department.</li> <li>• It is submitted that the landholding of our client at the Geraldine Road provides an excellent opportunity to provide for consolidated sustainable residential development within an area that is well-serviced and within close proximity to Athy Town Centre.</li> <li>• The landowner has invested considerable resources to date in attempting to realise the site's current land use objective to provide residential development. An application for a 97 no. unit development on a portion of the lands is currently under consideration by ABP and due for a decision shortly.</li> <li>• The current application on the subject lands demonstrates that these lands are suitable for residential development. KCC's singular concern in relation to the adequacy of road infrastructure is considered to have</li> </ul>

Sub. No.	Name	Summary of Submission
		<p>been adequately addressed by providing for pedestrian and cycle upgrades along the Geraldine Road and the L40071.</p> <p>The submission outlines details regarding the sites location and characteristics, including proximity to existing services in Athy including the Town Centre and the Train Station. This is supported by a number of illustrative maps.</p> <p>The submission outlines the following regarding the existing Athy Town (Development) Plan:</p> <ul style="list-style-type: none"> <li>• Currently the majority of the subject site is zoned 'C New Residential' (identified as C31) while a portion of the south eastern corner of the site is zoned 'F Open Space'</li> <li>• The council considered this zoning in accordance with policies regarding: <ul style="list-style-type: none"> <li>○ National, regional, county and local sustainable development.</li> <li>○ The sequential development of land.</li> <li>○ The use/redevelopment of underutilised and brownfield sites.</li> <li>○ Accessibility, availability and location of land for development.</li> <li>○ The location and adequacy of existing social infrastructure.</li> <li>○ The character of the town with regard to the scale and pattern of development.</li> <li>○ Physical features and amenities of the town.</li> <li>○ The present and future situation regarding the provision of physical infrastructure.</li> </ul> </li> </ul> <p>And therefore in consideration of the above, zoned the subject lands 'new residential' and 'open space' in the Athy TDP.</p> <ul style="list-style-type: none"> <li>• Notes the housing target of the Athy Town Plan 2012-2018 of 687 units or 85 units a year or 4.2% of county growth over this period.</li> </ul> <p>The submission states the following regarding strategic policy:</p> <ul style="list-style-type: none"> <li>• Section 28 Guidelines entitled 'Housing Supply Target Methodology for Development Planning' (published December 2020) note CSO data regarding the issue of housing completion in relation to monitoring housing delivery across local authorities.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Athy is currently experiencing an accommodation shortage, as evidenced by the town's designation by the Department in 2020 as a Rent Pressure Zone.</li> </ul> <p>The submission states the following regarding the draft Athy local Area Plan:</p> <ul style="list-style-type: none"> <li>• Notes the provisions of the draft Plan in relation to the quantum of lands proposed to be zoned new residential.</li> <li>• De-zoning the subject site represents a dramatic shift as currently these lands are considered suitably located and serviced to facilitate sustainable residential development.</li> <li>• Notes the provisions of the plan regarding the implementation of the core strategy (as outlined in the Kildare County Development Plan 2017 - 2023 (as varied))</li> </ul> <p>The submission outlines the following regarding the KCC rationale for de-zoning the subject site:</p> <ul style="list-style-type: none"> <li>• The draft Plan proposes that over 99% of all new housing units will be delivered inside the settlement boundary of the town.</li> <li>• The submission contends that this is an overly strict interpretation of the NPF guidance as new residential zoning has been decreased from 75.8ha to a proposed 25ha.</li> <li>• States that the quantum of proposed 'New Residential' zoning is insufficient as it envisages all sites will be developed over the lifetime of the Local Area Plan.</li> <li>• Notes a translation rate of permitted to completed units for County Kildare is 0.53 over the period 2012 – 2020. In this regard it is submitted that the level for Athy appears to be far lower, as very little residential development was built in the town over the lifetime of the Town Development Plan. As such, it is necessary to provide sufficient quantities of zoned lands as headroom to ensure that the low translation rate of permitted units to delivered units is taken into account.</li> <li>• Outlines issues regarding the levels of densities permitted on new residential lands and notes that just 9.6 ha (c.13%) of the 75.8 hectares zoned for new residential in the last plan have successfully attained planning permission.</li> </ul> <p><b>Planning Difficulties</b></p>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• The submission outlines several examples of sites around Athy which have failed to deliver completed residential units. States that there are a number of reasons for this including the unwillingness of a landowner to advance development proposals, financial challenges in advancing proposals or difficulties in attaining planning permissions.</li> <li>• Concludes that the draft Plan must be cognisant of this fact and acknowledges that all zoned lands will translate into developed lands.</li> <li>• States that the quantum of zoned lands is overly restrictive and will compound the housing shortfall in Athy in the future.</li> <li>• Notes the revision of the town boundary and reiterates criticism that 99% of all new homes will be located within the existing urban settlement area. States that this is clearly an over-reach.</li> <li>• The purpose of the LAP is to guide and facilitate growth in the town and its boundaries should not therefore be limited to the existing settlement areas.</li> </ul> <p>The submission states the following regarding the suitability of the subject site for residential zoning:</p> <ul style="list-style-type: none"> <li>• Restates that the core strategy is 'fundamentally flawed' and drastically underestimates the amount of zoned land required to meet housing delivery targets.</li> <li>• Notes a current planning application in respect of the north western portion of the lands is currently being considered by An Bord Pleanála (KCC Ref. 19/764, ABP Ref. 308137) which proposes 97 residential units and a crèche.</li> <li>• Kildare County Council refused this application for the singular reason of road infrastructure concerns.</li> <li>• The submission puts forward the view that these concerns have been dealt with in their appeal currently being examined by An Bord Pleanála.</li> <li>• There are no physical limitations that may prevent their development for residential accommodation.</li> <li>• Notes the physical suitability of the subject lands which has no flood risk or other constraints relating to natural/built heritage.</li> <li>• States that the site represents a logical extension of residential development through the sequential approach.</li> </ul> <p>The submission concludes by reiterating the points made above.</p>

Sub. No.	Name	Summary of Submission
		<p><b>Chief Executive's Response</b>                      The contents of the submission are noted. The submission relates to lands to the east of the Geraldine Road at Boheranouca Cross Roads which are currently zoned for New Residential and open space and amenity purposes in the Athy Town Development Plan. The lands extend to ca. 7 ha.</p> <p><b>KCC Rationale for Zoning and Boundary change</b>                      The Athy Town Development Plan 2012-2018 acknowledged there was an excessive provision of lands zoned for residential use (p49 and p50), much of which has remained undeveloped during the lifetime of the current plan. Athy's legacy of over zoning lands for residential purposes, has often tended to be at the outer edges of the built-up area, contributing to the potential for urban sprawl.</p> <p>In preparing and formulating the draft Plan in the context of the National Planning Framework and Regional Spatial and Economic Strategy, it was important, that these legacy issues did not determine the future development of the town by establishing an accepted pattern of development in inappropriate locations. The Sustainable Planning and Infrastructural Assessment (SPIA) which accompanied the draft Plan evaluated the relevant NPOs and RPOs in the context of each site which was currently zoned. In this regard, it is also important to note that environmental considerations such as flood risk and proximity to European (Natura 2000) sites were also a significant factor (see also SPIA below).</p> <p>National Strategic Outcome (NSO) No. 1 of the National Planning framework (NPF) is Compact Growth. The NPF states that this will be achieved by managing the sustainable growth of compact cities, towns and villages. The Regional Spatial and Economic Strategy for the Eastern and Midland Regional Assembly (RSES) 2019-2031 reinforces this approach stating that <i>'Compact Growth and Urban Regeneration promote the regeneration of our cities, towns and villages by making better use of under-used land and buildings within the existing built-up urban footprint and to drive the delivery of quality housing and employment choice for the Region's citizens'</i>.</p>

Sub. No.	Name	Summary of Submission
		<p>Section 2.3.1 of the draft Athy Local Area Plan sets out the Strategic Development Principles for the town, of which Compact Growth is paramount. In this regard it states, <i>“a key priority of the plan is to develop a compact and coherent urban form with particular emphasis being placed on the regeneration of the town centre, building within the urban footprint and providing for orderly sequential development”</i>. This is supported by the objectives of developing an integrated sustainable community.</p> <p>The draft Plan is supported by a suite of evidence-based assessments which provide a robust and comprehensive justification for the preferred development strategy.</p> <p>As required under objective 3(c) of the National Planning Framework (NPF) at least 30% of all new housing units must be delivered within the existing urban footprint of the town as defined by the 2016 CSO Settlement boundary. Due to the nature of the settlement boundary that defines the built-up area of the town and the emphasis on delivering sequential and compact growth, this Local Area Plan aims to deliver far in excess of the 30% required. It is estimated that the Plan provides for over 99% of all new housing units on ‘Town Centre’ and ‘New Residential’ lands inside the CSO settlement boundary. The plan also provides for increased density of residential development within the town by providing for an average of 35 units per hectare on new residential zoned land, in line with National Policy Objective 35 of the NPF.</p> <p>Appendix 3 of the National Planning Framework sets out a methodology for a Tiered Approach to land zoning (which is reflected in the Sustainable Planning Infrastructure Assessment (SPIA) which accompanies the Draft LAP). Such an approach is set out to ensure that the lands zoned within an LAP are Tier 1- Serviced or Tier 2- Serviceable (within the life of the Plan). In order to assess the suitability of particular lands in Athy for future development and the potential timeline for such lands to be brought forward a SPIA was prepared to provide an evidence-based assessment to inform the future development strategy for Athy.</p> <p>The SPIA is an evidenced based assessment to assess both the presence of physical and social infrastructure servicing various sites in addition to assessing a particular sites compliance with the National Strategic Outcomes and National Policy Objectives of the NPF and Regional Policy Objectives of the RSES including proximity to the town centre (i.e. the sequential approach) and percentage requirements around achieving compact growth.</p>

Sub. No.	Name	Summary of Submission
		<p>The principles underlying the SPIA approach are as follows:</p> <ul style="list-style-type: none"> <li>• National/Regional/Local Policy Context (i.e. the NPF, RSES, County core strategy)</li> <li>• Section 28 Ministerial Guidelines</li> <li>• Flood Risk data</li> <li>• Compact Growth/Sequential approach</li> <li>• Physical suitability i.e. landscape and environmental features/constraints</li> <li>• Supporting infrastructure (social, community and commercial, both existing and planned)</li> <li>• Water, drainage and road infrastructure (existing and planned)</li> </ul> <p>Following the completion of the SPIA a number of sites were identified as suitable for development within the lifetime of this LAP where housing could be achieved at locations which were considered suitable in terms of the various considerations outlined above. Those which were considered the most suitable and appropriate lands for new residential development in the current plan period in the context of NSO 1 of the NPF (Compact Growth) and RSO 2 of the Regional Spatial and Economic Strategy (Compact Growth and Urban Regeneration) were identified for new housing development in the overall development strategy set out in the Draft LAP.</p> <p><b>Quantum of Residential Land</b></p> <p>With respect to the submission's suggestion that the Draft LAP should provide for a significantly greater quantum of lands zoned for new residential in order to allow for delays in lands coming forward for development it should be noted that the current core strategy, as set out in the Kildare County Development Plan is the result of a statutory variation (Variation No. 1) which was adopted by the Council on 9<sup>th</sup> of June 2020.</p> <p>The figures contained in this varied core strategy have been taken from the National Planning Framework Implementation Roadmap (July 2018) which was issued to all Local Authorities by the Government. It is acknowledged that 50% headroom was previously provided for in the Section 28 Guidelines on Development Plans (2007). It should be noted at this stage that the NPF roadmap is explicit in relation to the universal application of 'headroom' and states that scope for up to 25% may be considered to 2026 in counties where</p>

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		<p>projected population growth is above the national average. Kildare is identified as being one of those counties where headroom of up to 25% is allowable, for the purposes of transitioning to the revised targets. This is further clarified in the RSES which states <i>'this may be supplemented by additional 25% headroom, applicable in the local authority areas that are projected to grow at or above the national average growth figure (page 5 of the NPF Roadmap). This further headroom may be applied regionally and locally, at RSES and city and county development plan stage.'</i> In this regard, in accordance with the NPF (its Roadmap) and the RSES the 25% headroom was applied in the revised core strategy calculations set out in Variation No. 1 of the Kildare County Development Plan 2017-2023, Table 2.4 specifically references same. It is therefore not appropriate for a further oversupply to be provided for within the Draft LAP.</p> <p><b>Housing Target Methodologies</b></p> <p>It is noted that the submission references the recently published Section 28 Guidelines regarding Housing Target Methodologies. The publication of these guidelines pursuant to Section 28 of the Planning and Development Act, 2000 (as amended) is noted. While these guidelines provide further clarification around the NPF Implementation Roadmap population projections, they do not supersede the NPF and RSES, they simply apply these figures to housing delivery targets to provide a uniform methodology to core strategy formulation across all plan making functions. Variation No.1 of the Kildare County Development Plan 2017-2023 aligns the CDP with the NPF and RSES.</p> <p>In this regard, the submission from the Office of the Planning Regulator (OPR) to the draft Plan 'concludes that no recommendations are warranted since the local area plan is generally consistent with the RSES, current development plan and relevant Section 28 Guidelines' (see Submission No. 56).</p> <p>The submission also references a current planning application which was refused by KCC and is currently on appeal to An Bord Pleanála. In this regard, the decision of KCC was in the context of the Athy Town Development Plan 2012-2018 which does not accord with the requirements of the NPF and the RSES.</p> <p><b>Conclusion</b></p>

Sub. No.	Name	Summary of Submission
		<p>The draft LAP boundary is based on the principles of compact growth and sequential development and, insofar as is practical, follows the defined CSO settlement boundary of the town. The subject lands are not required to meet the requirements of the CDP Core Strategy in accordance with the requirements of the NPF and RSES as sufficient lands have been identified for development which are considered more appropriate having regard to policy context, sequential approach, physical suitability and supporting infrastructure.</p> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>
46.	Oliver Murray	<ul style="list-style-type: none"> <li>• Submission wishes to protest at the way that the process of creating and publicising the Draft Plan has been executed.</li> <li>• Outlines issue with the placing of a public notice in a local newspaper citing its inadequacy for letting residents know. Notes that the Kildare Nationalist, no longer has audited figures for its circulation. States that the council cannot calculate what the readership of their notices might be and therefore it really has no practical purpose.</li> <li>• States that in light of the above it is incumbent on the council to communicate directly with every household that will be affected by the plan.</li> <li>• Refers to historic corruption in the planning process in Ireland, noting the Planning Department are not a great deal more proactive in communicating with the population they serve and who pay their salaries.</li> <li>• States that there appears to be a gulf between the attitude displayed in statements made by the planners and the rights of the citizens to know what is happening in their communities.</li> <li>• Does not believe that the current process is truly democratic and wants the Council to review its current processes and make changes so that the citizens are really communicated and consulted with in relation to all planning matters.</li> <li>• Totally against the idea of increased permeability in the Graysland/Kingsgrove estate, and in the Glebelands estate which is accessed through the Graysland/Kingsgrove estate. Notes that any increased permeability in the Glebelands will in effect open up further access to Graysland Kingsgrove.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Suggests that if the residents of the Coneyboro and Glebelands Estates favour greater permeability, then the existing access between Glebelands and the Kingsgrove Graysland Estate should be sealed and new access be opened between the other two estates.</li> <li>• States that numerous academic studies have shown that greater permeability increases anti-social behaviour, assaults and burglaries and other crimes against the person and property. Notes that it has been shown to decrease the quality of life of the residents and may affect the property's value and the cost of insurance.</li> <li>• Notes that the County Council Planning Team have offered reassurances that the three green areas within the Kingsgrove Graysland estate cannot be built on because of the conditions imposed in the original planning permissions. In this regard, the submitter requests clarification that these planning conditions mean that the lands cannot be used for any other purpose including building, providing land for roads, pathways, cycle lanes, or any other purpose, in perpetuity, and that an application cannot be made to change the land use at any time in the future. States that failing that assurance, I must assume that the lands are in danger of being repurposed, given the requirements that empty land are infilled in urban areas.</li> <li>• Refers to the Athy Social Infrastructure Audit which (Table 18, p. 37) lists '<i>Evaluation of Open Space in Athy</i>' against FIT Standards and draws the Council's attention to the Fields in Trust website which states on the home page: '<i>Protecting green spaces for perpetuity</i>'.</li> <li>• States that the vital importance of Britain's green spaces was brought to attention during the COVID-19 lockdown when parks and recreation grounds provided places for people to exercise etc. at a social distance. Notes that Fields in Trust has used ArcGIS to expose inequalities in access to green spaces and highlights the urgent need to protect these valued places for perpetuity.</li> <li>• Refers to Table 18 (of the SIA) stating that it shows a cut of around 20% in the future provision of the various types of open spaces per Hectare per 1,000 population.</li> <li>• Objects strongly to the plan to reduce the provision of all various types of open space in the urban area.</li> <li>• Requests the Council to clarify the location of lands they plan to look at repurposing to achieve their stated targets, posing the following questions: <ul style="list-style-type: none"> <li>○ What percentage do they expect will be achieved by repurposing existing lands?</li> </ul> </li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>○ What percentage do they expect will be achieved by reducing the provision of open space in new developments?</li> <li>● Objects to the lands at Chanterlands being used for housing, I believe this is an inappropriate location for young families many of whose children will attend school at the Campus on the other side of town.</li> <li>● Refers to the need to provide more housing proximate to the Athy Schools in the Draft Plan</li> <li>● Requests the Council to publish a list of all landowners who currently hold any lands that the council is considering allowing development on during the lifetime of the Athy Local Area Plan, and beyond.</li> <li>● States that a list of landowners with undeveloped land within a kilometre radius of the Athy Schools Campus should also be made public. The identity of the limited number of landowners allowed to develop their land holdings must be totally transparent.</li> <li>● States that virtually no residents of the town were aware of the process the Council were undertaking to consult them about their wishes, outlines concerns that in the future a lot of decisions will be taken in what amounts to secrecy, because notice in a newspaper with a negligible readership or an A4 notice fixed to a fence is almost certain to slip the public’s attention, and are in my view totally inadequate.</li> <li>● Outlines further concerns that proposals which feature in the final version of the published Plan, into which of course, the residents had extraordinarily little input, may be cited as not having been objected to by the public, and therefore they can justifiably form the basis of actions by the council, of which we, the citizens, will be blissfully unaware.</li> <li>● Finally, the submission outlines various concerns about how the Council cited legislation and the work of planning is regarded as essential as a reason for not extending the consultation period so residents could examine large scale maps after the COVID-19 restrictions are lifted.</li> </ul> <p><b>Chief Executive’s Response</b></p> <p>The concerns surrounding the publication/consultation of the Draft Athy Local Area Plan 2020 – 2027 and its provisions relating to the Kingsgrove and Graysland residential estates are noted. On the issue of the publication of the draft Plan and the contention that the residents were not consulted on the Plan, it should be noted that a Local Area Plan (LAP) is adopted by the Local Authority Elected Members through a statutory process which provides for public consultation at each stage, during which submissions or observations are invited from</p>

Sub. No.	Name	Summary of Submission
		<p>residents, businesses and all interested parties. It is of importance to note that the legislative timeframes for the preparation and adoption of an LAP are set out under the Planning and Development Act, 2000 (as amended) and therefore all Local Authorities must adhere to same. In accordance with the legislation, an advert was placed in a newspaper circulating in the area. Details of the published Draft Athy LAP were also made available on our social media channels, council website and on our dedicated consultation portal for ease of use for members of the public. The Athy LAP and all accompanying documents along with a facility for making a submission during the public consultation period (now closed) can be found here <a href="https://consult.kildarecoco.ie/en/consultation/draft-athy-local-area-plan-2021-2027">https://consult.kildarecoco.ie/en/consultation/draft-athy-local-area-plan-2021-2027</a>. Please also note that the Athy LAP is on the Council press release listing on the website <a href="http://kildare.ie/CountyCouncil/PressReleasesAdverts/DraftAthyLocalAreaPlan2021-2027.html">http://kildare.ie/CountyCouncil/PressReleasesAdverts/DraftAthyLocalAreaPlan2021-2027.html</a> and the Draft Athy LAP is also top of the list of LAPs on the website <a href="http://www.kildare.ie/CountyCouncil/AllServices/Planning/LocalAreaPlans/LocalAreaPlans/">http://www.kildare.ie/CountyCouncil/AllServices/Planning/LocalAreaPlans/LocalAreaPlans/</a> Accordingly, it is considered that Kildare County Council has fulfilled its statutory requirements relating to public consultation as set out in the Planning and Development Act 2000 (as amended).</p> <p>Regarding the proposals for connectivity within the Kingsgrove and Graysland residential estates, it is noted that research conducted as part of the preparation for the draft LAP found Athy to have a poorly connected urban structure in which key destinations (such as schools and key services) are not easily accessible on foot or by means other than the private car. This has long term consequences for the overall health of the resident population, their ability to access key services and social infrastructure, in addition to levels of isolation and loneliness. The LAP (informed by the Area Based Transport Assessment) outlines a vision for a more sustainable, integrated and climate resilient settlement, adapted to cater for the needs of a growing and aging population and to alleviate private car dependency in order to assist general movement around the town of Athy. Accordingly, the 'Connectivity Programme' as outlined in the draft LAP, seeks to translate this vision into reality by initiating meaningful change on the ground to make the town universally accessible for all of its residents. The delivery of such cycling/pedestrian routes is also in keeping with the provisions of Kildare County Council Climate Adaptation Strategy (2019 – 2024) which requires that lands use plans include provisions to promote the transition to a low carbon society.</p>

Sub. No.	Name	Summary of Submission
		<p>With regard to the issue of designated open spaces within both the Kingsgrove and Graysland residential estates, the draft Plan <u>does not contain</u> any provisions to develop any existing designated green open spaces. With reference to the main green area of Kingsgrove/Graysland being designated as 'Open Space and Amenity' it is noted that dwellings are not permitted under this land use (refer to draft Plan, page 119; Table 11.5). On the issue of the smaller areas of open space, it should be noted that a land use zoning map associated with a Local Area Plan is a high-level indication of either:</p> <ul style="list-style-type: none"> <li>a) Land uses which are acceptable at a particular location.</li> <li>b) The established and/or predominant land use in an area.</li> </ul> <p>These designations are based on the consideration of a significant number of criteria and are not designed to be prescriptive to every site within a settlement. In this specific case, the open space areas referred to are conditioned by way of a statutory planning permission to be public open space associated with the permitted development and therefore further housing would not be permitted on these areas. The importance of retaining existing green open space for reasons relating to peoples' health and wellbeing and biodiversity is acknowledged by the Council and is a prominent feature of the draft Plan.</p> <p>It should be noted that neither the Draft LAP nor the supporting Athy Area Based Transport Assessment (ABTA) have included any proposals/measures for new roads to be constructed between the residential estate of Kingsgrove and the undeveloped Chanterlands site. No plan can provide for lands to be sterilised 'in perpetuity'. The delivery of a connectivity route through a green space within Athy should not be considered to be the development or 'building over' of that green space, as the function of such a route would be incidental to the enjoyment of that green space, since the route would not only provide residents with access to key destinations throughout the town, it would also function as a dedicated walking and cycling route for people living in the area. Regarding the resident's specific concerns regarding lack of consultation on the connectivity routes, it should be noted that objective MTO1.1 of the draft Plan provides that the final design and planning of each of the specific routes identified in the draft LAP shall '<i>be subject to appropriate environmental assessment, where applicable, and undergo a separate public consultation process</i>'. Accordingly, the plan provides an inbuilt safeguard to ensure that the development of the proposed connectivity routes will be subject to a separate</p>

Sub. No.	Name	Summary of Submission
		<p>public consultation procedure, which will take into consideration specific siting and design concerns of residents and other interested parties.</p> <p>The plan and its accompanying Social Infrastructure Audit (SIA) acknowledges that the proposals contained in the plan results in a reduction the provision of open space per head of population. However, this is not due to the amount of open space is being reduced within the town, however. It is as a result of the projected increase in population in the town over the period of the Plan. Furthermore, under Section 4.6 of the Draft Plan Athy, it is noted that even providing for the increase in population over the life of the plan Athy provides a high quantum of open space per capita. It further noted that much of these 'open spaces' presently consist of grasslands with little or no facilities. The draft Plan acknowledges this situation and places particular emphasis on the delivery of quality open spaces rather than just increasing the quantum of such lands. Accordingly, as provided in the Urban Regeneration Framework (Appendix 1 to the Draft Plan) the development of key amenity spaces within the town such as the Dominican Lands and the lands surrounding Woodstock Castle are designated priority projects, to be developed over the life of the plan and beyond.</p> <p>It is noted that the plan contains no provisions relating to the percentages of development that can be achieved by repurposing existing greenfield space nor does it have any provisions relating to the reduction of open space in new development. In this regard, it should be noted that development management standards relating to the provision of open space within new residential developments are set up in Chapter 17 of the Kildare County Development Plan 2017 – 2023 and are consequently outside the remit of the draft Plan.</p> <p>In order to assess the suitability of particular lands in Athy for future residential development and the potential timeline for such lands to be brought forward, a Strategic Planning and Infrastructural Assessment (SPIA) was prepared to provide an evidence-based assessment to inform the future development strategy for Athy (as per the Methodology outlined in Appendix 3 of the NPF).</p> <p>The principles underlying the SPIA approach are as follows:</p> <ul style="list-style-type: none"> <li>• National/Regional/Local Policy Context (i.e. the NPF, RSES, County core strategy)</li> <li>• Section 28 Ministerial Guidelines</li> <li>• Flood Risk data</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Compact Growth/Sequential approach</li> <li>• Physical suitability i.e. landscape and environmental features/constraints</li> <li>• Supporting infrastructure (social, community and commercial, both existing and planned)</li> <li>• Water, drainage, and road infrastructure (existing and planned)</li> </ul> <p>Through the preparation of the SPIA, a review of lands currently zoned within the Athy Town Development Plan was carried out. A range of potential sites were identified which were further examined in terms of their suitability for zoning for new residential development. Following a comprehensive assessment of these sites, a site categorization chart (Table 5 and Figure 3) of the SPIA (published with the draft LAP) was prepared which ranks each of the sites within the plan area in terms of their suitability for development (criteria for assessment and scoring set out in Section 5 of the SPIA). In this regard, the Chanterlands site scored particularly well in terms of compliance with the principles above and accordingly, was zoned as 'C: New Residential' in the draft Plan. It should be noted that new residential lands are zoned solely on their suitability to accommodate development on the basis of the methodology used in the SPIA, which took no consideration of land ownership.</p> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>
47.	Arthur Lynch	<p>The submission by Brock McClure Planning &amp; Development Consultants on behalf of Arthur Lynch relates to the proposed change in the zoning of lands to <i>F: Open Space and Amenity in the Draft Athy Local Area Plan 2021-2027</i> from <i>A: Town Centre in the Athy Town Development Plan 2012-2018</i>.</p> <ul style="list-style-type: none"> <li>• The submission states that the lands in question extend to c. 3.6 ha in area and are located to the south of Emily Square and bordered by the River Barrow to the west. They have been described within the Draft Plan as the <i>Abbey and Marina Lands</i> (Page 27, Appendix 1 Urban Regeneration Framework). The submission includes a satellite image highlighting the extent of the lands (included at the end of this summary).</li> <li>• Submits that its main objective is to highlight the inconsistency in zoning part of the subject site as objective 'F: Open Space and Amenity', and seek that the entire landholding be retained as objective 'A: Town Centre' thereby permitting appropriate re-development of these brownfield lands.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Submission notes that the site contains a Marina (a manmade inlet of the River Barrow) and the site of the 'Abbey', a former protected structure, now demolished. The submission includes several photos showing the current layout and condition of the site.</li> </ul> <p><b>Town Centre Zoning under the Athy Town Development Plan 2012-2018</b></p> <ul style="list-style-type: none"> <li>• The submission reiterates the Town Centre zoning designation under the Athy Town Development Plan (TDP) 2012 – 2018, noting the provisions of this zoning designation including the objective of the Council to encourage the full use of buildings and back land areas along with the provision that certain uses are best located away from the principal shopping streets because of their extensive character and their need for large-scale building forms and space requirement and that these uses include retail warehousing or industrial uses.</li> <li>• The submission details the extensive list of uses which are permitted in principle in the TDP for areas covered by the Town Centre zoning objective.</li> </ul> <p><b>Flood Risk</b></p> <ul style="list-style-type: none"> <li>• Submission also notes the various provisions of the TDP regarding flood risk given that a portion of the subject site is within the 1 in 1,000 flooding event under the TDP, including the provision that any application for development within the flood lines must be accompanied by a Specific Flood Risk Assessment.</li> </ul> <p><b>Public Right of Way</b></p> <ul style="list-style-type: none"> <li>• The submission notes that the zoning identifies a public right of way along the western (riverside) boundary of the site.</li> </ul> <p><b>New Roads Objective</b></p> <ul style="list-style-type: none"> <li>• The submission notes the various provisions of the Athy TDP relating to two new roads objectives to the immediate north of the site and south of the site respectively.</li> <li>• In regard to the above, the submission notes that the development of the subject site provides opportunities to deliver on various objectives of the LAP including new linkages and connectivity protection of key views and provision of sustainable development within the urban core. Furthermore, it is stated that the landowner has advanced a range of key studies, yet to be published, based on the current planning context for the site and with the key aim of providing a sustainable development solution at this location. States that any alteration to this planning context at this stage, would require a complete reappraisal of the site.</li> </ul>

Sub. No.	Name	Summary of Submission
		<p><b>The Abbey Character Area</b></p> <ul style="list-style-type: none"> <li>• The submission refers to the provisions of the Athy TDP relating to the Abbey Character Area noted that the Plan identifies the Abbey site as providing a key expansion area within the town and that the sensitive redevelopment of this character area is required due to its pivotal location immediately south of the historic heart of Athy and adjacent to the River Barrow.</li> <li>• Further refers to the TDP’s provisions regarding the design objectives outlined for the site.</li> <li>• With regard to the above the submission notes that a development proposal for the subject site is being advanced based on the above parameters and the landowner can generally, and at a minimum, provide the following: <ul style="list-style-type: none"> <li>○ Enhanced connections to Emily Square including management of existing tree lines that are in a deteriorating condition and could be enhanced at this location Additional planting along river edge enhancing public realm</li> <li>○ A comprehensive development proposal to activate this site and integrate with the River Barrow interface</li> <li>○ Integration with existing buildings to the rear and existing street and road connections</li> <li>○ Enhanced walkability of the town centre through the provision of connections and new bridge crossings – these LAP objectives may never be provided if this site is not brought forward for development as land in private ownership</li> <li>○ Active management of car parking with no parking adjacent to Marina and water frontage to protect this key amenity</li> <li>○ Upgrade of existing connections and Horse Bridge for pedestrian and public safety purposes</li> <li>○ Protection of key views along the river to and from Cromaboo Bridge</li> </ul> </li> </ul> <p><b>Current Planning Context Conclusion</b></p> <ul style="list-style-type: none"> <li>• Reiterates that the TDP contains a number of design parameters and site specific considerations which applies to the development of the subject site and notes that the landowner is in the process of undertaking the relevant site assessments as appropriately required to formulate an appropriate development solution for the subject site under the “Town Centre” zoning.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• States that the landowner is now concerned that the Draft Athy Local Area Plan will inappropriately de-zone a large portion of the subject site, which is contrary to all strategic guidance in respect of town centre sites.</li> <li>• Refers to the previous planning history for the site specifically a grant of permission for a marina for 50 boats along with 150 apartments (under Plan Ref. 01300001) and a 38-bedroom hotel (Under Plan Ref. 02300048).</li> <li>• States that enabling infrastructure for these developments was implemented at the subject site and therefore connection to drainage and services is easily facilitated at the site and that the realisation of a development solution for the subject site would maximise the return on infrastructure investment and ensure a vacant site within the town centre is brought into active use benefiting Athy Town Centre.</li> <li>• Reiterates that the specific Character Area designation specifically identifies the site for redevelopment and therefore it is not logical that the site is partially de-zoned at this stage. Also notes that all relevant strategic and local policy points to compact sustainable growth and this can be provided in the context of the Athy TDP 2012-2018.</li> </ul> <p><b>Draft Athy Local Area Plan 2021 – 2027</b></p> <ul style="list-style-type: none"> <li>• Notes the Draft LAP contains a fundamental change in the zoning of part of the site as F: Open Space and Amenity from its previous zoning as A: Town Centre in the Athy Town Development Plan.</li> <li>• Notes the provisions of the Draft Plan relating to the subject site, its designation as the Abbey and Marina Lands Character Area and outlines its stated 'Envisaged Role' in the Plan.</li> <li>• States that such a proposed designation reduces the development capacity of the town centre and would represent a missed opportunity to deliver on many of the Draft LAP's objectives for Athy relating to compact growth, new connections and links and the sustainable development of the town.</li> <li>• Submission refers to the urban design principles for the subject site which are outlined in Appendix 1 of the Draft Plan (Athy Urban Regeneration Framework) and states that design framework proposed is also unnecessarily restrictive in the Area Framework and would unjustifiably impede an appropriate development solution for this site.</li> <li>• Notes the potential of the site to enhance the connectivity in the area, provide a strong urban edge, and improved landscaping , however states that an open space zoning on this site, would simply not allow these development objectives to be achieved as the incentive to develop these lands, in private ownership, would be removed when over half the area is sterilised.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Notes that the Draft LAP proposes for 58 units (out of 771) to be provided within “Town Centre Infill”.</li> <li>• States that the proposed zoning directly conflicts with established planning principles, to provide for compact development that is walkable and accessible by sustainable transport modes as well as enhancing self-sustaining settlements and this should inform the proposed zoning for the lands in the Athy LAP 2021-2027.</li> </ul> <p><b>No Justification Provided to Re-zoned Site</b></p> <ul style="list-style-type: none"> <li>• Notes that the subject site is opportunely located within the town centre of Athy and is suitably located in close proximity to a range of facilities and services.</li> <li>• States that during the lifetime of the current Athy LAP 2012-2018, significant progress had been made by the landowner on a development strategy and feasibility for the site based on the “Town Centre” zoning.</li> <li>• Maintains that the site has the potential to build on the opportunities of the River Barrow, the Athy Distributor Road and the town centre location and an open space use would be an inefficient use of this development ready land. Notes that as the site is in private ownership, it would not be feasible for it to become a public open space in the foreseeable future.</li> <li>• States that any flood risk associated with the site can be appropriately mitigated and form part of a meaningful open space offering for the site and that overall, the site is not unduly impeded by flood issues. In this regard the submission notes that there is significant potential for compensatory storage of flood water in a redesigned Marina proposal adjacent, and part of, a development proposal for the site.</li> <li>• States that a similar level of flood risk applies to both the northern portion of the subject site, which is zoned Town Centre, and the southern portion, which is zoned for open space and amenity and therefore flood issues do not form a logical reasoning for the proposed de-zoning of this site.</li> <li>• Previous planning history for the site suggests this is a suitable location for a significant level of development that will integrate with the River Barrow and the town centre. Notes that enabling infrastructure including drainage, electrical services and water connections are already in place.</li> <li>• Reiterates there is no logical reason why the land in question is being rezoned from “Town Centre” to “Open Space and Amenity” and there is no specific reason behind this rezoning provided in the Draft Athy LAP document.</li> </ul> <p><b>Rationale for Retaining the Zoned Subject Lands</b></p>

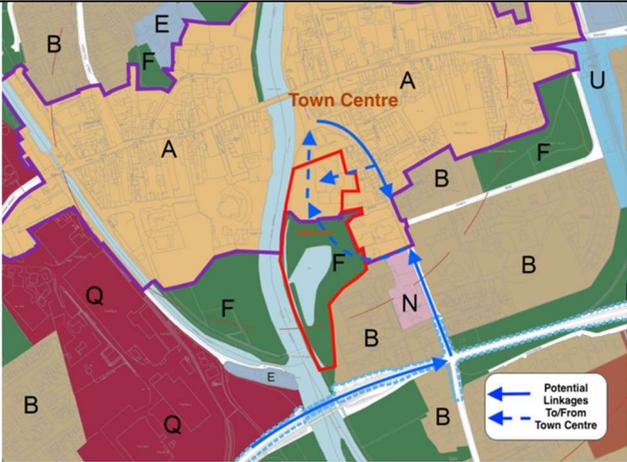
Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Submission states that all of the subject lands should be retained as A: Town Centre in the Athy LAP for the reasons including; the rezoning of town centre lands does not coincide with strategic planning policy; the Draft LAP is premature pending review of Kildare County Development Plan; it is an underutilised brownfield site; significant progress has been made by the landowner in progressing a development strategy for the site; subject site presents a rare opportunity to deliver crucial housing supply and town centre regeneration; the development of the site would improve access to the town centre; the site is not appropriate as open space and amenity land as it is in private ownership and; flood risks can be mitigated through the planning process which would include an upgrade of the existing Marina. The submission further elaborates on these issues (see below).</li> </ul> <p><b>Plan is Contrary to Strategic Planning Policy</b></p> <ul style="list-style-type: none"> <li>• Submission states that the zoning designation is contrary to the provisions of the National Planning Framework (NPF) including; <ul style="list-style-type: none"> <li>○ National Strategic Outcome (NSO) 1 regarding Compact Growth;</li> <li>○ National Policy Objective (NPO) 11 regarding the presumption in favour of development within existing cities, towns and villages;</li> <li>○ NPO 13 relating to the delivery of planning and related standards in urban areas; and</li> <li>○ NPO 35 relating to increasing residential density in settlements through a range of measures including infill development schemes and area or site-based regeneration.</li> </ul> </li> </ul> <p><b>Regional Spatial and Economic Strategy</b></p> <ul style="list-style-type: none"> <li>• Notes the adoption and role of the Regional Spatial and Economic Strategy for Eastern and Midland Regional Assembly (RSES) in 2019.</li> <li>• Notes RSES provisions encouraging compact</li> <li>• States that Athy is identified as being located within the Core Region of the RSES and is identified as a Level 3 Town in terms of Retail Hierarchy</li> <li>• States that the Draft LAP for Athy must have regard to the provisions of the NPF and RSES and therefore suitable town centre sites that can be appropriately developed must be zoned accordingly. De-zoning 'Town Centre' sites at the expense of out of centre development sites would be contrary to the regeneration of urban cores that is at the heart of national planning policy and therefore must be avoided.</li> </ul>

Sub. No.	Name	Summary of Submission
		<p><b>Ministerial Letter to Local Authorities – Structural Housing Demand in Ireland and Housing Supply Targets</b></p> <ul style="list-style-type: none"> <li>Refers to ministerial letter issued to Council regarding the work undertaken with the Economic and Social Research Institute (ESRI) on housing demand in Ireland up to 2040 and guidelines for calculating housing demand.</li> <li>Notes that the letter includes new household demand figures to 2040 under a number of scenarios and sets out housing supply targets for each County up to 2031. Refers to the figures for Kildare County Council which already shows a lag in housing supply in the period from 2017 to 2019 of more than 100 units per annum, states that this would clearly represent an unsustainable situation in future years if supply continues to fall short of demand and therefore it would not be sensible to change the zoning designation of the subject site.</li> <li>Notes the contents of the Minister’s letter in relation to the constrained supply of residential units over the past number of years and how the COVID-19 pandemic has exacerbated this. States that with supply already falling below demand it would be imprudent to wait until the next 6-year period of 2027-2033 to try resolve any backlogs.</li> </ul> <p><b>Draft Athy LAP Premature</b></p> <ul style="list-style-type: none"> <li>States that as the Kildare County Development Plan 2023-2029 is currently at “Issues Paper” stage of review the preparation of a Draft LAP for Athy – a Self-Sustaining Growth Town within the County – would be premature pending a detailed analysis of population and housing needs within the county. States that this is all the more relevant in the context of the recent update on ESRI housing demand calculations outlined above.</li> </ul> <p><b>Kildare County Development Plan 2017-2023 – Variation No. 1, January 2020</b></p> <ul style="list-style-type: none"> <li>Notes the adoption of Variation No. 1 to the Kildare County Development Plan 2017-2023 to facilitate the changes in national and regional policy and the revised Table 3.3 in Variation No. 1 which provides a unit forecast to 2023 of 675 units at Athy. The lifetime of the Athy LAP will extend beyond the 2023 period and therefore the zoning of land based on Variation No. 1 of the County Development plan (2 years into the future) is premature.</li> <li>Notes that the likely demand for housing and associated population figures will be much more significant than what is provided in the current County Development Plan and which the Athy Draft LAP Core strategy is</li> </ul>

Sub. No.	Name	Summary of Submission
		<p>based. On this basis it is requested that the current Athy LAP 2012-2018 be extended until such a time as the County Development Plan review is complete, then a review of the Athy LAP can take place.</p> <p><b>Core Strategy of the Kildare County Development Plan 2017-2023 (as varied)</b></p> <ul style="list-style-type: none"> <li>• Submission refers to the provisions of the Core Strategy was adopted in 2020 as part of variation No. 1 of the Kildare County Development Plan.</li> <li>• In relation to population growth trends, it notes that the Core Strategy states Kildare is one of the fastest growing counties in Ireland and populations targets outlined in the Core Strategy conclude in 2031 with a range of 259,000 – 266,500.</li> <li>• The submission notes the settlement hierarchy of Co. Kildare including the designation of Athy as a Self-Sustaining Growth Town and notes the Town's hinterland status and the population allocation of the hinterland.</li> </ul> <p><b>Preferred Development Strategy</b></p> <ul style="list-style-type: none"> <li>• Refers to the provisions of the County Development Plan (as varied) regarding the preferred development strategy which is '<i>based on building strong urban centres while protecting the rural hinterlands</i>' and '<i>with emphasis on economic growth in the towns identified as Self-Sustaining Growth Towns</i>'.</li> <li>• Further notes that the preferred development strategy seeks to implement 'an environmental protection policy which recognises the various environmentally sensitive zones within the county and not to mutually exclude appropriate and otherwise acceptable uses and development.'</li> <li>• Notes that the subject site forms a key site within Athy Town Centre, as identified in the 2012-2018 TDP and lies within 400 metre walking radius of the remainder of the town centre. States that the site is ideally located to maximise the opportunities associated with the Town Centre and represents an obvious extension to the existing core along the River Barrow. Submission includes a map indicating the location of the subject site in relation to the centre of Athy.</li> </ul> <p><b>Settlement Strategy of the Kildare County Development Plan 2017-2023</b></p> <ul style="list-style-type: none"> <li>• Refers to the Settlement Strategy in Section 3 of the County Development Plan which provides the strategic direction for the management of growth in line with what is outlined in the Core Strategy. Reiterates that Athy has been designated as Self-Sustaining Growth Towns and outlines the function/role of the such settlements as defined by the RSES.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Submission provides an extract of the Kildare Core Strategy and notes that despite the overall population projection figures in the County Development Plan providing a range of possible future population depending on various growth scenarios, there is no such flexibility built into the forecast dwelling requirements for the various towns and settlements of Kildare.</li> </ul> <p><b>Development Capacity</b></p> <ul style="list-style-type: none"> <li>• Notes the Settlement Strategy of the Development Plan (as varied) which allocates a total of 289 additional residential units to Athy during the 2020-2023 period and states that the Potential Units Deliverable to 2023 was based on all lands currently zoned in the Athy LAP 2012-2018.</li> <li>• States that with 216 units already granted permission within Athy, 555 units are outstanding for the provision of sufficient housing supply for the future residential population.</li> <li>• Notes that some new residential sites are identified in the draft LAP to accommodate the additional number, however there is no head room or flexibility provided in these numbers if for example, one of these sites does not come forward for development in the lifetime of the draft plan. In this regard it states that Town Centre lands that are development ready should be prioritised “Town Centre” uses where appropriate.</li> <li>• Notes that, at a County level, it would seem what has actually been built to date is insufficient to meet the overall Core Strategy targets. The County targets set out within the Core Strategy have not been met in the period 2007-2016 which has undoubtedly contributed to an increase in average household size and a ‘pent up’ demand in the county.</li> <li>• States that as part of the regeneration of the town centre the Draft Athy LAP identifies remote working facilities as a potential use to reinvigorate vacant uses. Notes that with the current trend for remote working as a there is likely to be increased demand for regional in-migration and a rise in demand for residential housing supply to support workers who no longer need to live close to their place of work in distant locations.</li> <li>• Refers to Policy EDTO1.16 which encourages remote working and states that a meaningful implementation of this policy will require an additional mechanism to sit behind this policy related to additional housing supply requirements as the demand which should be reviewed and included in the new Plan.</li> </ul> <p><b>Underutilised Site</b></p>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• States that the development of the subject site is supported by a number of policy objectives and themes within the Draft LAP document. Reiterates the strategic and accessible location of the site with river frontage and direct access to Emily Square. Notes also that the site can be accessed from Offaly Street via Janeville and other secondary entrance points (a map is included in support of this point).</li> <li>• Notes the range of existing services in the area including a range of schools and educational facilities, retail services and public transport options. Further notes that site provide rare opportunity for a quality mixed use development within the town centre.</li> <li>• Reiterates the investment that the property owner has made to advance the development of the site.</li> <li>• Refers to Athy is in a strategic and accessible location within the 'Hinterland' of the Dublin Metropolitan Area. Notes the population growth of recent years and notes this trend as likely continuing.</li> <li>• Notes that Athy has an underperforming Town Centre with high levels of vacancy and that the redevelopment of key sites within the town could provide the necessary stimulus to regenerate the town centre effectively.</li> <li>• Refers to the SWOT analysis for the Athy Draft LAP which identifies a number of themes for the development of the town including delivering compact development and improving the quality of the key routes into the town. In this regard, the submission states that subject site has the potential to open up the town centre to the river interface, building on the opportunities presented by the distributor road along with developing potential linkages from the distributor road, via the subject site and to the existing Town Centre are shown below see map extract included below:</li> </ul>

Sub. No.	Name	Summary of Submission
		 <ul style="list-style-type: none"> <li>• Further notes and outlines various provisions and policies contained in the draft LAP which would support the development of the subject site.</li> <li>• Reiterates that the subject site to be capable of accommodating a significant and sustainable mixed-use development whilst also managing the various constraints of the site such as flood risk, architectural heritage, key views and impact on any Natura 2000 sites can be appropriately managed.</li> <li>• Notes that the current 'F – Open Space' zoning proposed is not appropriate to this significant brownfield site in that it will restrict an appropriate development proposal for the site and significantly impact economies of scale as they relate to this landholding.</li> </ul> <p><b>Inappropriate 'F – Open Space and Amenity' Zoning</b></p> <ul style="list-style-type: none"> <li>• States that the 'F – Open Space' zoning proposed for the subject site is not a viable land use - zoning objective for the site.</li> <li>• Further states that the landowner was disappointed to learn that the draft Plan has not taken a more comprehensive approach to development potential for the town centre and specifically land use zoning for this area given that this is a highly accessible site in private ownership.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Submits that the Marina that is no longer fit for purpose and is now primarily used for fishing and that the landowner has been developing a strategy that would incorporate the upgrade of the Marina into a formal boat dock space with associated surrounding land uses that would add significantly to the public realm.</li> <li>• States that additional upgrades of the site could include an upgrade in safety of the Horse Bridge for cyclists, an upgrade of the river side amenity walk and new connections to the west side of the river to the Dominican lands and associated private open space and notes that these public amenity upgrades cannot be guaranteed if the site remains as 'Open Space and Amenity'</li> <li>• Refers to Section 4.6 of the draft Athy LAP which outlines the deficiencies present into the town regarding open space particularly the lack of play grounds and the need for an additional an additional local park if the population is to rise as provided for (with the plan identifying the Dominican Lands as a location for such a local park). In this regard it states that the zoning most of the subject site as open space would result in a needless duplication of open space lands.</li> <li>• Reminds the Planning Authority at this point that this is a relatively small 'Open Space' landholding of approximately 2.3 hectares including the Marina and that the redevelopment of the Marina by the landowner would be dependent on the ability to redevelop the surrounding land in a complementary and economically viable manner.</li> <li>• Submission reiterates the various reasons as outlined above, the reasons for what it would be inappropriate to zone the lands as Open Space and Amenity.</li> </ul> <p><b>Management of Flood Risk</b></p> <ul style="list-style-type: none"> <li>• States that a desktop assessment of the flood risk associated with the site has been undertaken and there are a number of conclusions to be drawn in relation to Flood risk in the vicinity of the site and its environs. The OPW have identified Athy as a flood risk area and have recommended the development of a Flood Relief Scheme.</li> <li>• Further states that the preliminary OPW plans indicate hard defences in the vicinity of the site to protect the existing town centre. It is clearly stated that the defences indicated are indicative in nature only and we would contend that the lands currently zoned as Town Centre as per the Athy LAP 2012-2018 should be included in the study and as part of the final scheme to allow for the full development of the town centre as</li> </ul>

Sub. No.	Name	Summary of Submission
		<p>envisioned in the current LAP in accordance with sustainable planning practices related to compact growth and strong urban cores.</p> <ul style="list-style-type: none"> <li>• Notes that significant volumes of water are stored on site during the 1:100 and 1:1000 year events and the development of flood prevention measures would require this water to be moved elsewhere. Further notes that a full Hydraulic Model will be required based on the actual proposals for the site with upstream and downstream impacts of the works taken into account and any mitigation measures identified as part of a full planning application</li> <li>• States that the percentage of each individual section of the site (Abbey and Marina Areas) flooded in the event of the various Flood Events are very similar, and in fact the Abbey Site is impacted slightly more than the Marina Site and submits that the zoning of the Marina site to “Open Space and Amenity” is therefore not related to flood risk.</li> <li>• Reiterates that the retention of the Dock/Marina on site would mitigate against some of the volumes of water if the levels are raised in the area of the new Marina to provide a greater storage capacity. Submits that site specific development plans (based on Zoning Objectives) can be fed into the Flood Risk model for the town which will be prepared by consultants appointed to look at flood protection measures for Athy on behalf of the OPW as part of the development management process.</li> </ul> <p><b>Opportunity to Deliver on Social and Affordable Housing</b></p> <ul style="list-style-type: none"> <li>• Outlines opportunity at this site to deliver on social and affordable housing and notes client is amenable to working with the Planning Authority/relevant Housing Associations in this regard.</li> <li>• States that the demand for housing is at a critical point and it is imperative that the Planning Authority considers all opportunities to deliver on appropriately zoned lands for residential development.</li> <li>• Requests that the Planning Authority carefully consider the performance of this privately owned, Town Centre site and the fact that open space lands are more appropriate to the publicly owned lands located at the former Dominican Lands opposite the site whilst also noting that the subject site can still provide some form of water-based recreation and amenity areas.</li> <li>• Notes that the draft LAP has identified a demand/residential capacity for 771 housing units over the Draft Plan period and that furthermore the Plan has identified that there is a high number of households on the</li> </ul>

Sub. No.	Name	Summary of Submission
		<p>Kildare Social Housing Waiting List (765 cases as of July 2020). Submits that these two figures are closely matched.</p> <ul style="list-style-type: none"> <li>• Outlines the various options for delivering social housing and submits that a mixed use development with a residential element on the subject site can deliver in part some of the social housing required in the town.</li> <li>• Reiterated again a list of 'logical reasons' why it is appropriate that the entire site be zoned as 'A: Town Centre'</li> </ul> <p><b>Conclusion</b></p> <ul style="list-style-type: none"> <li>• Submission concludes by requesting that the current land use zoning objective 'F – Open Space and Amenity' of the subject landholding at The Marina lands is inappropriate and inconsistent with the long-term future vision for the subject site.</li> <li>• It further submits that (as outlined above) the review of the Athy Local Area Plan should be suspended until such time as the review of the Kildare County Development Plan is complete and definitive population and housing demand figures are available for the relevant period.</li> <li>• Notes that the Local Authority are so minded to progress the Draft Athy LAP 2021-2027, we therefore invite the Planning Authority to amend the Draft Local area Plan Map as a matter of urgency as follows: <ul style="list-style-type: none"> <li>○ To show the subject landholding at The Marina, Athy rezoned from Objective 'F – Open Space and Amenity' to objective 'A – Town Centre'.</li> <li>○ To remove the "Indicative Building Frontage" as identified in the Urban (Regeneration) Framework document as it places an overly restrictive built form objective on this opportunity site.</li> </ul> </li> <li>• Notes that the landowner supports a number of objectives in the Draft LAP including protected views to and from Cromaboo Bridge, the upgrade of the Horse bridge for pedestrian and cyclist safety, new connection through the site and over the River Barrow and new connections into the town centre, however, submits that the delivery of these objectives is dependent on the appropriate redevelopment of the subject site.</li> <li>• Reiterates that the landowner has undertaken significant feasibility assessments based on the "Town Centre Zoning" and an economical and sustainable development proposal can be progressed, with benefits for the Town Centre and the wider area and requests that the local authority undertake further examination of the site in this context.</li> </ul>

Sub. No.	Name	Summary of Submission
		<div data-bbox="616 276 1176 794" data-label="Image"> </div> <p data-bbox="566 837 929 869"><b>Chief Executive's Response</b></p> <p data-bbox="566 877 1989 1029">The content of the submission by Arthur Lynch relating to lands referred to as the <i>Abbey and Marina Lands</i> in the Draft Plan (Appendix 1 Athy Urban Regeneration Framework) is noted. In particular, the request to retain the zoning on all of the lands as A: Town Centre as provided for in the previous Athy Town Development Plan 2012 – 2018 is also noted.</p> <p data-bbox="566 1077 2004 1300">The sections of the submission related to the locational attributes and characteristics of the site and the national, regional and local planning context (relating to both the draft Plan and previous Town Development Plan) are noted. The submission outlines a series of statements regarding the proposed zoning designation of the subject site in the draft LAP. The various arguments outlined regarding the site's suitability for town centre development are acknowledged and in this regard the response set out below will address the various points raised.</p> <p data-bbox="566 1348 694 1380"><b>Rezoning</b></p>

Sub. No.	Name	Summary of Submission
		<p>The draft Athy LAP proposes to zone the northern portion of the site, adjacent to Emily Square as A: Town Centre and the remainder as F: Open Space and Amenity. It is contended in the submission that such a proposed open space zoning for the majority of the site is both inconsistent with the principles of compact growth and inappropriate given its central strategic location within the town and that no justification has been provided for the zoning. In this regard, it is noted that in preparing the Draft Athy LAP a comprehensive review of the town centre zoned lands was undertaken. An important factor of the review of was the recognition that Athy Town Centre has been underperforming in recent years (draft LAP, Sections 5.1 and 5.3). This was supported by further studies carried out as part of a urban quality survey of the town which illustrated a town centre retail vacancy rate of 24.1%, a worryingly high statistic (Appendix 1 of the draft Plan). In light of this, it was considered that the town centre was over-extended and that a level of consolidation was required which would increase the level of focus, along with regeneration efforts, around the designated 'Athy Core Retail Area' (Figure 5.2 of the Draft Plan).</p> <p>Having regard to the above, all lands previously zoned town centre in the Athy Town Development Plan were reviewed based on the following principles:</p> <ul style="list-style-type: none"> <li>○ National/Regional/Local Policy Context (i.e. the NPF, RSES, County core strategy)</li> <li>○ Section 28 Ministerial Guidelines</li> <li>○ Flood Risk data</li> <li>○ Physical suitability i.e. landscape and environmental features/constraints</li> <li>○ Supporting infrastructure (social, community and commercial, both existing and planned)</li> <li>○ Water, drainage, and road infrastructure (existing and planned)</li> </ul> <p>Whilst it is acknowledged the subject site may present well in terms of its strategic location and its proximity to town centre, it is noted that the site is located within an extremely environmentally sensitive area (see Chief Executive's Report Map B below). In this regard, it is clear that the subject site is at an extreme risk of flooding and a significant portion of the lands is also designated as a site of European significance (River Barrow and River Nore Special Area of Conservation). It is further noted that the subject site is home to significant green</p>

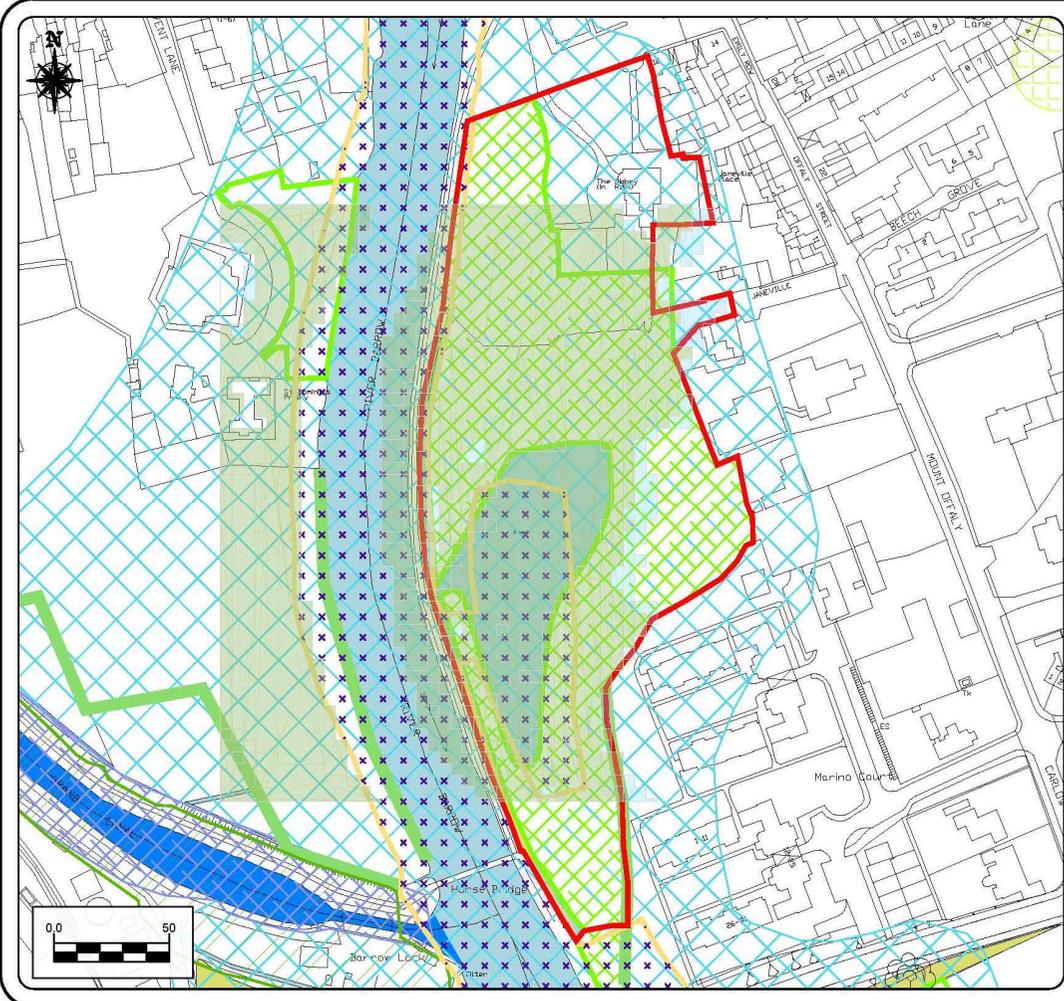
Sub. No.	Name	Summary of Submission
		<p>infrastructure features and is located along the River Barrow Green Infrastructure Route (refer to draft LAP, Map 4: Green Infrastructure Map).</p> <p>Whilst the draft Plan is required to comply with national and regional policy regarding compact growth and the presumption in favour of development within urban centres, the adherence to such objectives must also be balanced with the need to comply to various other national and regional policies regarding the development of sites in environmentally sensitive locations. In this regard, the provisions of Regional Policy Objective (RPO) 7.15 which states that <i>'Local Authorities shall take opportunities to enhance biodiversity and amenities and to ensure the protection of environmentally sensitive sites and habitats, including where flood risk management measures are planned'</i> need to be taken into consideration. In relation to green infrastructure, RPO 7.22 requires that local area plans <i>'identify, protect, enhance, provide and manage Green Infrastructure in an integrated and coherent manner and should also have regard to the required targets in relation to the conservation of European sites, other nature conservation sites, ecological networks, and protected species.'</i> With regard to compliance with both national and regional planning policies it should be noted that the Office of the Planning Regulator (OPR) concludes that <i>'the local area plan is generally consistent with the RSES, current development plan and relevant Section 28 guidelines'</i> (refer to Submission No. 56). It should also be noted that in its submission to the draft Plan, the OPR expressed no concerns regarding the overall development strategy for the town with no specific requests around any of the proposed zonings.</p> <p>Given the environmental constraints of the site as outlined above and demonstrably illustrated on Map B (see below) and taking into consideration national and regional policy objectives relating to biodiversity, flood risk, green infrastructure and climate change, a responsive approach was adopted in the draft Plan in which the northern portion of the subject site, adjacent Emily Square and closest to the designated Athy Core Retail Area was zoned as 'A: Town Centre,' with the balance being zoned as 'F: Open space and Amenity'.</p> <p>The Athy Urban Regeneration Framework (Appendix 1 of the draft Plan) sets out a considered framework which outlines the various challenges and opportunities relating to the site and sets out an envisaged role for the lands which <i>'will to a large extent play a complementary role to the Dominican Lands across the river, in that it</i></p>

Sub. No.	Name	Summary of Submission
		<p><i>should also be home to various water-based recreational and amenity spin-off activities arising from the development of the Barrow Blueway and Blueway Hub.'</i> The development of such water-based activities is considered appropriate, given majority of the site's flood risk designation (both Flood Zones A and B).</p> <p>Furthermore, in consolidating the town centre zoned lands it was also recognised that such lands were to be designated as part of the '<i>Town Centre Regeneration Area</i>' for the purposes of applying the Vacant Site Levy, as per the provisions of the Urban Regeneration and Housing Act 2015 (as amended). In this regard, it is considered unequitable to allow for the lands in question to be the subject of such a levy given their extremely limited potential to accommodate future development.</p> <p><b>Flood Risk</b></p> <p>On the issue of flood risk, the Strategy Flood Risk Assessment (SFRA) which accompanies the draft Plan designates the site as part of Emily Square (refer to Section 7.3.3 of the SFRA). In this regard, the SFRA notes the sites significant vulnerability to pluvial flooding (for both Flood Zones A and B) and states that the existing zoning (under the Athy Town Development Plan) '<i>would not pass a justification test and the sequential approach was followed to rezone the site</i>'. The SFRA goes on to note that the proposal to rezone the area to water compatible open space in the draft LAP '<i>will maintain the existing flood storage in this area and help to provide natural protection to developed at risk areas of the town</i>'. The SFRA notes historical flooding of the site in 2008 and 2009 and states that the CFRAMs mapping indicates that an increase in the flooding extends for both Flood Zones A and B on the site due to climate change.</p> <p>Regarding the request for the Abbey and Marina lands to be incorporated into the proposed Flood Relief Scheme for Athy, it should be noted that it is the policy of the OPW to only provide protection to existing properties and not construct defences which would function to protect any future development on lands at risk of flooding.</p> <p>Regarding the contention in the submission that a similar level of flood risk applies to both the northern portion of the subject site, which is zoned town centre, and the southern portion, which is zoned for open space and</p>

Sub. No.	Name	Summary of Submission
		<p>amenity and therefore flood issues do not form a logical reasoning for the proposed de-zoning of this site, it is noted that urban design framework (Figure 3.8, Appendix 1) acknowledges the site's severe limitations in terms of potential development and accordingly shows an indicative level of built form on the limited portion of the town centre zoned area (outside the area of flood risk) which can accommodate development.</p> <p><b>Previous Planning History</b>                      Whilst it is noted that permission was granted on the subject site for a marina for 50 boats along with 150 apartments (under Plan Ref. 01300001) and a 38-bedroom hotel (Plan Ref. 02300048) such development was granted almost 20 years ago and within the context of a very different planning framework, which did not include the National Planning Framework, the Regional Spatial and Economic Strategy and various objectives relating to environmental sensitivity and climate adaptation/mitigation. Furthermore, it should be noted that although the Marina itself is a manmade feature developed on foot of planning Ref. 0300001, it is now designated as a part of the River Barrow and River Nore Special Area of Conservation (SAC).</p> <p><b>Linkages and Connectivity</b>                      The draft Plan acknowledges the site's strategic riverside location and the potential benefit of various connections through the site which will help realise the development of looped routes focused around the Athy's waterways, thereby to maximising the tourist and recreational potential of this key amenity. In this regard a number of connectivity routes both alongside and through the site are identified both in Maps 1.1 and 1.2 of the draft Plan and in the Urban Design Framework (Appendix 1). The potential for the development of a new road through the site which would provide for a new access Emily Square from the south it is noted. However, it considered that such an intervention is unnecessary. In order to initiate the shift towards sustainable movement, the main focus of the Draft Plan (and the accompanying Area Based Transport Assessment) is to improve the connectivity within the town by developing a high-quality network of walking/cycling routes that will provide a safe and convenient alternative to the private car.</p> <p><b>Draft Athy LAP Premature and the Lack of 'Flexibility' and 'Head Room' within the Plan</b></p>

Sub. No.	Name	Summary of Submission
		<p>Regarding the contention that the draft Local Area Plan is premature pending the adoption of a new County Development Plan (CDP) in 2023, it should be noted that the Athy Town Development Plan expired three years ago. On foot of this, the Council immediately set about preparing a new LAP for the town. Work was subsequently paused on account of advice received from the then Department of Housing, Planning and Local Government to suspend all work on local area plans pending a variation of the Kildare CDP to incorporate the provisions of the NPF and RSES as they related to the county. Progress on the draft LAP resumed immediately on foot of the adoption of the Variation No. 1 of the CDP as it was considered that the town urgently required a comprehensive and up-to-date plan to guide and direct the development of the Athy whilst also proactively responding to the various challenges facing the town over the next six years. It is acknowledged that an amendment to the LAP may be required to align with the Core Strategy of the Kildare County Development Plan 2023-2029 and to incorporate other material changes relevant to Athy, once the CDP is adopted. The draft LAP provides for this scenario in objective CDP1. It is noted that in its submission, the OPR <i>'supports this approach in the draft LAP which is consistent with Sections 19(2) and 19(2B) of the Act (Planning and Development Act 2000 (as amended)).'</i></p> <p>The submission's assertions regarding the lack of 'flexibility' and 'headroom' within the core strategy of the CDP are not accepted. It is noted that the current core strategy, as set out in the Kildare County Development Plan is the result of a statutory (Variation No. 1) which was adopted by the Council on 9<sup>th</sup> of June 2020. The figures contained in this varied core strategy have been taken from the National Planning Framework Implementation Roadmap (July 2018) which was issued to all Local Authorities by the Government. It is acknowledged that 50% headroom was previously provided for in the Section 28 Guidelines on Development Plans (2007). It should be noted at this stage that the NPF roadmap is explicit in relation to the universal application of 'headroom' and states that scope for up to 25% may be considered to 2026 in counties where projected population growth is above the national average. Kildare is identified as being one of those counties where headroom of up to 25% is allowable, for the purposes of transitioning to the revised targets. This is further clarified in the RSES which states <i>'this may be supplemented by additional 25% headroom, applicable in the local authority areas that are projected to grow at or above the national average growth figure (page 5 of the NPF Roadmap). This further headroom may be applied regionally and locally, at RSES and city and county</i></p>

Sub. No.	Name	Summary of Submission
		<p><i>development plan stage.</i> In this regard, in accordance with the NPF (its Roadmap) and the RSES the 25% headroom was applied in the revised core strategy calculations set out in Variation No. 1 of the Kildare County Development Plan 2017-2023, Table 2.4 specifically references same. The publication of guidelines for Housing Supply Target Methodology for Development Planning' (December 2020) pursuant to Section 28 of the Planning and Development Act, 2000 (as amended) are noted. While these guidelines provide further clarification around the NPF Implementation Roadmap population projections, they do not supersede the NPF and RSES, they simply apply these figures to housing delivery targets to provide a uniform methodology to core strategy formulation across all plan making functions. Accordingly, it is considered Variation No.1 of the Kildare County Development Plan 2017-2023 fully aligns the CDP with the NPF and RSES.</p>

Sub. No.	Name	Summary of Submission												
		<p><b>Chief Executive's Report Map B: Abbey and Marina Lands</b></p>  <div data-bbox="1657 343 1982 446"> <p>Kildare County Council Planning &amp; Strategic Development Department Áras Chill Dara, Devoy Park, Naas, Co Kildare.</p> </div> <div data-bbox="1657 454 1982 518"> <p>Draft Athy Local Area Plan 2021 - 2027</p> </div> <div data-bbox="1657 526 1982 973"> <p><b>Legend :</b></p> <ul style="list-style-type: none"> <li><b>Area Boundary</b></li> <li>Proposed Natural Heritage Area (pNHA) 002104 - Grand Canal</li> <li>Special Area of Conservation (SAC) 002162 - River Barrow and Nore SAC</li> <li>Flood Risk Zone A (Low Probability)</li> <li>Flood Risk Zone B (Medium Probability)</li> <li><b>Notable Green Infrastructure Routes</b></li> <li>River Barrow</li> <li>Grand Canal</li> <li>Rail Line</li> <li><b>Key Features Of Green Infrastructure For Retention</b></li> <li>Woodland / Scrub</li> <li>Wet Grassland</li> <li>Hedgerow &amp; Tree lines</li> <li>River Barrow</li> <li>Grand Canal Barrow Line</li> </ul> </div> <div data-bbox="1657 981 1982 1069"> <table border="1"> <thead> <tr> <th>Stage</th> <th>Date</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>Submissions</td> <td>10/03/2021</td> <td>Chief Executive's Report</td> </tr> </tbody> </table> </div> <div data-bbox="1657 1077 1982 1141"> <p><b>Abbey and Marina Lands</b></p> </div> <div data-bbox="1657 1149 1982 1189"> <p>Scale: N.T.S.      Map Ref.: CE Report Map B</p> </div> <div data-bbox="1657 1197 1982 1228"> <p>Date: December 2020      Drawing No.: 200/20/1081</p> </div> <div data-bbox="1657 1228 1982 1276"> <table border="1"> <tr> <td>Drawn by: M O'Loughlin</td> <td>Checked by: L Crawford</td> <td>Approved by: D Jordan</td> </tr> <tr> <td>Date: 09/03/2021</td> <td>Date: 10/03/2021</td> <td>Date: 10/03/2021</td> </tr> </table> </div> <div data-bbox="1657 1276 1982 1324"> <p>This drawing is to be read in conjunction with the written statement</p> </div>	Stage	Date	Description	Submissions	10/03/2021	Chief Executive's Report	Drawn by: M O'Loughlin	Checked by: L Crawford	Approved by: D Jordan	Date: 09/03/2021	Date: 10/03/2021	Date: 10/03/2021
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Sub. No.	Name	Summary of Submission
		<p><b>Chief Executive's Recommendation</b> No change recommendation.</p>
48.	An Post	<p>Submission by An Post welcomes the opportunity to make a submission on this Draft LAP which will provide an overall strategy for the proper planning and sustainable development of Athy in the context of the overall planning hierarchy.</p> <p><b>Introduction and Background</b></p> <ul style="list-style-type: none"> <li>• Notes that An Post has existing operations in Athy; namely the Athy Delivery Services Unit (DSU) within the Athy Business Campus and the Athy Post Office on Duke Street. States that due to the age of some of these facilities as well as the requirement to modernise postal facilities, the Company will seek to enhance facilities at existing and new locations.</li> <li>• States the submission will provide details on their ongoing assessment of facilities and their ambition to develop new facilities that provide for their current and future operational requirements.</li> <li>• Requests the Council to carefully consider this submission in the preparation of the Draft LAP for Athy and accommodate future engagement with An Post.</li> <li>• States An Post's commitment to the objectives of Project Ireland 2040 and the NPF.</li> <li>• Provides an overview of An Post's business operations and notes its central role in Irish Life as an essential mail delivery service and as a financial service provider. Notes that it employs more than 9,000 people (both full time and part time roles) and owns and operates a significant number of properties across the State as well as 3,000 vehicles a growing number of which are EVs.</li> <li>• Outlines the changes to the postal market over the past decade with the move away from letter delivery to parcels as a result of increased online shopping. Also, the company has expanded to meet the needs of Ireland's growing population and expanding settlements.</li> <li>• States that An Post is currently undertaking detailed assessments of its existing facilities nationwide and considering a programme of works to ensure these facilities are best in class while also seeking new sites capable of accommodating modern delivery operations to serve new and expanding catchment areas.</li> <li>• Notes the Draft Plan allocates the development of an 771 residential units within the town by 2027 and states that the submission is based in these projections and the requirements to adequately serve expanding catchment areas and to request that the Council provide a supportive policy framework for both the existing</li> </ul>

Sub. No.	Name	Summary of Submission
		<p>and future provision of postal infrastructure in Athy. In this regard, it states that An Post would be happy to engage with Kildare County Council as part of its future assessment of postal facilities.</p> <p><b>Operational and Supportive Requirements</b></p> <p>As set out in Section 2, An Post are currently assessing their existing facilities and lands within their ownership. In this regard, An Post are seeking to engage with Local Authorities to ensure this future development can be undertaken in a sustainable and efficient manner that benefits local areas and accords with local and national planning policy. Within Athy Town, An Post own and operate the following:</p> <p><u>Athy Town</u></p> <ul style="list-style-type: none"> <li>• Within Athy Town, An Post own and operate the following: <ul style="list-style-type: none"> <li>○ The Athy Delivery Services Unit (DSU), Athy Business Campus, Kilkenny Road; and</li> <li>○ The Athy Post Office on Duke Street.</li> </ul> </li> <li>• Notes that the DSU is zoned for H: Industrial and Warehousing while the Athy Post Office is zoned as Town Centre. Further notes that Athy Post Office is a Protected Structure (RPS No. AY081 / NIAH Ref. 11505063) and is also located within the Core Retail Area identified for Athy.</li> <li>• Refers to the Athy Urban Regeneration Framework (URF) and notes that it has identified the development of a Public Realm Strategy as a short-term priority for the town, to be commenced within 12 months of the adoption of the LAP. States that while An Post supports the enhancement of the character of the Town Centre, they request that the Council take into consideration the requirements for postal services including access, deliveries and parking as outlined further below.</li> </ul> <p><u>Supportive Policies</u></p> <ul style="list-style-type: none"> <li>• Requests the Council to carefully consider the existing and future operational requirements of An Post and include appropriate policies to support An Post's ambition to enhance its postal facilities in Athy.</li> <li>• In this regard it requests that the Council include the following specific policies in the final plan which it says would greatly assist in the delivery of future An Post projects, particularly in the investment of the mail and parcel delivery infrastructure in Athy; <ul style="list-style-type: none"> <li>○ <i>"To support An Post in the provision of new postal facilities and the enhancement of existing facilities, including operational requirements, in Athy."</i></li> <li>○ <i>"To facilitate the provision of postal infrastructure at suitable locations in Athy."</i></li> </ul> </li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• It also requested that the Local Authority recognise the specific operational requirements of An Post with regards the operation of post offices and mail sorting offices and notes that these facilities are central to the operation of a reliable public postal service and their long-term viability should be protected with specific requirements, primarily relates to car parking, access and deliveries (as set out below)</li> </ul> <p><u>Car Parking</u></p> <ul style="list-style-type: none"> <li>• Reiterates that An Post requires the use of c. 3,000 vehicles to transport mail across the Country. Notes that due to the increasing number of larger parcels being processed, it is considered likely that this requirement will increase over time. Accordingly, it is noted that An Post facilities may require greater levels of parking spaces including electrical vehicle charging points, along with spaces required for An Post delivery vehicles in addition to for vehicles used by staff that typically travel to An Post.</li> <li>• States that older postal facilities have been adapting to the increased volumes of mails and parcels and changing operational requirements. In particular, older town centre facilities face challenges regarding additional space and car parking requirements. Notes that working shifts typically start early in the morning, at times when public transport is not in operation and therefore staff generally travel by private car. States that these facilities generally require areas of car parking for staff as well as parking storage areas for the delivery vehicles. In this regard it states that this requirement is relatively specific to An Post and is of particular importance given that An Post operates an essential public service.</li> <li>• It is, therefore, requested that Kildare County Council provide flexibility with car parking standards for postal facilities, require sufficient car parking spaces to operate in an efficient manner. Notes that Postal facilities may require a greater quantum of car parking spaces going forward as postal trends continue to evolve thus it is imperative that facilities are future proofed to ensure the long-term viability of An Post's operations.</li> </ul> <p><u>Deliveries and Access</u></p> <ul style="list-style-type: none"> <li>• States that postal facilities which are located in town centre areas have relatively specific requirements, primarily with regards access and deliveries, with access to premises being required on a 24-hour basis, although early morning deliveries and late evening collections are of particular importance. In this regard, any restrictions on the times of deliveries/collections to/from An Post facilities could have a serious impact on the ability of An Post to fulfil its functions.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Requests that the Council recognise this requirement as part of the Local Area Plan and in the future assessment and preparation of planning policy. Notes that it is committed to working with the Council and local residents in minimising potential disturbances to adjacent properties and to providing emission free deliveries in town centres.</li> <li>• States that it is important that a sufficient level of vehicular access is maintained and that sufficient loading bay space is provided to accommodate the collection and delivery of mail and to accommodate customers who require use of a vehicle to visit an An Post facility.</li> <li>• Notes, that the Draft LAP outlines that the Athy Urban Regeneration Framework seeks to <i>“enhance the public realm of the town, particularly throughout its historic core, to improve the overall experience of the pedestrian shopper and visitor”</i>. In this regard, it requests that the Council consult with An Post during the preparation of any future public realm and movement strategies within Athy, to ensure sustainable solutions are considered to maintain a sufficient level of access.</li> </ul> <p><b>Conclusion</b></p> <ul style="list-style-type: none"> <li>• Submission reiterates that An Post own and operate both a post office and delivery service unit in the Town and are continually aiming to enhance their capability of providing a robust and reliable public service.</li> <li>• It concludes by hoping that the matters outlined above will be taken into consideration by the council and stating An Post's availability to discuss any of the matters referred in their submission.</li> </ul> <p><b>Chief Executive's Response</b></p> <p>An Post's submission which emphasises its critical role with regards to the existing and future provision of postal infrastructure in Athy is noted. On the issue of the proposed Public Realm Strategy (and associated Car Parking Plan), it is noted that the outputs of the Strategy will include <i>'an actions based programme for the effective presentation, development and management of the town's public realm'</i> and will include a <i>'suite of spatial interventions'</i> focused on Athy Town Centre. In this regard, it is noted that such public realm projects will be subject to a separate planning process which will include provision for public consultation, and which will take into consideration specific concerns of interested parties such as An Post.</p>

Sub. No.	Name	Summary of Submission
		<p>An Post's position with regard to its car parking needs and access to its facilities within Athy is noted. On the issue of electrical charge points, it should be noted that objective MTO2.3 in the draft Plan provides support for a significant increase in the provision of clearly and exclusively designated electric car charging points on public and private land in partnership with ESB and other relevant stakeholders and landowners. Furthermore, it is noted the County Development Plan is currently under review, with requirements relating to the provision of electric charging points being examined as part of the review of the Development Management Guidelines chapter of the development plan.</p> <p><b>Chief Executive's Recommendation</b>  <u>Proposed Material Alteration</u>                      Include the following objective after objective HCO4.5 (Section 4.8 Other Community, Sports and Recreational Facilities):  <i><b>HCO4.6 To support the provision of new postal facilities and the enhancement of existing facilities, including for operational requirements in Athy, and to facilitate the provision of postal infrastructure at suitable locations within the town, subject to planning and design considerations.</b></i></p>
49.	<b>Clanard Court Hotel and Michael Fennin</b>	<p>Submission (containing a cover letter and a zoning report) by Farry Town Planning LTD on behalf of the Clanard Court Hotel relates to lands (extending to 16.16 hectares) located between the Clanard Court Hotel and Athy Golf Club. These lands lie outside of the LAP area and the submission requests that they be included and zoned 'C' New Residential. The submission also requests that the zoning of the Clanard Court Hotel lands (zoned as L: Leisure and Amenity in the draft Plan) be zoned 'Neighbourhood Centre'.</p> <p>With regard to the above requests the submission states:</p> <ul style="list-style-type: none"> <li>• Considers that in view of the housing shortage affecting the country, the amount of new residential lands zoned in Athy is inadequate.</li> <li>• That a 'neighbourhood centre' on the Clanard Court Hotel lands would reflect the lawful purpose for which this development can be used and would allow for an expansion in the range of activities which would allow a local centre to be constructed.</li> </ul> <p><b><u>Submission Report</u></b></p>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Provides an outline detailing the location and characteristics of the subject site. The nature of adjacent landholdings is noted and includes a number of images and maps relating to the subject site.</li> <li>• The submission states there is no planning history on the subject site. The Clanard Court Hotel received planning permission under reg. 02/1774. Notes various planning decisions for adjoining and nearby lands.</li> <li>• Refers to population targets set out in the Regional Planning Guidelines relating to Co. Kildare.</li> <li>• Notes provisions in the Plan relating to residential development.</li> <li>• The submission notes that several sites surrounding the subject site were zoned for residential use in the previous plan. The submission states that on examination of the figures delivered by the previous Athy Town Development Plan, insufficient land has been zoned for new residential development to align with projected regional and county figures.</li> <li>• Refers to provisions in the Kildare County Development Plan 2017 – 2023 (as varied) relating to Athy.</li> <li>• Submission reiterates its requests regarding zoning of lands for residential and the change in the zoning designation for the Clanard Court Hotel lands.</li> <li>• It is submitted that the zoning in the previous Athy Town Development Plan and this draft Athy Local Area Plan do not reflect the hotel use on site. States that a neighbourhood centre zoning would better reflect the hotel on site and allow for the daily needs of surrounding new residential/industrial lands and those passing by this gateway into Athy.</li> <li>• Notes that a site has been zoned for a Neighbourhood Centre' on the Geraldine Road, however, this site currently accommodates a specialised industrial operation and does not serve the daily needs of the local residents for small-scale convenience purchases.</li> <li>• Notes that the zoning of the subject site for residential, which could probably facilitate about 1,000 inhabitants would also require neighbourhood centre facilities nearby.</li> <li>• Outlines the suitability of the Clanard Court Hotel lands for a neighbourhood centre zoning designation.</li> <li>• Submission refers to the provisions of the County Development Plan (Chapter 4) regarding new residential development.</li> <li>• With regard to the request for new residential zoning on the lands adjacent to the Clanard Court Hotel, the submission emphasises that the Development Plans-Guidelines for Planning Authorities envisages an overprovision of residentially zoned land to cover situations where particular sites experience unexpected</li> </ul>

Sub. No.	Name	Summary of Submission
		<p>technical, infrastructure, flooding, legal, archaeological or design difficulties which might delay, or prevent construction. It states the manner in which the Council has organised the sequencing of development in certain other centres, such as Kildare Town, effectively prohibits schemes on phase two lands and this, in essence, removes the flexibility envisaged in this policy. In this regard the amount of zoned land for residential development is understated.</p> <ul style="list-style-type: none"> <li>• The submission notes several discrepancies between Athy Town Development Plan 2012 - 2018 and the Kildare County Development Plan 2017 – 2023 relating to the quantum of lands stated to be zoned for residential development. In this regard, it is considered that the quantum of zoned land is insufficient given the housing crisis and that the provision of land in appropriate locations such as the subject site is necessary for the Planning Authority to meet its obligations under adopted planning policy, including the Regional Planning Guidelines and the Core Strategy of the County Development Plan 2017-2023</li> <li>• The quantum of zoned land is insufficient given the housing crisis and the figures required by the NPF and the Regional Planning Guidelines. The subject site and others like it are therefore required for housing.</li> <li>• On the issue of rural housing need, the submission notes the provisions of the Kildare County Development Plan (2017 - 2023) and states that it is the Council's policy to resist one-off rural housing and more accommodation should be required in towns such as Athy to kerb this.</li> <li>• Regarding the suitability of a residential zoning for the subject site, the submission states that there is a clear and undisputed need for additional housing throughout the entire country.</li> <li>• The submission notes that given the technical difficulties which affect other surrounding towns (exemplified in appeal ref. 300558) new dwelling units should be directed to Athy town.</li> <li>• Notes that the subject site has no heritage related constraints like those within the centre of Athy.</li> <li>• Contends that the development of this site would represent the natural growth of the town centre. Future residents would have good access to Athy Town's extensive social, retail and community facilities.</li> </ul>

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		 <p><b>Chief Executive's Response</b></p> <p>The submission requests regarding the proposed land-use zoning for the existing hotel complex and also the lands to the immediate north are noted.</p> <p>For the purposes of clarity, the two sites will be addressed individually. The first being the request for the proposed zoning for the existing hotel complex from 'L: Leisure and Amenity' to N -Neighbourhood Centre', the second being the request to zone the lands to the north of the hotel to 'New Residential' zoning (Note; this would also require an extended LAP boundary).</p> <p>It should be noted at the outset that the hotel complex was formerly located outside of the Town Development Plan boundary which accorded with the former town council boundary. The hotel function has now been acknowledged and forms part of the Plan area with a 'L: Leisure and Amenity' zoning in the Draft LAP, the objective for which is to provide for tourism and leisure facilities.</p> <p><b><u>Request for Neighbourhood Centre zoning for existing hotel complex</u></b></p> <p>The County Development Plan 2017-2023 has designated the Core Retail Area for Athy, and the overarching aim of retail planning policy is to protect and develop the vitality and the vibrancy of the town centre's Core Retail</p>

Sub. No.	Name	Summary of Submission
		<p>Area. In accordance with national policy, the primacy of the town centre will be protected by ensuring that any retail developments at edge-of-centre sites or at locations on the periphery of the town would be subject to the necessary appropriate assessments such as the Sequential Test and Retail Impact Assessment. The designated neighbourhood centres in the Draft LAP have a limited retail function and are intended to serve the neighbourhood in which it is located, of a local catchment population. It should be noted that Section 6.3 and specifically Table 6.3 of the Draft Local Area Plan indicates the main employment zones and their employment opportunities for the town of Athy, under which the hotel facility is identified. It is not considered appropriate to designate this facility/complex as a neighbourhood centre, as such the proposed 'Leisure and Amenity' zoning should be retained.</p> <p><b><u>Request for New Residential Zoning to the North of the Hotel</u></b></p> <p>The Athy Town Development Plan 2012-2018 acknowledged there was an excessive provision of lands zoned for residential use (p49 and p50), much of which has remained undeveloped during the lifetime of this plan. Athy's legacy of over zoning lands for residential purposes, has often tended to be at the outer edges of the built-up area, contributing to the potential for urban sprawl.</p> <p>In preparing and formulating the Draft LAP in the context of the National Planning Framework and Regional Spatial and Economic Strategy, it was important that these legacy issues did not determine the future development of the town by establishing an accepted pattern of development in inappropriate locations. The Sustainable Planning and Infrastructural Assessment (SPIA) which accompanied the Draft LAP evaluated the relevant NPOs and RPOs in the context of each site which was currently zoned. In this regard, it is also important to note that environmental considerations such as flood risk and proximity to European (Natura 2000) sites were also a significant factor (see also SPIA below).</p> <p>National Strategic Outcome (NSO) No. 1 of the National Planning framework (NPF) is Compact Growth. The NPF states that this will be achieved by managing the sustainable growth of compact cities, towns and villages. The Regional Spatial and Economic Strategy for the Eastern and Midland Regional Assembly (RSES) 2019-2031 reinforces this approach stating that '<i>Compact Growth and Urban Regeneration promote the regeneration of our</i></p>

Sub. No.	Name	Summary of Submission
		<p><i>cities, towns and villages by making better use of under-used land and buildings within the existing built-up urban footprint and to drive the delivery of quality housing and employment choice for the Region's citizens'.</i></p> <p>Section 2.3.1 of the Draft Athy Local Area Plan sets out the Strategic Development Principles for the town, of which Compact Growth is paramount. In this regard it states, <i>"a key priority of the plan is to develop a compact and coherent urban form with particular emphasis being placed on the regeneration of the town centre, building within the urban footprint and providing for orderly sequential development"</i>. This is supported by the objectives of developing an integrated sustainable community.</p> <p>The draft LAP boundary is based on the principles of compact growth and sequential development and, insofar as is practical, follows the defined CSO settlement boundary of the town. The subject lands are not considered to meet the requirements of the CDP Core Strategy in accordance with the requirements of the NPF and RSES as sufficient lands have been identified for development which are considered more appropriate having regard to policy context, sequential approach, physical suitability and supporting infrastructure.</p> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>
50.	Cllr. Brian Dooley	<p>This submission outlines a series of issues and requests concerning aspects of the Draft Plan as follows:</p> <ul style="list-style-type: none"> <li>• Requests that several more floating pontoons be installed along the River Barrow with one beside the AIB, another along the Dominican lands and an extension of the one behind the Courthouse (Barrow Quay)</li> <li>• Outlines support of water-based clubs and notes limited facilities to cater for such amenities. Requests that clubs be accommodated in one single premises on the Dominican Lands.</li> <li>• Notes the large areas to the rear of Duke St. (behind AIB) which are completely underutilised and encourages the development of these areas as part of the Dominican lands masterplan.</li> <li>• For the LAP to examine the future use of the former St. Patrick's National School on St. John's Lane. Notes that the building is in a derelict condition and notes that possible uses include it being transformed into an apprentice training centre, a hot desking hub or a facility to meet the needs of older people in the town.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Submits that the proposed connectivity and cycle routes between the various residential estates within the town is not required and could lead to anti-social behaviour. Requests that the Council look at alternative routes along existing footpaths of our National and Local Roads. Furthermore, open space in residential estates should not be impacted on.</li> <li>• Requests the development of a cycleway/footpath from Cromaboo Bridge along the river to Woodstock Castle where a pedestrian footbridge should be built to offer connectivity to schools. Notes that this will ease traffic congestion on the Monasterevin Road and make trips safer for children.</li> <li>• Refers to the arrival of the Barrow Blueway and requests that more cycle paths for families etc... and increase the connectivity not just in the town, in addition to between the Courthouse and the Horse Bridge. Notes that Athy needs such infrastructure to encourage footfall.</li> <li>• Requests that the Council engage in direct consultation with energy providers to remove service poles in order to enhance the streetscape of the town centre as well as creating a more age-friendly town.</li> <li>• Requests that in the construction of the Athy Distributor Road would start at the Carlow Road and progress to the Fortbarrington Road when the bridge construction is taking place. States that the Sewage pumping stations is on the Fortbarrington side so this connection will allow development at a later stage without having to pull up the riverbed.</li> <li>• Requests that the Council look to take over the dry dock and see if barge owners can be encouraged to use this unique and underutilised piece of infrastructure.</li> <li>• States the need to develop town house design within the town centre as opposed to apartment developments. Submission states that the plan should discourages the development of apartments in the town centre as states that they do not have a very good outcome in the town in terms of anti-social behaviour and issues with management companies.</li> <li>• States the need to design age-friendly housing within the town centre which are single storey and close to facilities and services.</li> <li>• States that the plan consider the need for a Northern Distributor Road from Monasterevin Road to the N78 which could benefit residents over time.</li> <li>• Requests that green open spaces within residential estates are protected from development.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Refers to Athy having RAPID status. In light of this would like to see private residential estates peppered with social housing units. Doesn’t not agree with current high-density housing that is being proposed. Notes that Athy has the highest level of social housing in the County. Believes that a new model is required.</li> <li>• Refers to lands on the Geraldine Road (former Pitch and Putt Course). Notes that it has an Agricultural zoning objective under the draft Plan and requests that it should be zoned as residential, noting that it is inside the town boundary.</li> <li>• Refers to lands with the folio number KE3860 and requests that they be changed from agricultural to residential, as follows;             <ul style="list-style-type: none"> <li>○ Within the town boundary in an area of residential growth with a new transport route (Athy Distributor Road)</li> <li>○ Could be offered for individual serviced sites and allow for own-build housing.</li> <li>○ There is presently a lot of anti-social behaviour on the lands and if kept for agricultural it would be deemed no use because of this.</li> </ul> </li> </ul> <p><b>Chief Executive’s Response</b></p> <p>The contents of the submission relating to the various provisions of the draft Athy Local Area Plan are noted.</p> <p>In relation to the request for new waterways based infrastructure (pontoons etc.) within the Dominican Lands, it is noted that consideration for the development of such facilities will be included as part of Dominican Lands and Blueway Hub Masterplan, which has been identified as a Priority Project of the Athy Urban Regeneration Framework (draft LAP, Appendix 1). Furthermore, it is noted that the Dominican Lands Masterplan, the preparation of which has already commenced, will examine the potential of backland regeneration in the area.</p> <p>With regard to the limited facilities in Athy for water-based clubs, it is noted that the draft Plan provides support for the development of a Blueway Hub/Education Centre which is envisaged to act both as a visitor attraction and a home for local water-based clubs and activities (refer to draft LAP, page 58). Furthermore, it should be noted that this facility forms part of the Dominican Lands and Blueway Hub Masterplan which has been identified as a Priority Project of the Athy Urban Regeneration Framework (draft LAP, Appendix 1).</p>

Sub. No.	Name	Summary of Submission
		<p>The request to examine the future use of the former St. Patrick's National School on St. John's Lane is acknowledged. Having closely assessed its location and its current vacant/derelict state, it is considered that a town centre designation on the site instead of its current designation of 'E: Community and Education' would offer the potential of offering a far broader range of permissible uses, should the building be refurbished or the site redeveloped. Furthermore, the zoning of the site as 'A: Town Centre' would mean that it would also be designated as part of the identified 'Town Centre Regeneration Lands', which would also be considered appropriate given the current dilapidated state of this brownfield site (refer to Chief Executive's Recommendation to Submission No. 59 for further details)</p> <p>In relation to the submission's contention that the proposed connectivity and cycle routes within the various residential estates within the town are not required, it should be noted that research conducted as part of the preparation for the draft LAP found Athy to have a poorly connected urban structure in which key destinations (such as schools and key services) are not easily accessible on foot or by means other than the private car. This has long term consequences for the overall health of the resident population, their ability to access key services and social infrastructure, in addition to levels of isolation and loneliness. The LAP (informed by the Area Based Transport Assessment) outlines a vision for a more sustainable, integrated and climate resilient settlement, adapted to cater for the needs of a growing and aging population and to alleviate private car dependency in order to assist general movement around the town of Athy. Accordingly, the 'Connectivity Programme' as set out in the draft LAP, seeks to translate this vision into reality by initiating meaningful change on the ground to make the town universally accessible for all of its residents. The delivery of such cycling/pedestrian routes is also in keeping with the provisions of Kildare County Council Climate Adaptation Strategy (2019 – 2024) which requires that land use plans include provisions to promote the transition to a low carbon society.</p> <p>Regarding the request for new pedestrian and cycleways links to offer connectivity to schools and for more cycleways for families around the town, it is noted that such proposed routes outlined in the submission have been included in the plan (refer to Chapter 7 of the draft Plan and the Athy Area Based Transport Assessment)</p>

Sub. No.	Name	Summary of Submission
		<p>as part of overarching strategy to achieve a more sustainable and better integrated town, whilst at the same time providing for an improved experience of Athy for residents and visitors alike.</p> <p>Regarding the removal/undergrounding of electrical and telecommunications wiring in the town centre, it is noted that objective UCRO1.10 supports such an action. Enhancements to the improvement of the town centre will be advanced through the delivery of a Public Realm Strategy for the town which is proposed to be commenced within twelve months of the adoption of the Plan. Furthermore, it should be noted that the undertaking of a Public Realm Strategy has been identified as a Priority Project of the Athy Urban Regeneration Framework (draft LAP, Appendix 1).</p> <p>In relation to the request regarding the Athy Distributor Road, it should be noted that any issues arising from its construction are outside the remit of this Local Area Plan.</p> <p>On the issue of the dry dock, it is noted that this is under the ownership of Waterways Ireland. However, it is accepted that a working dry dock would bring benefits to the town in terms of employment and have positive consequences for Athy's tourism and amenities sector. In this regard, it is proposed that a new objective be inserted to explore the feasibility of restoring the dry dock, in consultation with Waterways Ireland.</p> <p>Regarding the issue of density and the request to develop town house style developments within the town centre as opposed to apartments, it should be noted that under the 2009 Guidelines on Sustainable Residential Development in Urban Areas, issued under Section 28 of the Planning and Development Act 2000 (as amended), the Local Authority is statutorily required to ensure that residential developments in town centres such as Athy are built at a density generally in excess of 50 units per hectare. Such a density may therefore exclude the granting of permission for town house style development schemes.</p> <p>It should be noted that the draft Plan contains objective HCO2.1 to support a good mix of housing within new housing developments '<i>including housing designed for older people and people with disabilities</i>'. Objective HCO2.2 specifically supports the implementation of the actions set out in the Kildare Age Friendly County</p>

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		<p>Strategy 2019 – 2021, and any subsequent strategy. Furthermore, Section 4.4 of the draft Plan outlines provisions regarding group/special needs housing (including for older people). This places specific emphasis on the need for universal design and notes that the provision for such specific housing may be less than the average density target for the town.</p> <p>With regard to the provision of a Northern Distributor Road, it is noted that the Area Based Transport Assessment (ABTA) assessed proposals for a north-eastern and a north-western distributor road. However, it was considered that the development of these proposals are outside the timeframe of the Athy Local Area Plan 2021 – 2027. It will be noted in the final draft of the ABTA, that these two routes would be beneficial should Athy grow significantly in the long-term future. It is further noted that the majority of these routes are located outside the boundary of the draft LAP. In this regard, it is considered appropriate that further examination will be given to these two long term routes within the context of the review of the Kildare County Development Plan (CDP) 2017 – 2023 which is currently underway. Provisions for potential consideration in the 2023 – 2029 CDP therefore may include the safeguarding of potential route corridors for the proposed roads in addition to supporting objective(s).</p> <p>With regard to existing green open spaces within established residential estates, it is noted that the draft Plan <u>does not contain</u> any provisions to develop any existing designated green open spaces. The importance of retaining existing green open space for reasons relating to peoples' health and wellbeing as well as for biodiversity is acknowledged by the Council and is a prominent feature of the draft Plan.</p> <p>Regarding the request to 'pepper' private residential estates with social housing units, it should be noted that such a specific housing focused policy is outside the remit of the Local Area Plan. However, it is further noted that such a policy is currently implemented by Kildare County Council's Housing Department in the provision of Part V housing units within private residential estates.</p> <p>The request to rezone to lands on the Geraldine Road (former Pitch and Put Course) from 'I: Agricultural' to residential is noted. In preparing a development strategy for Athy, particular cognisance was placed on the</p>

Sub. No.	Name	Summary of Submission
		<p>policy objectives outlined in the National Planning Framework (2018) and the Regional Spatial and Economic Strategy (RSES) 2019 – 2031 for the Eastern and Midland Region. In this regard, the plan was required (under National Planning Objective (NPO) 7) to apply a tailored approach to urban development with a particular focus on encouraging population growth in strong employment and service centres, reversing the decline of smaller centres, addressing the legacy of rapid unplanned growth, and supporting a continuation of balanced population and employment growth. Accordingly, it is considered that the subject site, given its distant location well removed from access to the services of the town and, in particular the town centre means that zoning the lands for new residential development would be contrary to national and regional objectives to provide for compact growth (NPO3c; NSO1 and RSO2).</p> <p>It is further noted that the site was zoned I: Agricultural in the Athy Town Development Plan (2012 – 2018). In the context of this draft Plan, which is seeking to reverse a legacy of over-zoning acknowledged in the previous Town Development Plan (pages 49 - 50), it would not be considered appropriate to zone previously zoned agricultural lands at the outer edges of the built-up area at the expense of more suitable locations which would comply with the requirements for compact growth and sequential development (for further details refer to Chief Executive’s Response to Submission No. 24).</p> <p>The request to rezone Folio KE3860 on the Fortbarrington Road, Athy from ‘I: Agricultural’ to residential is noted. In this regard, the Athy Town Development Plan 2012-2018 acknowledged there was an excessive provision of lands zoned for residential use (p49 and p50), the majority of which has remained undeveloped during the lifetime of this plan. Athy’s legacy of over zoning lands for residential purposes, has often tended to be at the outer edges of the built-up area, contributing to the potential for urban sprawl. In the context of this overprovision of lands zoned for residential purposes, the draft LAP was prepared having regard to the requirements of the National Planning Framework (NPF) and Regional Spatial and Economic Strategy (RSES). It was imperative for the future of Athy as a Self-Sustaining Growth Town, that these legacy issues did not determine the future development of the town by establishing an accepted pattern of development in inappropriate locations.</p>

Sub. No.	Name	Summary of Submission
		<p>The Draft Athy LAP is also supported by a suite of evidence-based assessments which provide a robust and comprehensive justification for the preferred development strategy. Appendix 3 of the NPF sets out a methodology for a Tiered Approach to land zoning (which is reflected in the Sustainable Planning Infrastructure Assessment (SPIA) which accompanies the draft LAP). On completion of this a number of sites were identified as suitable for development within the lifetime of this LAP where housing could be achieved at locations which were considered suitable in terms of the various considerations outlined above i.e. proximity to the town centre, schools, public transport and health services. Those which were considered the most suitable and appropriate lands for new residential development in current plan period in the context of NSO 1 of the NPF (Compact Growth) and RSO 2 of the Regional Spatial and Economic Strategy (Compact Growth and Urban Regeneration) were identified for new housing development in the overall development strategy set out in the Draft LAP. In this regard, the subject lands are not required to meet the requirements of the CDP Core Strategy in accordance with the requirements of the NPF and RSES as sufficient lands have been identified for development which are considered more appropriate having regard to policy context, sequential approach, physical suitability and supporting infrastructure (for further details refer to Chief Executive's Response to Submission No. 54).</p> <p>With regard to having these lands specifically developed as individual serviced sites, it is considered that the designation of such low density residential development would not be in accordance with the level of residential density for '<i>outer suburban / greenfield</i>' lands such as this, as stipulated by the Section 28 Guidelines for Sustainable Residential Development in Urban Areas (2009). These statutory guidelines require that such lands be developed for residential purposes at a density of 35-50 units per hectare. Furthermore, the zoning of such low-density serviced sites would not be considered appropriate, given the strategic position of Athy as a 'Self-Sustaining Growth Town' in the hierarchy of settlements in the county, as set out in the Kildare County Development Plan 2017 - 2023 (as varied).</p> <p>It should be noted however, that the Planning Department is preparing a Small Towns and Villages Strategy which will form an integral part of the upcoming Draft Kildare County Development Plan 2023-2029 (anticipated Q4 2021/Q1 2022). This strategy will address the national and regional policy objectives of the National Planning</p>

Sub. No.	Name	Summary of Submission
		<p>Framework and Regional Spatial and Economic Strategy as they relate to the regeneration and renewal of small towns and villages, of which the provision of serviced sites for new homes <u>will be a key component</u>.</p> <p><b>Chief Executive's Recommendation</b>  <u>Proposed Material Alteration</u>                      Insert the following new objective after BH1.8:  <i><b>BH1.9</b> Explore the feasibility of restoring the dry dock in Athy, in consultation with Waterways Ireland.</i></p>
51.	Cllr. Vera Louise Behan	<p>Submission relates to the proposed re-zoning of the Abbey and Marina Site from 'A: Town Centre' to 'F: Open Space and Amenity'. Objects to the 'dezoning' of the Marina lands stating that it is not appropriate and recommends, the zoning status of Town Centre be retained so that the entire Abbey and Marina sites can be developed comprehensively as one site to reflect Athy's development ambitions. The following points are outlined to support the submission:</p> <ul style="list-style-type: none"> <li>• The lands are privately owned and are currently offering no benefit to the town centre. They are not used in any productive way.</li> <li>• If Athy is going to make the best use of the Blueway this site needs to be developed into a multi-use town centre space.</li> <li>• Athy has amazing potential, to retain jobs, attract tourism and continue to develop in a way that enhances its reputation, making it a tourist destination.</li> <li>• The visual impact of the urban landscape affects the people living in them and that presently the urban landscape in Athy is negatively affecting residents.</li> <li>• Since the destruction of the Abbey residence (within the Abbey/Marina lands), this area, in its undeveloped state has difunctionalised the area, creating a need for a dedicated drugs unit in the town.</li> <li>• Developing this site would be a significant step in the direction of resolving these issues as young people in Athy need something to look up to and Athy needs a future.</li> </ul> <p>Submission concludes by reiterating the need for the Abbey and Marina site to retain its prior zoning designation of Town Centre.</p> <p><b>Chief Executive's Response</b></p>

Sub. No.	Name	Summary of Submission
		<p>The contents of the submission relating to the request to retain a town centre zoning designation on all of the Abbey and Marina lands are noted.</p> <p>While it is acknowledged the subject site may present well in terms of its strategic location and its proximity to town centre, it should be noted that the site is located within an extremely environmentally sensitive area. In this regard, it is clear that the subject site is at an extreme risk of flooding and a significant portion of the lands is also an European designated (Natura 2000) site (River Barrow and River Nore Special Area of Conservation). It is further noted that the subject site is home to significant green infrastructure features and is located along the River Barrow Green Infrastructure Route (draft LAP, Map 4: Green Infrastructure Map). Given the environmental constraints of the site and taking into consideration national and regional policy objectives relating to biodiversity, flood risk, green infrastructure and climate change, a responsive approach was adopted in the draft Plan in which the northern portion of the subject site, adjacent to Emily Square and closest to the designated Athy Core Retail Area was zoned as 'A: Town Centre,' with the balance being zoned as 'F: Open space and Amenity' (for a more detailed response to this request refer to Submission No. 47).</p> <p>Furthermore, it should be noted that the Athy Urban Regeneration Framework (Appendix 1 of the draft Plan) sets out a considered framework for the Abbey and Marina Lands which outlines the various challenges and opportunities relating to the site and sets out an envisaged role for the lands which <i>'will to a large extent play a complementary role to the Dominican Lands across the river, in that it should also be home to various water-based recreational and amenity spin-off activities arising from the development of the Barrow Blueway and Blueway Hub.'</i> The development of such water-based activities is considered appropriate, given the majority of the site's flood risk designation (both Flood Zones A and B).</p> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>
52.	<b>Whitecastle Lawns Residents' Association</b>	The submission on behalf of the Residents' Association raises some concerns in relation to aspects of the Draft Plan.

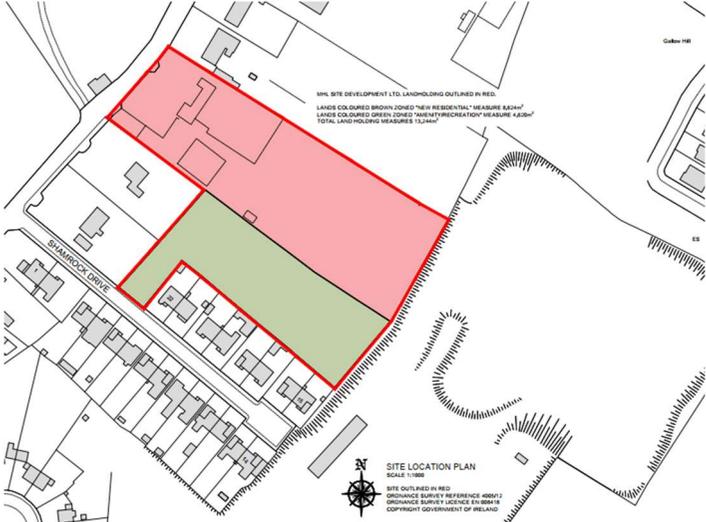
Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Notes that Whitecastle Lawns estate is a well-established housing estate comprising a cul-de-sac development of 73 detached and semi-detached houses and states that a significant amount of time has gone into the consideration of the draft plan.</li> </ul> <p><b>Issues of Concern</b></p> <ul style="list-style-type: none"> <li>• States that 'Objective WN19' of the draft Plan proposes the provision of a walkway to connect Whitecastle Lawns with the 'C – New Residential' lands directly to the east of the estate.</li> <li>• Notes that the existing cul-de-sac layout is intrinsic to the nature of the estate and helps foster a sense of community, providing residents with a great sense of place.</li> <li>• States that providing such a walkway as proposed would be to the detriment of the residents and would impact upon the sense of community and neighbourliness, privacy and long-established sense of place.</li> <li>• States that the proposed walkway serves no purpose.</li> <li>• Notes that access to the 'C' proposed lands for 'connectivity' purposes, to Cois Bhearu and to the proposed 'strategic connectivity Route' (SCR) is easily and readily available via St. Joseph's Terrace without the need for a further walkway.</li> <li>• Refers to 'Objective WN18' of the draft Plan which proposes a connectivity route between Moneen Lane and Stanhope Street. In this regard the Association acknowledges the need and desire for connectivity within the town however, they outline concerns in relation to the proposed connectivity route and associated walkways to run alongside the south-eastern boundary of Whitecastle Lawns and which is also proposed to connect Whitecastle Lawns with lands directly to the East which are zoned 'New Residential'.</li> <li>• Notes that the SCR is proposed to run from Woodstock Street in the west of the town to Geraldine Road in the east and this route interconnects green spaces, amenity spaces and residential areas en route. Also notes that a portion of this route runs along the SE boundary of Whitecastle Lawns which is a flood plain – lying with Flood Risk Zones A and B and given the porous boundary (trees and hedgerow) any flooding along the SCR would have a significant impact on the Whitecastle Lawns estate, particularly the dwellings backing onto the SCR.</li> <li>• Notes that presently with the exception of the entrance the estate which is in Flood Risk Zone B the rest of the estate is currently not within a flood risk zone, however this impacts on residents being able to access their residences safely. In this regard it notes the CFRAMs study documents that there is an increased risk of</li> </ul>

Sub. No.	Name	Summary of Submission
		<p>future flood risk due to climate change and other issues therefore any proposal for further development such as the SCR will increase the likelihood of flooding in the area which is unacceptable to the Residents' Association.</p> <ul style="list-style-type: none"> <li>• States that if it is considered that the SCR is essential then it should be redirected out of the Flood Risk Zone to a safer and more appropriate route.</li> <li>• States that the existing footpath network within the estate provides ample connectivity for residents who have real concerns about increased pedestrian traffic in the neighbourhood and the potential for greater health and safety issues to arise for pedestrians passing through the estate.</li> <li>• Notes that the green space within Whitecastle Lawn is considered to be Strategic Open Space within the draft Plan. In this regard the submission states that significant investment is required to properly develop this space to its full potential.</li> <li>• States however that there is no need for adjacent estates, either existing or proposed to access this space as there is a significantly larger area of strategic open space located to the southeast of the Whitecastle Lawn which is easily accessible from both Cois Bhearu and the 'C – New Residential' lands.</li> <li>• Concludes by noting that the stated concerns of the Whitecastle Lawns residents as outlined about are very real and trusts the Planning Authority to give them due consideration.</li> </ul> <p><b>Chief Executive's Response</b></p> <p>The submission by the Whitecastle Lawn's Residents' Association is noted. Whilst the concerns outlined in relation to proposed connectivity routes (WN18 and WN19) are acknowledged, it should be noted that the provisions of draft LAP relating to the proposed Connectivity Programme were prepared in response to research which found Athy to have a poorly connected urban structure in which key destinations (such as schools, retail services and employment areas) are not easily accessible on foot or by means other than the private car. This has long term consequences for the overall health of the resident population, their ability to access key services and social infrastructure, in addition to levels of isolation and loneliness. The LAP (informed by the Area Based Transport Assessment) outlines a vision for a more sustainable, integrated and climate resilient settlement, adapted to cater for the needs of a growing and aging population and to alleviate private car dependency in order to assist general movement around the town of Athy. Accordingly, the 'Connectivity Programme' as</p>

Sub. No.	Name	Summary of Submission
		<p>outlined in the draft LAP, seeks to translate this vision into reality by initiating meaningful change on the ground to make the town universally accessible for all of its residents. It is considered that proposed routes WN18 and WN19 are critical in providing a safe, practical and convenient walking/cycling off-road option for students living within a large area of Athy north of the town centre who attend schools in both the schools campus and Ard Scoil Na Tríonóide. The delivery of such cycling/pedestrian routes is also in keeping with the provisions of Kildare County Council Climate Adaptation Strategy (2019 – 2024) which requires that land use plans include provisions to promote the transition to a low carbon society.</p> <p>It is acknowledged that sections of the proposed Strategic Connectivity Route (SCR) adjacent to the Whitecastle Lawns residential estate do lie within Flood Zones A and B. The proposed SCR also lies within areas of potential for increased flood risk due to climate change. Accordingly, during the detailed planning and design stage of the SCR, an appropriately detailed Flood Risk Assessment will be carried out to assess the suitability of the SCR and also the impact of the proposed SCR on the flood risk in the area. It should be noted that cycling and pedestrian routes such as this are development types that can be compatible with flood zones. They must however give due consideration to their influence on the river and not generate an increased Flood Risk to the surrounding or downstream areas.</p> <p>With regard to residents' specific concerns regarding lack of consultation, it should be noted that objective MTO1.1 of the draft Plan provides that the final design and planning of each of the specific routes identified in the draft LAP shall <i>'be subject to appropriate environmental assessment, where applicable, and undergo a separate public consultation process'</i>. Accordingly, the plan provides an inbuilt safeguard to ensure that the development of the proposed connectivity routes will be subject to a separate public consultation procedure, which will take into consideration specific siting and design concerns of residents and other interested parties.</p> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>

Sub. No.	Name	Summary of Submission
53.	<b>MHL Site Developments Ltd.</b>	<p>Submission by MCD Civil Engineering Consultants Ltd on behalf of MHL Site Development Ltd relates to lands located at Gallowshill TD and Shamrock Lodge, Athy. The lands in MHL's ownership measure 13,244m<sup>2</sup> of which 4,620m<sup>2</sup> are currently zoned Recreation &amp; Amenity in the current Athy Town Development Plan with the balance of lands, being 8,624m<sup>2</sup> zoned 'New Residential'.</p> <ul style="list-style-type: none"> <li>• Submission notes that the lands currently zoned "Recreation and Amenity" are undevelopable as amenity space given the existing pattern of development in the area. Additionally, they are hindering the development of the adjacent "New Residential" lands.</li> <li>• Further states the lands have been zoned in their current form since at least 1999 and no development has taken place to date, with the lands currently being used for agricultural purposes.</li> <li>• The development of these lands will not meet the "Qualitative Standards" as per Section 28 Guidelines on Sustainable Residential Development in Urban Areas (2009) or section 15.3.5 of the previous Athy Town Development Plan for the reasons identified below;             <ul style="list-style-type: none"> <li>○ Open Space is not centrally located within a masterplan area.</li> <li>○ Lands are not functionally accessible to the majority of residents.</li> <li>○ Not overlooked by as many dwellings as possible.</li> <li>○ Existing houses back onto the open space.</li> <li>○ Poor passive surveillance and security of open space.</li> <li>○ Potential for nuisance to existing rear gardens.</li> </ul> </li> <li>• Submission states that the rezoning of the "Amenity and Recreation" lands to "New Residential" will address the deficiencies, as follows:             <ul style="list-style-type: none"> <li>○ New open space will have passive surveillance.</li> <li>○ Open space is capable of being designed to be integrated into any new housing layout rather than being forced to exist artificially in that layout.</li> <li>○ Removes the current situation of rear gardens facing onto open space with consequent amenity risk and reduced security.</li> <li>○ Allows for good secure linkages with existing housing providing developed and maintained amenity for the existing development where none is currently provided or likely to be provided.</li> </ul> </li> </ul>

Sub. No.	Name	Summary of Submission
		<p>Draft Proposed Developments</p> <ul style="list-style-type: none"> <li>Submission refers to a number of potential site layouts attached to the submission which it states further demonstrates the benefits of amending the current zoning in the area.</li> </ul> <p>This submission states the following regarding wastewater infrastructure:</p> <ul style="list-style-type: none"> <li>The public wastewater drainage network on the eastern side of Athy is at capacity and can only cater for small developments such as can be provided for on these lands.</li> <li>The development of a trunk wastewater main along the alignment of the Southern (Athy) Distributor Route would remove the infrastructural deficit and allow larger scale residential development on the eastern side of Athy. However, the road will not be delivered until circa 2024-25. Accordingly, the Planning Authority should ensure the prioritisation of any smaller sites that are available now.</li> <li>Irish Water has confirmed in writing to MHL Site Developments that the lands which are the subject of this submission can be facilitated immediately in the existing drainage network and require the minor upgrade of approximately 90 linear metres of pipeline. These minor works would allow development on the site to proceed without delay.</li> </ul> <p>This submission states the following regarding housing demand:</p> <ul style="list-style-type: none"> <li>Given the housing shortage currently being experienced there is an urgent need for new residential housing stock nationally and locally.</li> <li>This site is immediately available for development and is fully serviced without the need for significant infrastructural upgrade works.</li> <li>It is considered unlikely that other residential development will be permitted on the eastern side of Athy in the medium term until significant drainage improvement works are undertaken. This infrastructural deficit should underscore the importance of this development which can service the current housing demand in the short term.</li> <li>The submission concludes by restating its contention that the lands zoned "Recreation and Amenity" in MHL Site Developments Ltd. are undevelopable as amenity lands in their current form and prejudice the orderly development of the adjacent lands.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>Further contends that a change in the current land use zoning to “New Residential” will allow for the short-term delivery of high-quality open space to serve the existing and proposed residential development in the area.</li> <li>The submission is accompanied by a map of the subject site (see below) as well as three different layouts for residential schemes and a map illustrating a residential development on the site as part of a larger masterplanned area.</li> </ul>  <p><b>Chief Executive's Response</b></p> <p>The submission relates to a request for lands to the north east of the town off the Geraldine Road to the rear of Shamrock Drive to be zoned 'C: New Residential'. These lands are currently zoned for open space and amenity use in the Athy Town Development Plan. The lands extend to ca. 0.4 ha. The contents of the submission are noted which include a number of proposed layouts for a small residential scheme.</p>

Sub. No.	Name	Summary of Submission
		<p>While the lands present well in terms of consolidation, the subject lands are not required to meet the requirements of the CDP Core Strategy in accordance with the requirements of the NPF and RSES as sufficient lands have been identified for development which are considered more appropriate having regard to policy context including Section 28 Guidelines, the NPF and RSES, sequential approach, physical suitability and supporting infrastructure.</p> <p>The submissions contention that these lands would not be suitable for amenity lands for security reasons is not accepted. In this regard, consideration could be given to the use of these lands for juvenile playing pitches and or other appropriate recreational uses to support and augment existing facilities in the town.</p> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>
54.	<b>Kieran, Michael and James Murphy</b>	<p>Submission by R.A. Osborne and Son Solicitors on behalf of Kieran, Michael and James Murphy relates to lands extending to c. 3.99 hectares located on L8065 Fortbarrington Road. Under the Athy Town Development Plan 2012-2018 the subject lands are zoned 'B: Existing Residential however, the draft Athy LAP 2021-2027 proposes to zone the site 'I: Agriculture'. This submission wishes to forward the case the subject site should remain zoned Existing Residential.</p> <p>The submission includes the following details as part of its description of the location and attributes of the site:</p> <ul style="list-style-type: none"> <li>• The subject site is a flat greenfield site with access to the L8065 Fortbarrington Road and associated footpath.</li> <li>• Notes that lands are located adjacent to the Corran Ard residential estate and to the west of the Andrew Meadows housing estate.</li> <li>• The submission includes a number of maps and images illustrating the location and characteristics of the site.</li> <li>• Adjoins Kildare County Council's existing sewage pumping and the Athy Sewage Treatment Plant is located nearby.</li> <li>• Notes that Virgin Media have laid fibreoptic broadband adjacent to the subject lands.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Submits that the subject site would be classified as Tier 1 under the Sustainable Planning and Infrastructural Assessment (SPIA).</li> <li>• The submission outlines the characteristics of Athy, noting that it is an important employment centre in south Kildare and adjacent counties. Further notes the development trends of the town over the past number of decades.</li> <li>• Notes that the construction of the Athy Distributor Road will make the south west of the town (the location of the subject site) more accessible.</li> <li>• Restates the zoning of the site as Existing Residential and Infill under the Athy Town Development Plan 2012 – 2018 (as varied)</li> <li>• Notes that the draft Plan proposes to zone the subject site I: Agricultural. In this regard the submission states that the lands cannot be used for the grazing of livestock or horses for reasons of anti-social behaviour.</li> </ul> <p>The submission notes the following planning history:</p> <ul style="list-style-type: none"> <li>• Planning permission was granted by Kildare County Council for 118 residential units (Ref. 06/30074), an access road, car parking and associated works.</li> <li>• Planning permission was granted by Kildare County Council for 8 additional residential units (Plan Ref. 09/30007).</li> <li>• Planning permission was granted by Kildare County Council for an extension under Ref. 11/30030 of planning application 08/30000.</li> <li>• Planning permission was granted in 2014 (Plan Ref. 14/300004) for an extension of duration of Planning Permission of Ref. 09/30007</li> <li>• States that the subject lands, when developed, will provide residential housing capacity to the town of Athy with an appropriate social and affordable element. In this regard it notes that the adjacent housing estate of Ardrew Meadows was developed by Respond.</li> </ul> <p>The submission states the following regarding the current user:</p>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• The owners purchased the subject lands in 2015 and presently farm the subject lands for tillage purposes, and it is becoming increasingly difficult to farm the subject lands due to the proximity of the adjoining housing estates. There have been several recorded incidents of trespass, anti-social behaviour and damage.</li> <li>• Restates the contention that the subject lands cannot be used for the grazing of livestock or horses due to instances of illegal dumping of waste on the lands.</li> <li>• There are no built or natural heritage constraints associated with the subject lands.</li> <li>• The subject lands are dry lands with no flooding issues.</li> </ul> <p>The submission states the following regarding the rationale for zoning the subject site:</p> <ul style="list-style-type: none"> <li>• Notes the provisions of the draft Plan regarding the delivery of new housing.</li> <li>• Many sites surrounding the subject site are proposed to be zoned for residential development. Therefore, the subject lands are very attractive for residential development.</li> <li>• There is no known impediment to the development of the subject lands.</li> <li>• The Council supports infill development and therefore this site should be considered acceptable for residential development.</li> <li>• The lands are accessible and located close to the proposed Athy Distributor Road.</li> <li>• The subject lands are located close to the proposed Ardrew Development Area and proposed Sports Hub.</li> <li>• The subject lands do not require the collaboration with any third parties for development.</li> <li>• Developing this site for residential use would accord with the Council's stated objectives to develop within the footprint of the existing built-up area and to ensure that infill development occurs in tandem with the delivery of supporting infrastructure.</li> </ul> <p>Attached to this submission is an anti-social behaviour report from An Garda Síochána which outlines an incident that took place on 21<sup>st</sup> July 2020.</p> <p><b>Chief Executive's Response</b></p> <p>The contents of the submission regarding the lands at Ardrew are noted. The submission requests that the zoning from the Town Development Plan 2012-2018 (Existing Residential) be retained. The lands are proposed</p>

Sub. No.	Name	Summary of Submission
		<p>to be zoned Agriculture in the draft LAP. The submissions content regarding the previous permissions on these lands are noted. The issues regarding the anti-social behaviour and viability of the future farming of these lands are also noted.</p> <p>The Athy Town Development Plan 2012-2018 acknowledged there was an excessive provision of lands zoned for residential use (p49 and p50), much of which has remained undeveloped during the lifetime of this plan. Athy's legacy of over zoning lands for residential purposes, has often tended to be at the outer edges of the built-up area, contributing to the potential for urban sprawl.</p> <p>In the context of this overprovision of lands zoned for residential purposes, the draft LAP was prepared having regard to the requirements of the National Planning Framework (NPF) and Regional Spatial and Economic Strategy (RSES). It was imperative for the future of Athy as a Self-Sustaining Growth Town, that these legacy issues did not determine the future development of the town by establishing an accepted pattern of development in inappropriate locations. The draft LAP evaluated the relevant NPOs and RPOs in the context of each site which was currently zoned.</p> <p>National Strategic Outcome (NSO) No. 1 of the NPF is Compact Growth. The NPF states that this will be achieved by managing the sustainable growth of compact cities, towns and villages. The RSES reinforces this approach stating that <i>'Compact Growth and Urban Regeneration promote the regeneration of our cities, towns and villages by making better use of under-used land and buildings within the existing built-up urban footprint and to drive the delivery of quality housing and employment choice for the Region's citizens'</i>.</p> <p>Section 2.3.1 of the Draft Athy Local Area Plan sets out the Strategic Development Principles for the town, of which Compact Growth is paramount. In this regard it states, <i>"a key priority of the plan is to develop a compact and coherent urban form with particular emphasis being placed on the regeneration of the town centre, building within the urban footprint and providing for orderly sequential development"</i>. This is supported by the objectives of developing an integrated sustainable community.</p>

Sub. No.	Name	Summary of Submission
		<p>The Draft Athy LAP is supported by a suite of evidence-based assessments which provide a robust and comprehensive justification for the preferred development strategy.</p> <p>Appendix 3 of the NPF sets out a methodology for a Tiered Approach to land zoning (which is reflected in the Sustainable Planning Infrastructure Assessment (SPIA) which accompanies the draft LAP). Such an approach is set out to ensure that the lands zoned within an LAP are Tier 1- Serviced or Tier 2- Serviceable (within the life of the Plan) and comply with the requirements of the NPF, RSES and relevant Ministerial Guidelines.</p> <p>In order to assess the suitability of particular lands in Athy for future development and the potential timeline for such lands to be brought forward a SPIA was prepared to provide an evidence-based assessment to inform the future development strategy for Athy.</p> <p>The SPIA is an evidence based assessment to assess both the presence of physical and social infrastructure servicing various sites in addition to assessing a particular sites compliance with the National Strategic Outcomes and National Policy Objectives of the NPF and Regional Policy Objectives of the RSES including proximity to the town centre (i.e. the sequential approach) and percentage requirements around achieving compact growth.</p> <p>The principles underlying the SPIA approach are as follows:</p> <ul style="list-style-type: none"> <li>• National/Regional/Local Policy Context (i.e. the NPF, RSES, County core strategy)</li> <li>• Section 28 Ministerial Guidelines</li> <li>• Flood Risk data</li> <li>• Compact Growth/Sequential approach</li> <li>• Physical suitability i.e. landscape and environmental features/constraints</li> <li>• Supporting infrastructure (social, community and commercial, both existing and planned)</li> <li>• Water, drainage and road infrastructure (existing and planned)</li> </ul> <p>The SPIA is a robust consideration and assessment of the availability of services to a particular site in addition to environmental considerations and relevant national and regional objectives. In this context a screening exercise based on the relevant NSO/NPO's and RSO/RPOs was also undertaken to identify those lands which</p>

Sub. No.	Name	Summary of Submission
		<p>should be assessed in the context of the SPIA.</p> <p>On completion of this a number of sites were identified as suitable for development within the lifetime of this LAP where housing could be achieved at locations which were considered suitable in terms of the various considerations outlined above i.e. proximity to the town centre, schools, public transport and health services. Those which were considered the most suitable and appropriate lands for new residential development in the current plan period in the context of NSO 1 of the NPF (Compact Growth) and RSO 2 of the Regional Spatial and Economic Strategy (Compact Growth and Urban Regeneration) were identified for new housing development in the overall development strategy set out in the Draft LAP. In this regard, the subject lands are not required to meet the requirements of the CDP Core Strategy in accordance with the requirements of the NPF and RSES as sufficient lands have been identified for development which are considered more appropriate having regard to policy context, sequential approach, physical suitability and supporting infrastructure.</p> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>
55.	<b>Joe, James and Michael Kelly</b>	<p>Submission by E.M. Hogan &amp; Associates on behalf of Joe, James and Michael Kelly relates to lands (extending to circa 2.4 ha) located on Woodstock South, Athy.</p> <p>Submission notes that in the Athy Town Development Plan 2012-2018 the subject lands are zoned 'H – Industry &amp; Warehousing. The Draft Athy LAP 2021-2027 proposes to retain this zoning. The submission sets out a request for the subject site to be zoned Retail/Commercial.</p> <ul style="list-style-type: none"> <li>• The submission identifies the site location to the west of the town of Athy at Woodstock and highlights the planning history of the lands to the immediate east.</li> <li>• Highlights that the permission for a retail unit on the lands to the east has now expired and the site has since been purchased by Boortmalt for inclusion in their overall facility and subsequently re-zoned</li> <li>• The submission suggests that there is no suitable site within the Town Centre that could accommodate the required retail unit, this submission seeks to have an Edge of Centre site in Woodstock South re-zoned. Submission states that the re-zoning is in-line with the sequential test of the Retail Planning</li> </ul>

Sub. No.	Name	Summary of Submission
		<p>Guidelines (RPGs), 2012 and would allow for the ongoing issue of convenience retail leakage from Athy to surrounding centres to be addressed.</p> <ul style="list-style-type: none"> <li>• Submission contends that the subject lands are sequentially the next most appropriate location and should therefore be re-zoned to allow for the provision of a supermarket through the reintroduction of zoning objective R “Retail/Commercial”, which seeks “to provide for and improve retailing and commercial activities”.</li> <li>• Submission contends that the requirement for a new convenience store to serve the Town is identified in the Athy Town Development Plan, 2012-2018 and has been established and acknowledged by the Planning Authority and An Bord Pleanála previous permissions for a retail store on the site directly opposite</li> <li>• Submission suggests that the adoption of Variation No. 2 of the TDP resulted in there being no site zoned within Athy that could accommodate a supermarket of the scale permitted under the ‘R’ zoning objective and suggests the reintroduction of this zoning objective which was to provide for and improve retail and commercial activities on the site at Woodstock South. The supermarket shall have a net retail area not exceeding 3,000 sq. metres in accordance with the Retail Planning Guidelines.</li> <li>• Submission outlines that the site adjacent complied with the provisions of the RPGs, the Retail Strategy for the Greater Dublin Area 2008-2016 and the provisions of the Kildare County Development Plan in place at the time and it was determined to be an ‘edge of centre’ site, however, the submission acknowledges that while the lands subject of this re-zoning request are directly west of the previously ‘R’ zoned site they are just outside the technical definition of ‘Edge of Centre’ as per the RPGs. Submission continues to suggest that the rigid application of this should not be applied in Athy due to its location on the Barrow and Flooding issues</li> <li>• Submission concludes by stating that the subject lands are immediately adjacent to the land previously permitted for a supermarket and requests that these lands be zoned R – Retail to fulfil that requirement.</li> </ul>

Sub. No.	Name	Summary of Submission
		 <p><b>Chief Executive's Response</b></p> <p>The content of the submission specifically the request for a revised zoning on the subject lands are noted. The submission highlights that the lands (ca. 2.4ha), which are the subject of this submission are located to the west of Athy on the N78 and while they are currently zoned for Industry and Warehousing purposes in the Athy Town Development Plan 2012-2018, the submission details a request for the lands inclusion for R- Retail* in the Draft Local Area Plan as there are no other 'suitable' sites that could accommodate a retail unit.</p> <p>* Note: this land use zoning does not form part of the Draft Athy Local Area Plan 2021 – 2027.</p> <p>With respect to the submissions contention that there is no site zoned within Athy that could accommodate a supermarket scale retail unit it is considered that this is inaccurate. Whilst, it is acknowledged that there are constraints present in the town relating to the suitability of sites for such retail development, the Urban Regeneration Framework (Appendix 1 to the draft Plan) specifically identifies an 'opportunity site' to the rear of Leinster Street which has the potential to accommodate both 'an anchor retail tenant' and associated 'car parking'. It is considered that the development of this strategically located 1.45-hectare town centre-zoned site will complement the existing core retail area and make a major contribution to the overall regeneration of town</p>

Sub. No.	Name	Summary of Submission
		<p>centre lands to the east of the River Barrow. It should be noted that Figure 3.15 (Appendix 1) provides an 'indicative design framework' with the layout of any proposed development on the site to be the subject of further consultation with the Council.</p> <p>In preparing the draft Athy Local Area Plan, particular cognisance was placed on policy objectives outlined in the National Planning Framework (2018) and the Regional Spatial and Economic Strategy (RSES) 2019 – 2031 for the Eastern and Midland Region. In this regard, the plan was required (under National Planning Objectives 6 and 7) to apply a tailored approach to urban development with a particular focus on urban and town centre regeneration. Given the sustained weaknesses and underperformance of Athy Town Centre over the last decade or more, it is no exaggeration to state that the future viability of the town centre as a Key Service Centre is at stake. This contention is supported by analysis undertaken in preparing the Urban Regeneration Framework which found a worryingly high town centre retail vacancy rate of 24.1% (see Appendix 1 of the draft Plan).</p> <p>It is therefore critical that there should be no provisions contained in the Plan that would act to further undermine the already fragile state of the town centre. Accordingly, the draft Plan seeks to '<i>prioritise the commercial core as the primary retail area of the town</i>' (draft Athy Local Area Plan, page 39). Whilst the draft Plan contains provisions to support and facilitate the development of convenience retail services, the development of such services must be carried out within the framework of the development strategy set out for the town, which provides for the protection of the designated Athy Core Retail Area.</p> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>
56.	Office of the Planning Regulator	Prescribed body. Please refer to <b>Table 3.1 (a)</b> .
57.	Kingsgrove/ Graysland	The submission details the comments and results of a survey conducted by Kingsgrove Graysland Residents' Group. Please see below a summary of comments from the survey respondents by themes:

Sub. No.	Name	Summary of Submission
	Residents' Group Survey	<p><b>Character of Existing Area and Potential Effects of Plan on Area</b></p> <ul style="list-style-type: none"> <li>• Several references by residents noting the reasons why they purchased houses/ decided to live in area comprise of small, nice, private estates that are well-established and its residents take great pride in Several respondents also note that it has a good mix of old and young and people feel secure and is a quiet place in which to raise a family.</li> <li>• Outlines concerns that this will affect the safety and nature of the area one of the main reasons many chose to live here.</li> <li>• States that they were guaranteed green area in front of home as a green amenity area for the estate. Notes that at the time of purchase Kingsgrove was a private estate and that there are now concerns regarding the possible devaluing of property.</li> <li>• Both Kingsgrove and Graysland should be left in their current form.</li> </ul> <p><b>Reaction to Publication of Draft Plan</b></p> <ul style="list-style-type: none"> <li>• Upset that the council is trying to get away with finalising plans without residents knowing and that the Council has not contacted or consulted the residents about it.</li> <li>• States Local Councillors and TDs have not stood up for residents</li> <li>• Several expressions of anger towards the plan and how it would affect the residents of the Kingsgrove and Graysland estates.</li> </ul> <p><b>The Construction of the Glebelands Estate</b></p> <ul style="list-style-type: none"> <li>• Questions why the Council allowed a new housing development with a creche (Glebelands) in the estate which will cause traffic chaos.</li> <li>• One respondent has lived in the area for 19 years and notes that reason for purchasing his home was that it was a mature estate with no potential for further houses to be built – but this is already happening with the Glebelands estate.</li> <li>• Respondents asking why the houses in Glebelands have an access route into Kingsgrove and Graysland and not through Coneyboro as was planned, question why existing residents were not notified until afterwards.</li> <li>• Notes the negative impact from the Glebelands development and the new entrances in the estate.</li> <li>• Construction traffic terrible – like living next to a motorway for two years.</li> </ul> <p><b>Traffic and Safety</b></p>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Opening up the roads to through traffic would spoil that sense of security and well-being and be a continuation of past mistakes</li> <li>• Reference to the increased traffic from the Glebelands estate means there are 8 roads coming out onto the main road in the estate making it dangerous for children to play on and any more traffic would increase the danger for children, pedestrians and cyclists</li> <li>• Reference to the space opposite No: 90 - if the council must, a road might help traffic - but would seriously impact those along the 'main drag' of Kingsgrove and also have environmental implications.</li> </ul> <p><b>Proposed Connectivity Links</b></p> <ul style="list-style-type: none"> <li>• States that the Council wants to make the place a free for all for anyone who wants to pass through the estate.</li> <li>• States that the Council should put their cycle lanes and walkways somewhere else and wants home left as it is which is secluded away from any kind of traffic of passing people.</li> <li>• References a green path / cycleway from Coneyboro along the back of Kingsgrove following Mucky Lane to Aughaboura which might be acceptable? Would facilitate children cycling safely to school and a more pleasant walk for commuters to train station.</li> <li>• Concerns about opening-up cul-de-sacs and leaving homes vulnerable to robbery.</li> <li>• Several respondents object to any proposal to provide road access to the new estate in Chanterlands via 'missing houses' 97 and 98</li> </ul> <p><b>Green Open Spaces</b></p> <ul style="list-style-type: none"> <li>• Requests that someone should investigate the Chanterlands field as it is believed the field was left to the people of the town and was never supposed to be sold for development.</li> <li>• Outlines concerns about the green areas and the potential for further roads and traffic in the estate.</li> <li>• Notes that the green areas are maintained by the residents and very important for children of all age groups to socialise and play on, rather than being on social media.</li> <li>• Notes importance of green spaces for older people to have a safe and local area in which to exercise.</li> <li>• Concerns about extra traffic and speeding vehicles as a lot of young children live in the area and play on the green open spaces.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Fears expressed regarding the level of traffic and population if there was further development to go ahead in the estates of Kingsgrove and Graysland.</li> <li>• keep the green space between Kingsgrove / Oak Lawns [currently divided by a fence] and allocate 'Allotments' for the people without rear gardens or a co-operative eco garden similar to the one in Rathcoffey.</li> <li>• States that residents have paid money for the past 20 years for the upkeep of these grounds, only safe place for our children to play – questions the impact if a through road was developed.</li> <li>• Opposes plans to get rid of Green area in Kingsgrove as it has been maintained by the residents out of their own money and time.</li> <li>• Notes the new proposed entrance into Kingsgrove through Chanterlands cuts across a small green area that up to now has been landscaped and maintained by the residents with no Council assistance.</li> </ul> <p><b>Proposed Development of Housing</b></p> <ul style="list-style-type: none"> <li>• One respondent state that they have no problem with housing being built in Chanterlands as long as there is no access to and from that estate into Kingsgrove and Graysland.</li> <li>• States that the area already has enough houses with the recent development of the Glebelands estate.</li> </ul> <p><b>Other Issues/General Comments about the Draft Plan</b></p> <ul style="list-style-type: none"> <li>• Notes that Athy is a very desirable place to live, provided green space remains accessible to new as well as older residents.</li> <li>• States that high density housing would place great strains on these amenities and that planned development that provides housing aimed at creating a community that values the environmental and cultural aspects of Athy, could enrich the town</li> <li>• Refers to Covid-19 and the various changes it is making to peoples' lives. In this regard there is need to provide good access to remote working hubs, public transport and improve the infrastructure such as the river walkway</li> <li>• Notes the scope for the area along the river which is prone to flooding to be managed as a nature reserve and the environmental and social benefits it would bring to the town and creating opportunities for craft making and tourism.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Refers to the need to look after our pollinators. Bees and other flying pollinators need a green corridor; the river corridor and others would offer location for this kind of development</li> <li>• States that of key importance is to bring the town back to life and fill the empty shops with crafts people and artists and also bring the Farmer's Market back.</li> <li>• Need to maximise initiatives like Tri Athy and kayaking that already exist.</li> <li>• Provide more train services.</li> <li>• Create a town that is populated by a community that wants to live there; wants to be part of. Accordingly, its necessary to the green spaces. And build houses that make people want to live in them</li> <li>• References a lot of derelict houses in Athy and believes a better approach to increase housing supply in the town is to renovate these and convert them into suitable housing.</li> <li>• Notes that Cities are doing their best to recover green areas, improving and expanding pedestrianised and cycling areas - how could it be the right decision to remove green areas within towns and villages?</li> <li>• Notes that the town must grow – everybody agrees on this, but it must be done in a smart way.</li> <li>• States that building new estates will have a huge, negative impact on the town's traffic. Refences to the new estate (Glebelands) outlines concerns on future traffic congestion in the town.</li> </ul> <p><b>Chief Executive's Response</b></p> <p>The submission which outlines the concerns of the Kingsgrove and Graysland Residents' as detailed in a group survey are noted.</p> <p>The concerns surrounding the publication/consultation of the Draft Athy Local Area Plan 2021 – 2027 and its provisions relating to the Kingsgrove and Graysland residential estates are noted. On the issue of the publication of the draft Plan and the contention that the residents were not consulted on the Plan, it should be noted that a Local Area Plan (LAP) is adopted by the Local Authority Elected Members through a statutory process which provides for public consultation at each stage, during which submissions or observations are invited from residents, businesses and all interested parties. It is of importance to note that the legislative timeframes for the preparation and adoption of an LAP are set out under the Planning and Development Act, 2000 (as amended) and therefore all Local Authorities must adhere to same. In accordance with the legislation, an advert was</p>

Sub. No.	Name	Summary of Submission
		<p>placed in a newspaper circulating in the area. Details of the published Draft Athy LAP were also made available on our social media channels, council website and on our dedicated consultation portal for ease of use for members of the public. The Athy LAP and all accompanying documents along with a facility for making a submission during the public consultation period (now closed) can be found here <a href="https://consult.kildarecoco.ie/en/consultation/draft-athy-local-area-plan-2021-2027">https://consult.kildarecoco.ie/en/consultation/draft-athy-local-area-plan-2021-2027</a>. Please also note that the Athy LAP is on the Council press release listing on the website <a href="http://kildare.ie/CountyCouncil/PressReleasesAdverts/DraftAthyLocalAreaPlan2021-2027.html">http://kildare.ie/CountyCouncil/PressReleasesAdverts/DraftAthyLocalAreaPlan2021-2027.html</a> and the Draft Athy LAP is also top of the list of LAPs on the website <a href="http://www.kildare.ie/CountyCouncil/AllServices/Planning/LocalAreaPlans/LocalAreaPlans/">http://www.kildare.ie/CountyCouncil/AllServices/Planning/LocalAreaPlans/LocalAreaPlans/</a></p> <p>Accordingly, it is considered that Kildare County Council has fulfilled its statutory requirements relating to public consultation as set out in the Planning and Development Act 2000 (as amended).</p> <p>Regarding the proposals for connectivity within the Kingsgrove and Graysland residential estates, it is noted that research conducted as part of the preparation for the draft LAP found Athy to have a poorly connected urban structure in which key destinations (such as schools and key services) are not easily accessible on foot or by means other than the private car. This has long term consequences for the overall health of the resident population, their ability to access key services and social infrastructure, in addition to levels of isolation and loneliness. The LAP (informed by the Area Based Transport Assessment) outlines a vision for a more sustainable, integrated and climate resilient settlement, adapted to cater for the needs of a growing and aging population and to alleviate private car dependency in order to assist general movement around the town of Athy. Accordingly, the ‘Connectivity Programme’ as outlined in the draft LAP, seeks to translate this vision into reality by initiating meaningful change on the ground to make the town universally accessible for all of its residents. The delivery of such cycling/pedestrian routes is also in keeping with the provisions of Kildare County Council Climate Adaptation Strategy (2019 – 2024) which requires that lands use plans include provisions to promote the transition to a low carbon society.</p> <p>It should be noted that neither the Draft LAP nor the supporting Athy Area Based Transport Assessment (ABTA) have included any proposals/measures for new roads to be constructed between the residential estate of</p>

Sub. No.	Name	Summary of Submission
		<p>Kingsgrove and the undeveloped Chanterlands site. Proposed route WN9 is considered to represent a critical link in accessing the presently undeveloped Chanterlands site which is zoned 'C: New Residential'.</p> <p>Both WN9 and WN10 may seem as local routes however, they are critical in providing access to a large population of residents living in the area (and by extension a large area of residential development to the south of the Athy Distributor Road) with the Train Station and the town centre beyond, via a safe and convenient walking/cycling route. Thereby providing a realistic alternative to the car for residents in the locality for short journeys to key destinations within the town. It is noted that objective MTO1.1 of the draft Plan provides that the final design and planning of each of the specific routes identified in the draft LAP shall <i>'be subject to appropriate environmental assessment, where applicable, and undergo a separate public consultation process'</i>. Accordingly, the plan provides an inbuilt safeguard to ensure that the development of the proposed connectivity routes will be subject to a separate public consultation procedure, which will take into consideration specific siting and design concerns of residents and other interested parties.</p> <p>With regard to the issue of designated open spaces within both the Kingsgrove and Graysland residential estates, the draft Plan <u>does not contain</u> any provisions to develop any existing designated green open spaces. With reference to the main green area of Kingsgrove/Graysland being designated as <i>'Open Space and Amenity'</i> it is noted that dwellings are not permitted under this land use (draft LAP, page 119; Table 11.5). On the issue of the smaller areas of open space, it should be noted that a land use zoning map associated with a Local Area Plan is a high-level indication of either:</p> <ul style="list-style-type: none"> <li>a) Land uses which are acceptable at a particular location.</li> <li>b) The established and/or predominant land use in an area.</li> </ul> <p>These designations are based on the consideration of a significant number of criteria and are not designed to be prescriptive to every site within a settlement. In this specific case, the open space areas referred to are conditioned by way of a statutory planning permission to be public open space associated with the permitted development and therefore further housing would not be permitted on these areas. The importance of retaining existing green open space for reasons relating to peoples' health and wellbeing and biodiversity is acknowledged by the Council and is a prominent feature of the draft Plan.</p>

Sub. No.	Name	Summary of Submission
		<p>On the issue of zoning the Chanterlands site for new residential development, it is noted that in order to assess the suitability of particular lands in Athy for future residential development and the potential timeline for such lands to be brought forward, a Strategic Planning and Infrastructural Assessment (SPIA) was prepared to provide an evidence-based assessment to inform the future development strategy for Athy (as per the Methodology outlined in Appendix 3 of the NPF).</p> <p>The principles underlying the SPIA approach are as follows:</p> <ul style="list-style-type: none"> <li>• National/Regional/Local Policy Context (i.e. the NPF, RSES, County core strategy)</li> <li>• Section 28 Ministerial Guidelines</li> <li>• Flood Risk data</li> <li>• Compact Growth/Sequential approach</li> <li>• Physical suitability i.e. landscape and environmental features/constraints</li> <li>• Supporting infrastructure (social, community and commercial, both existing and planned)</li> <li>• Water, drainage and road infrastructure (existing and planned)</li> </ul> <p>Through the preparation of the SPIA, a review of lands currently zoned within the Athy Town Development Plan was carried out. A range of potential sites were identified which were further examined in terms of their suitability for zoning for new residential development. Following a comprehensive assessment of these sites, a site categorization chart (Table 5 and Figure 3) of the SPIA (published with the draft LAP) was prepared which ranks each of the sites within the plan area in terms of their suitability for development (criteria for assessment and scoring set out in Section 5 of the SPIA). In this regard, the Chanterlands site scored particularly well in terms of compliance with the principles above and accordingly, was zoned as ‘C: New Residential’ in the draft Plan.</p> <p>The importance of retaining existing green open space for reasons relating to peoples’ health and wellbeing and biodiversity is acknowledged by the Council and is a prominent feature of the draft Plan. In this regard, the plan is informed by a Habitats Survey of the town. The results of this survey and mapping exercise have underpinned the development of a Green Infrastructure Map for Athy (draft Plan, Map 4). This identifies key green</p>

Sub. No.	Name	Summary of Submission
		<p>infrastructure routes and other important ecological features such as hedgerows and woodlands. This map is supported by objectives contained in the draft Plan which seek to secure their protection and enhancement over the lifetime of the LAP (objectives GI1.1 – GI1.9, draft LAP, page 99). The council also acknowledges the need to support our pollinators, in this regard it is seen that the protection and enhancement of our green infrastructure network forms an critical step in providing bees and other flying pollinators with green corridors throughout the plan area. It is also noted that the Council has recently signed up to All-Ireland Pollinator Plan, to support pollinators including our bee species, one-third of which are threatened with extinction. Accordingly, it is considered appropriate that an objective on pollinator friendly planting be incorporated into the draft Plan (please refer to Chief Executive’s Recommendation to Submission No. 17 for details on a proposed material alteration to the draft Plan in this regard).</p> <p>The importance of regenerating the town centre is also recognised by the plan which includes a comprehensive evidence-based Urban Regeneration Framework (Appendix 1 of the draft Plan). This document primarily focuses on the regeneration of the historic and commercial core by identifying and presenting opportunities to improve the retail and commercial attractiveness of the town centre; creating revitalised streets and public spaces; facilitating and providing for the development and improvement of appropriate town centre activities including retail, residential, cultural, tourist and amenity uses. In relation to the Farmer’s Market it is noted that the draft Plan supports the continued development of a high quality ‘Farmers Market’ within the town under Objective UCRO2.11.</p> <p>It is noted that objective EDTO3.15 of the draft Plan specifically provides for the supporting of festivals and sporting events such as TriAthy. Whilst it is not within the remit of the plan to provide more train services objective MTO3.2 supports and facilitates the development of public transport (bus and rail) enhancements in the town. It is noted that the plan also provides for measures to enhance the accessibility and attractiveness of public transport options in Athy. A range of measures in this regard are outlined in the Area Based Transport Assessment (ABTA) which accompanies the draft Plan.</p> <p><b>Chief Executive’s Recommendation</b></p>

Sub. No.	Name	Summary of Submission
		No change recommended.
58.	<b>Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media (Development Applications Unit)</b>	Prescribed body. Please refer to <b>Table 3.1 (a)</b> .
59.	<b>Senator Mark Wall, Cllr. Aoife Breslin and Cllr. Mark Leigh</b>	<p>The submission welcomes the publication of the Draft Athy Local Area Plan and outlines a number of issues, questions and requests as follows, that they would like to see changed, included or clarified in the Plan:</p> <ul style="list-style-type: none"> <li>• Seeks to change the former primary school at St. John's Lane as 'A: Town Centre' zoning from its proposed zoning of Education and Community.</li> <li>• Welcomes the provision of 12.5 for planning fields (sports training hub). In this regard, the submission attaches a letter of support from Athy Camogie Club.</li> <li>• Questions the current need for a proposed new street at Meeting Lane, given the urgent need to develop the existing main streets in the town. Feels that this may be premature.</li> <li>• Questions if there will be provision made for pedestrian crossings at Leinster Street, Duke Street and Woodstock Street following the opening of the SDR (Athy Distributor Road).</li> <li>• Seeks to include a footpath/road at lower St. Joseph's Terrace from the main Monasterevin Road to provide for an additional access point to Ardscoil na Trionoide.</li> <li>• Seeks to include four acres adjacent to Ardscoil na Trionoide as open space and amenity for future playing fields.</li> <li>• Seeks the inclusion of at least 12 acres of land currently proposed as Strategic Reserve for future playing fields and recreational use.</li> <li>• Looks for a link to include a wheelchair friendly footpath from the horse bridge (end of the Blueway) back into the town to terminate at the back of Emily Square.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Disagrees that there are no height limitations within the town and believe that no building should exceed the height of the tallest building currently or the tallest building existing adjacent to the development.</li> <li>• States that the proposed connectivity at Kingsgrove, Whitecastle Lawns, Cois Bhearu, Chanterlands, Hollands Park, Moneen View, Hollands Close and Rheban Manor should not proceed at this time and all others should be reviewed during the Chief Executive's Report.</li> <li>• Questions if a Northern Road route be identified as an aspiration of the Plan and if linkages to residential areas and educational facilities not be identified, even if such a route only be achieved after the plan period (i.e. post 2027).</li> <li>• Questions the aspirations of the strategic connectivity routes of Figure 3.2 of the plan and poses the question that if they are needed for future expansion shouldn't they be included now?</li> <li>• Requests the Council to provide a safe access point to the house at R14 NA00, given that they are to include a new entrance to lands on the Fortbarrington Road (Ardrew Key Development Area) (see map of property below outlined in red).</li> </ul>  <ul style="list-style-type: none"> <li>• Requests that a new footpath/cycle lane be included on the R418 from Conlan's Garage to connect with the Clanard Court Hotel for the safety of all.</li> <li>• Welcomes the inclusion of a new 2 ha. park of the town (Dominican Lands).</li> <li>• Believes with the proposed flood defences that the Emily Square measures should be included on the map and the surroundings developed.</li> <li>• Welcomes the commitment that Athy will become an age-friendly town.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li>• Requests that units be identified for hot desking / desk sharing to promote remote working.</li> <li>• Requests the undergrounding of overhead wiring in the town.</li> <li>• Requests the provision for additional electrical charging points.</li> </ul> <p>As noted above the submission includes a letter from Athy Camogie Club which makes the following points;</p> <ul style="list-style-type: none"> <li>• Club established in 2007 and has subsequently grown to over 120 players and has been successful in attracting young players.</li> <li>• States that the club is at a crossroads as they rely heavily on other clubs for access to a pitch for training and matches.</li> <li>• The club also has no storage facility which means that the coaches have to store and carry all the gear etc.</li> <li>• The letter concludes by stating that they wish to keep growing as a club, making the sport more prominent in both Athy and South Kildare and they look forward to the response of the council to consider their request urgently.</li> </ul> <p><b>Chief Executive's Response</b></p> <p>The contents of the submission relating to the draft Athy Local Area Plan are noted.</p> <p>The request to rezone the former St. Patrick's National School site on St. John's Lane is accepted. Having closely examined its location and its current vacant/derelict state, it is considered that a town centre designation on the site instead of its proposed designation of 'E: Community and Education' under the draft Plan would offer the potential of offering a far broader range of permissible uses, should the building be refurbished or the site redeveloped. Furthermore, the zoning of the site as 'A: Town Centre' would mean that it would also be designated as part of the identified 'Town Centre Regeneration Lands', which would also be considered appropriate given the present dilapidated state of this brownfield site.</p> <p>The welcoming of the proposed 'sports training hub' on the Ardrew lands is noted, as is the letter from Athy Camogie Club. It is envisaged that the provision of training pitches on the lands will address, to a great extent, the current infrastructure constraints in the town in this regard.</p>

Sub. No.	Name	Summary of Submission
		<p>In relation to the proposed new street at Meeting Lane, it is considered that such a street is not premature but crucial to efforts to regeneration the town centre east of the River. Firstly, such an urban street is critical in providing for the development of a strategically important 'opportunity site' located to the rear of Leinster Street. A successful redevelopment of this 1.45 hectare land holding has the capacity to both create increased connectivity whilst also providing for an intensification of commercial uses (including an anchor retail tenant) which would add to the overall retail offer of the town centre. Secondly, the construction of this short but necessary link is key to the improvement of Leinster Street itself, allowing the development of a one-way traffic system to be created, thereby providing for an improved public realm with new cycleways and wider pedestrian footpaths (Figure 3.8, draft LAP, Appendix 1).</p> <p>With regards to improvements on Leinster Street, Duke Street and Woodstock Street, the draft Plan acknowledges the importance of having a comprehensive plan in place ready, in order to maximise the opportunities within the town centre on foot of the opening of the Athy Distributor Road. Accordingly, objective UCRO1.10 provides for the commencement of a Public Realm Strategy for the town within twelve months of the adoption of the LAP. The Public Realm Strategy will seek to develop and deliver an actions-based programme for the effective presentation, development and management of the town's public realm, including for its most prominent streets.</p> <p>In relation to the request for a footpath/road at lower St. Joseph's Terrace from the main Monasterevin Road to provide for an additional access point to Ardscoil na Trionoide it is noted that the draft Plan supports a walking/connectivity link to be developed. This connection is listed as WN18 in Table 7.1 of the draft Plan and has a delivery timeframe of 3-5 years (medium term). The proposed connection (WN18) is also illustrated on Map 1.1 Movement and Transport (Walking and Connectivity Measures).</p> <p>With regard to the request to include four acres adjacent to Ardscoil na Trionoide as open space and amenity for future playing fields, it is noted that the undeveloped lands adjacent to the north of the school are zoned 'F: Open Space and amenity' in which the development of playing fields is permitted in principle.</p>

Sub. No.	Name	Summary of Submission
		<p>The request seeking the inclusion of at least 12 acres of land currently proposed as Strategic Reserve for future playing fields and recreational use is considered premature. In zoning the lands as Strategic Reserve, the draft Plan clearly acknowledges that the future strategic direction for the expansion of Athy, beyond the life of the LAP, will be focused on these lands. It is therefore considered that any zoning of the lands now would result in a level of piecemeal development which the zoning designation was designed to protect and could potentially prejudice the best planning outcome for these lands in the long term. It is noted that having a strategic reserve zoning designation on the lands will not preclude them from being designated as open space in the next Athy LAP. In this regard, such a zoning could be determined in the context of a comprehensive masterplan for this critical settlement expansion area</p> <p>In relation to the request for a link to include a wheelchair friendly footpath from the Horse Bridge (end of the Blueway) back into the town centre to terminate at the back of Emily Square, it is noted that such a link is provided for in the draft Plan. This 'greenway' connection is listed as CL8 in Table 7.2 of the draft Plan and has a delivery timeframe of medium to long term. The proposed greenway (CL8) is also illustrated on Map 1.2 Movement and Transport (Cycling Measures). Whilst it is designated in the draft Plan to be a cycling route, like the Barrow Blueway it will also accommodate pedestrians. Regarding access for wheelchair users, in keeping with the provisions of the plan on walkability and age-friendly infrastructure, all new routes developed will be designed to be universally accessible.</p> <p>With regard to the lack of building height limitations within the town and the belief that no building should exceed the height of the tallest building currently or the tallest existing building adjacent to the development, it should be noted that the guidelines <i>Urban Development and Building Heights: Guidelines for Planning Authorities</i> (DHPLG, 2018) contain a number of mandatory Specific Planning Policy Requirements (SPPRs) which local authorities are obliged to provide for when preparing statutory plans. Of particular relevance to the draft Plan is SPPR 1 which requires local authorities explicitly to identify areas where increased building height will be actively pursued for both redevelopment, regeneration and infill development and that such plans shall not provide for blanket numerical limitations on building height. Having regard to the requirements outlined, this Local Area Plan does not propose to place any height limitations on new development in Athy. Whilst the</p>

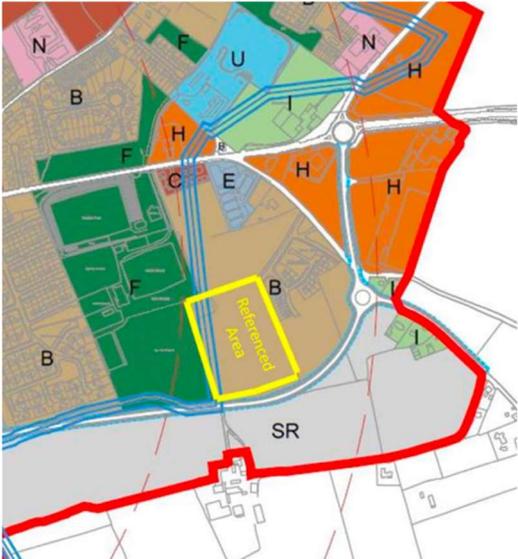
Sub. No.	Name	Summary of Submission
		<p>preferred locations of taller buildings have been identified, emphasis is placed in the draft Plan on delivering the desired densities at appropriate locations rather than focusing on increasing building heights. In this regard, it is noted in Section 3.3.3 of the draft Plan that <i>‘achieving the sustainable residential densities envisaged in Section 3.4 will not require the development of tall buildings in Athy.’</i></p> <p>In relation to the submission’s contention that various listed proposed connectivity and cycle routes should not proceed at this time and all others should be reviewed in this report, it should be noted that research conducted as part of the preparation for the draft LAP found Athy to have a poorly connected urban structure in which key destinations (such as schools and key services) are not easily accessible on foot or by means other than the private car. This has long term consequences for the overall health of the resident population, their ability to access key services and social infrastructure, in addition to levels of isolation and loneliness. The LAP (informed by the Area Based Transport Assessment) outlines a vision for a more sustainable, integrated and climate resilient settlement, adapted to cater for the needs of a growing and aging population and to alleviate private car dependency in order to assist general movement around the town of Athy. Accordingly, the ‘Connectivity Programme’ as set out in the draft LAP, seeks to translate this vision into reality by initiating meaningful change on the ground to make the town universally accessible for all of its residents. The delivery of such cycling/pedestrian routes is also in keeping with the provisions of Kildare County Council Climate Adaptation Strategy (2019 – 2024) which requires that lands use plans include provisions to promote the transition to a low carbon society.</p> <p>With regard to the provision of a Northern Distributor Road, it is noted that the Area Based Transport Assessment (ABTA) assessed proposals for a north-eastern and a north-western distributor road. However, it was considered that the development of these proposals are outside the timeframe of the Athy Local Area Plan 2021 – 2027. It will be noted in the final draft of the ABTA, that these two routes would be beneficial should Athy grow significantly in the long-term future. It is further noted that the majority of these routes are located outside the boundary of the draft LAP. In this regard, it is considered appropriate that further examination will be given to these two long term routes within the context of the review of the Kildare County Development Plan (CDP) 2017 – 2023 which is currently underway. Provisions for potential consideration in the 2023 – 2029 CDP</p>

Sub. No.	Name	Summary of Submission
		<p>therefore may include the safeguarding of potential route corridors for the proposed roads in addition to supporting objective(s).</p> <p>In relation to the issue raised above, the aspirations of the strategic connectivity routes of Figure 3.2 of the Draft Plan (along the routes of the proposed North-eastern and North-western distributor roads) were included because it was important to show their importance in the context of their strategic role in the long term development of the town, beyond the life of the plan.</p> <p>Regarding the need to provide a safe access point to the house at R14 NA00, it is acknowledged that additional traffic will be generated on foot of the envisaged development of the Ardrew Key Development Area (KDA). Accordingly, it is recommended that objective MTO4.6 of the Plan be strengthened so that it stipulates the requirement for a Traffic Impact Assessment (TIA) to be undertaken as part of the planning application process for all new residential land, including the Ardrew Key Development Area (refer to Submission No 31 for further details).</p> <p>In response to the request to include provision for a new footpath/cycle lane be include on the R418 from Conlan's Garage to connect with the Clanard Court Hotel, it is noted that the draft Plan supports such a walking/connectivity link to be developed. This connection is listed as WN26 in Table 7.1 of the draft Plan and has a delivery timeframe of 1-2 years (short term). The proposed connection (WN26) is also illustrated on Map 1.1 Movement and Transport (Walking and Connectivity Measures).</p> <p>The welcoming in the submission of the inclusion of a new 2 ha. park at the Dominican Lands in the draft Plan and its commitment that Athy will become an age-friendly town is noted.</p> <p>In relation to the flood defence scheme for Athy, it should be noted that the Athy Flood Relief Scheme (FRS) is still in the preliminary stage of development, with finalised designs not yet completed. It is further noted that it is the policy of the OPW to only provide protection to existing properties and not construct defences which</p>

Sub. No.	Name	Summary of Submission
		<p>would function to protect any future development on lands at risk of flooding, such as those lands south of Emily Square (surrounding the Marina).</p> <p>In relation to the issue of remote work and the designation of specific units within the town centre to be developed for such uses, it is noted that the draft Plan supports the provision of remote working hubs within the town centre under objective EDTO1.16. In this regard, the Urban Regeneration Framework (Appendix 1 of the draft Plan) recognises that imaginative and flexible responses are needed to address the issue of town centre vacancies in light of the rapidly changing retail trends and requirements of our economy. Accordingly, remote working facilities (with access to high speed broadband), alongside such alternative uses as live-work units, enterprise incubation hubs and tourist 'spin-off' enterprises. Whilst it is considered that it would be premature for the LAP to place such a specific designation on a unit or building, it is noted that the draft Plan contains an action to investigate the feasibility of the Council acquiring a vacant commercial unit within the town centre (or in partnership with a landowner) in order to demonstrate as a 'pilot project' the possibility of re-purposing such a building for alternative uses such as remote working hubs (see Chapter 5, draft LAP).</p> <p>On the issue of electrical charge points, it should be noted that objective MTO2.3 in the draft Plan provides support for a significant increase in the provision of clearly and exclusively designated electric car charging points on public and private land in partnership with ESB and other relevant stakeholders and landowners. Furthermore, it is noted the County Development Plan (CDP) is currently under review, with requirements relating to the provision of electric charging points being examined as part of the review of the Development Management Guidelines chapter of the CDP.</p> <p>Regarding the removal/undergrounding of electrical and telecommunications wiring in the town centre, it is noted that objective UCRO1.10 supports such an action. Enhancements to the improvement of the town centre will be advanced through the delivery of a Public Realm Strategy for the town which is (as noted above) proposed to be commenced within twelve months of the adoption of the Plan. Furthermore, it should be noted that the undertaking of a Public Realm Strategy has been identified as a Priority Project of the Athy Urban Regeneration Framework (draft LAP, Appendix 1).</p>

Sub. No.	Name	Summary of Submission
		<p><b>Chief Executive's Recommendation</b>  <b>Proposed Material Alteration</b>                      Amend the zoning designation on <b>Map Ref. 6 Land Use Zoning Map</b> for the site occupied by the former St. Patrick's National School on St. John's lane from 'E: Community and Educational' to 'A: Town Centre'.</p>
60.	<p><b>Cllr. Aoife Breslin and Rheban Manor, Hollands, Moneen and Cyprian Residents' Association</b></p>	<p>Submission includes a cover letter by Cllr. Aoife Breslin requesting that the submission of Rheban Manor Residents' Association be accepted as a submission to the Draft Local Area Plan for Athy. The letter notes the submission is based on Table 7.1 Walking and Connectivity Measures. In this regard the Association is opposed to WN13, WN14, WN15, WN16, WN17 and WN18. The letter concludes with the Councillor stating that she fully supports the submission.</p> <p>The submission itself is the same as was submitted above by <b>Rheban Manor, Hollands, Moneen and Cyprian Residents' Association</b> (please refer to Submission No. 26 for a summary of this submission).</p> <p><b>Chief Executive's Response</b>                      The submission and the Councillor's letter of support is noted. <b>Please refer to Submission No. 26</b> for the Chief Executive's Response and Recommendation to this submission.</p>
61.	<p><b>Cllr. Aoife Breslin and Whitecastle Lawns Residents' Association</b></p>	<p>Submission includes a cover letter by Cllr. Aoife Breslin stating that she fully supports the attached submission of the Whitecastle Lawns Residents' Association which is seeking to remove proposed connectivity route WN19 from the Plan.</p> <p>The submission itself is the same as was submitted above by <b>Whitecastle Lawns Residents' Association</b> (please refer to Submission No. 52 for a summary of this submission).</p> <p><b>Chief Executive's Response</b>                      The submission and the Councillor's letter of support is noted. <b>Please refer to Submission No. 52</b> for the Chief Executive's Response and Recommendation to this submission.</p>

Sub. No.	Name	Summary of Submission
62.	<b>Athy Rugby Football Club (RFC)</b>	<p>Submission of behalf of the Executive Committee of Athy Rugby Football Club and concerns the proposed zoning of certain lands at Gallowshill, between The Showgrounds and Shanrath residential estate and currently in use as GAA and Soccer training pitches (in yellow in Map below).</p> <ul style="list-style-type: none"> <li>• It is submitted that it is in the best long-term interests of the community in Athy and the broader region of South Kildare that the zoning of these lands which are zoned as “Existing Residential/Infill” be changed to “Leisure and Amenity”.</li> <li>• Notes that the Draft Plan identifies the projected growth in population, the young age profile and the high levels of deprivation in the area, which are all factors that heighten the need for facilitation of recreational facilities in the area.</li> <li>• Refers to the construction of the Athy Distributor Road and the Draft Plan and states that this will increase the amenity requirements for the eastern part of the town.</li> <li>• Notes that The Showgrounds provide a unique facility with multiple sports clubs, (Athy Rugby Club, Athy GAA, Athy Town AFC, Athy Tennis Club and Athy Badminton Club) all being co-located at this strategic location. Additionally, the venue has served as the site of the Kildare County Show and the GAA Club have demonstrated the potential for hosting of larger events.</li> <li>• Traditionally, the clubs located at the Showgrounds have independently developed their facilities, with Athy GAA’s forthcoming development of an additional pitch to the west of the lands in question being a prime example. However, it also notes that the clubs have also demonstrated capacity to work collaboratively for the greater good.</li> <li>• Outlines the potential of The Showgrounds into an outstanding shared community resource and amenity, with the potential for; <ul style="list-style-type: none"> <li>○ Sports pitches with support facilities for large sport events</li> <li>○ Safe, accessible, community amenity for walking / exercise of residents of all ages</li> <li>○ Community playground for the growing number of young families in the area</li> <li>○ Shared parking, with social and community facilities for events</li> </ul> </li> <li>• This submission is being made by Athy RFC, which is a club that has grown its player numbers significantly in the last 20 years and now field 21 teams and also provides playing facilities for local secondary schools.</li> </ul>

Sub. No.	Name	Summary of Submission
		<ul style="list-style-type: none"> <li data-bbox="568 284 2029 507">Athy RFC draw their players from across a large hinterland and have ambitious plans for growth. However, it notes the club now struggles every year to accommodate the growing number of teams and foresee a shortage of playing space as a constraining factor on future growth and participation. In this regard, it is noted the Athy Distributor Road will complete a boundary that will mean that the only lands which could be available to facilitate the future development of sporting or amenity facilities in the area are the lands identified herein.</li> </ul>  <p data-bbox="568 1082 929 1114"><b>Chief Executive's Response</b></p> <p data-bbox="568 1121 2029 1377">The submission and its request to zone the lands for 'Leisure and Amenity' is noted. Whilst the location of the lands adjacent to the Showgrounds (zoned F: Open Space and Amenity) and the present use of a portion of the lands for open space purposes is acknowledged, the council must have regard to other important considerations when proposing a zoning designation for such a strategically located site. In this regard, it should be noted that the lands in question are the location of an unfinished residential estate (Shanrath Rise) and is bound to the south and east by the Athy Distributor Road which (when complete) will incorporate high-quality pedestrian/cycle lanes between the site, the train station, the Barrow Blueway (under construction) and by</p>

Sub. No.	Name	Summary of Submission
		<p>extension the town centre. Also, of note is the site's proximate such key facilities such as Athy Primary Care Centre and the Showgrounds' training pitches, located immediately to the north and west of the site respectively. Taking the above into consideration, along with the fact that the site is not affected by flood risk issues (see Draft LAP, Map 2 Strategic Flood Risk Map) demonstrates a strong rationale for keeping the lands zoned as B: Existing Residential/ Infill.</p> <p>It should also be noted that having the zoning objective '<i>B: Existing Residential/Infill</i>' does not in any way preclude the lands in question from continuing to be used for open space use during the life of the Local Area Plan. Similarly, it is noted that while the lands were also zoned for Existing Residential/Infill purposes under the Athy Town Development Plan 2012 – 2018, this zoning did not stop new sporting facilities on a portion of the lands from being granted planning permission under Plan Ref: 18/184.</p> <p><b>Chief Executive's Recommendation</b> No change recommended.</p>



## 5. Recommended Material Alterations to Draft Athy Local Area Plan

The following are the Chief Executive's recommended Material Alterations to the Draft Athy Local Area Plan 2021 – 2027. The recommended alterations have emerged from the consideration of the submissions and observations received during the public consultation period and an internal review. Recommended deletions to the Draft Local Area Plan are shown ~~in strikethrough blue~~ and recommended new text is shown *in italics red*.

For ease of reference the recommended material alterations are set out in the order they will appear in the Local Area Plan i.e. Chapter 1 – Chapter 11 (and Appendix 1)

### General LAP

#### Proposed Material Alteration No. 1

Amend all reference from ~~Tegral~~ to *Etex Ireland* throughout the Draft Athy Local Area Plan

### Chapter 3. Compliance with the Kildare County Core Strategy

#### Proposed Material Alteration No. 2

Further to the measures above, it is recommended that the following additional objective be inserted after objective CSO1.7:

**CSO1.8** *Ensure that projects giving rise to adverse effects on the integrity of European sites (cumulatively, directly or indirectly) arising from their size or scale, land take, proximity, resource requirements, emissions (disposal to land, water or air), transportation requirements, duration of construction, operation, decommissioning or from any other effects shall not be permitted on the basis of this plan<sup>9</sup>.*

### Chapter 4. Homes and Communities

#### Proposed Material Alteration No. 3

Amend text of objective HCO4.6, as follows:

**HCO4.1** Support and facilitate the provision of *both indoor and outdoor* multi-functional community facilities to meet the needs of the population of Athy.

#### Proposed Material Alteration No. 4

Include the following new objective after objective HCO4.5:

**HCO4.6** *To support the provision of new postal facilities and the enhancement of existing facilities, including for operational requirements in Athy, and to facilitate the provision of postal infrastructure at suitable locations within the town, subject to planning and design considerations.*

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<sup>9</sup> Except as provided for in Article 6(4) of the Habitats Directive, viz. There must be: (a) no alternative solution available, (b) imperative reasons of overriding public interest for the plan to proceed; and (c) adequate compensatory measures in place.

## Chapter 5. Urban Centre and Retailing

### Proposed Material Alteration No. 5

Insert an additional sub objective under objective UCRO1.10, as follows:

**UCRO1.10** Commence the preparation of a Public Realm Strategy for Athy within twelve months of the adoption of this plan. The strategy should be developed in accordance with the provisions of the Athy Urban Regeneration Framework and implemented on a phased basis over the lifetime of the Plan and beyond. The Strategy should also address the following issues:

- (i) Ensure that the town centre is accessible to all members of the community, including people with disabilities, the elderly and people with young children.
- (ii) Support and facilitate the delivery of age friendly seating, bus stops and other public realm initiatives identified in the Athy Public Realm Strategy.
- (iii) Develop a comprehensive car parking plan for the town which will balance the needs of vehicular access to the town centre without compromising the overall quality and visitor experience of the public realm.
- (iv) Seek to reduce the use of line marking, signage and overhead wiring in the town centre of Athy.

*(v) Investigate the feasibility of the development/redevelopment of the backlands of the town centre area of Athy in conjunction with the formulation of the Public Realm Strategy.*

## Chapter 6. Economic Development, Enterprise and Tourism

### Proposed Material Alteration No. 6

Amend the third paragraph of Section 6.5.1, as follows:

~~It is considered that a longstanding obstacle to achieving improved utilisation of the waterways in the town is the deficit in safe and convenient mooring facilities. Boats and barges are being restricted in their ability to moor in Athy and this is a major disincentive to considering the town as a stopover location.~~ *Athy has witnessed substantial growth in boating tourism in recent years. This regularly results in over demand for berths on all town centre mooring facilities. To accommodate this demand, and the predicted future growth, a major upgrade of the current in-place facilities is needed. In addition, investment to dramatically expand the number of berths and moorings available is essential.* The development of a marina, or at least the expansion of the existing mooring facilities is *considered* an essential *requirement* ~~piece of infrastructure that is required~~ in order to maximise the possibilities presented by the increase of tourism activities based around Athy's waterways with the completion of the Barrow Blueway.

### Proposed Material Alteration No. 7

Inserted the following new objective after objective EDTO3.3 and renumber subsequent objectives accordingly:

*EDTO3.4 Support and facilitate the development of angling activities and supporting infrastructure, including the provision of wheelchair friendly stands in Athy, subject to appropriate environmental assessments.*

## Chapter 7. Movement and Transport

### Proposed Material Alteration No. 8

Amend text in objective MTO1.5, as follows:

**MTO1.5** Support the creation of new pedestrian and cycle links across the River Barrow that enhance connectivity in the area and link residential areas, the town centre, community facilities and public spaces/amenities as proposed under the Athy Area Based Transport Assessment. *In particular, WN6 (as outlined in Table 7.1 and Map 1.1), which provides for a bridge over the River Barrow at Barrack Lane/Woodstock to Stanhope Street/R417, should be prioritised for delivery.* The final design details *of all new links across the River Barrow* shall be subject to the appropriate environmental assessment and public consultation.

### Proposed Material Alteration No. 9

Insert the following new objective after objective MTO 1.8:

**MTO1.9** *Protect, maintain and upgrade the existing pedestrian connection between St Johns Lane and Greenhills (WE6 and CL19) as identified on Map 1.1 and 1.2. Where redevelopment of the lands is proposed, priority shall be given in the overall design to the maintenance and upgrade of this route with maximum passive supervision, including lighting as appropriate, addressing its full length.*

### Proposed Material Alteration No. 10

Insert the following text as a final paragraph under Section 7.8 Roads and Streets Network:

*"The Plan will seek to safeguard the development and carrying capacity of the national road infrastructure along the existing N78 corridor. New development along this route will be required to accord with policies of the County Development Plan and official policy, which seeks to safeguard these routes from development, which would compromise the safety, integrity or capacity of these routes."*

### Proposed Material Alteration No. 11

Insert the following new section after Section 7.8.1:

#### **7.8.2 Employment Lands to the East of the Town**

*With regard to the employment lands zoned 'H: Industrial and Warehousing' to the east of the town (identified as Gallowshill in Table 6.3), it is considered that their strategic location, adjacent to the N78 (motorway link) and straddling the Athy Distributor Road, necessitates the preparation of a Strategic Transport Assessment (STA) of the subject lands to be carried out prior to their development. This assessment should demonstrate the quantum of development that can be facilitated at the location complementary to safeguarding the strategic function and safety of the national road network, in accordance with the provisions of official policy outlined in the Section 28 Ministerial Guidelines 'Spatial Planning and National Roads Guidelines for Planning Authorities' (DoECLG, 2012). Such an assessment will also need to identify an Access Strategy and any improvements required to the local transport network to accommodate the extent of development proposed. The STA should undertake relevant stakeholder consultation including with TII, the NTA and landowners and shall be considered in the context of any development proposals for this location.*

### Proposed Material Alteration No. 12

Amend text of objective MTO4.1, as follows:

**MTO4.1** (a) Maintain and improve, as required, the local road network to ensure a high standard of road quality and safety in accordance with the requirements of the relevant legislation.

*(b) Safeguard the development and carrying capacity of the national road infrastructure along the existing N78 in accordance with the Section 28 Ministerial Guidelines 'Spatial Planning and National Roads Guidelines for Planning Authorities' (DoECLG, 2012)."*

### Proposed Material Alteration No. 13

Amend text of objective MTO4.6, as follows:

**MTO4.6** Ensure that development proposals within Athy Town Centre are subject to a **Traffic Transport** Impact Assessment (TIA), to be carried out in accordance with the Traffic and Transport Assessment Guidelines (2014). ~~The requirement for all other developments will be determined on a case-by-case basis.~~ **Transport Impact Assessments will also be required in the following cases:**

*(a) Development on all lands zoned C: New Residential and;*

*(b) All other lands for which significant development is proposed within the Local Area Plan boundary.*

### Proposed Material Alteration No. 14

Insert the following new objective after objective MTO4.9 (along with any consequential amendments):

**MTO4.10** *To carry out a Strategic Transport Assessment (STA) and to produce an Access Strategy for lands zoned 'H: Industrial and Warehousing' situated to the east of Athy in consultation with relevant stakeholders including TII and the NTA, as well as landowners. This will identify the quantum of development that can be facilitated at the location complementary to safeguarding the strategic function and safety of the national road network, in accordance with the provisions of official policy outlined in the Section 28 Ministerial Guidelines 'Spatial Planning and National Roads Guidelines for Planning Authorities' (DoECLG, 2012). The STA will also identify any improvements required to the local transport network to accommodate the extent of development proposed.*

## Chapter 8. Built Heritage and Archaeology

### Proposed Material Alteration No. 15

Insert the following new objective after BH1.8:

**BH1.9** *Explore the feasibility of restoring the dry dock in Athy, in consultation with Waterways Ireland.*

### Proposed Material Alteration No. 16 (a and b)

(a) Include a new View/Prospect in Figure 8.1 and Table 8.2, along with consequential amendments to the Athy Architectural Character Areas Statement of Character, as follows:

*View H: View towards Horse Bridge and River Barrow Sluice Gate*

- (b) Include a new View/Prospect in Figure 8.1 and Table 8.2, along with consequential amendments to the Athy Architectural Character Areas Statement of Character, as follows:

*View 1: View from the Canal lock at William Street down the Canal Side towards the Dominican Lands.*

**Proposed Material Alteration No. 17**

Amend text of objective BH2.5, as follows:

- BH2.5** Review all applications for demolition, modifications or extensions to existing buildings with regard to ~~its~~ *their* relative importance to the appreciation of the character of the ACA as identified in the ~~Building Inventory of the~~ Statement of Character.

## Chapter 9. Natural Heritage, Green Infrastructure and Strategic Open Space

**Proposed Material Alteration No. 18**

Insert the following objective following objective NH1.6:

- NH1.7** *Ensure that any proposals for the lighting/flood lighting of waterways infrastructure, buildings or pedestrian/cycling routes along waterways within the Plan area incorporate bat friendly lighting schemes as set out in 'Bats and Lighting, Guidance Notes for: Planners, engineers, architects and developers' (Bat Conservation Ireland, December 2010).*

**Proposed Material Alteration No. 19**

Amend text of objective GI.1.7, as follows:

- GI1.7** Maintain a biodiversity protection zone of 60 metres from the top bank of the River Barrow (*including all areas covered by the River Barrow and River Nore SAC*), 20 metres from the canal and not less than 10 metres from the top bank of smaller watercourses, with the full extent of the protection zone to be determined on a case by case basis by the Planning Authority, based on site specific characteristics and sensitivities. Strategic green routes and trails will be open for consideration within the biodiversity protection zone, subject to appropriate safeguards and assessments.

**Proposed Material Alteration No. 20**

Amend the text of objective GI1.10, as follows:

- GI1.10** Promote appropriate tree planting *and pollinator friendly planting, in accordance with the recommendations of the All Ireland Pollinator Plan throughout Athy and in open spaces within new developments in order to enhance local biodiversity, visual amenity and surface water management.* ~~within the public realm with a particular focus on strategic open spaces as well as along transport networks.~~

## Chapter 10. Infrastructure and Environmental Services

### Proposed Material Alteration No. 21

Replace the first paragraph of Section 10.1.1 with the following text:

*Census 2016 records that 92.5% of all households in the settlement of Athy are connected to the public mains network. The average water demand in the town is 3 million litres per day, as of Summer 2020. Since 2013, Athy has been served by the Srowland Water Treatment Plant, located to the north of the town.*

*While Athy is supplied from Srowland WTP, it also forms part of the overall Greater Dublin Area Water Resource Zone. Supply in this Water Resource Zone is constrained therefore new connections will be prioritised for housing and domestic sanitation purposes. Connections for Non Domestic supplies will be accommodated on a first come first served basis. To protect current supplies, applicants for non-domestic demand may be asked to review their demand requirements. IW are developing the National Water Resource Plan which will identify solutions to improve supply over the life of this plan.*

### Proposed Material Alteration No. 22

Replace the second paragraph of Section 10.1.2 with the following text:

*Following some recent modelling of the sewer network, some issues are appearing in a few areas that will require new systems to be implemented with the growth of the catchment. Where there are constraints, applications for developments would be on a first come, first served basis. If no project is associated with a constrained area, then any infrastructure improvements or upgrades will be developer led. Irish Water can work with developers to form the best solution for a particular site. This would be through the Connections and Developer Services section of Irish Water's website:*

*<https://www.water.ie/connections/developer-services/>*

*There should be sufficient headroom at Athy wastewater treatment plant to provide for the majority of the projected domestic population. However, as above, this will be on a first come, first served basis."*

### Proposed Material Alteration No. 23

Insert the following new objective after objective IO2.3 and renumber subsequent objectives accordingly:

**IO2.4** *Ensure that the capacity and efficiency of the national road network drainage regimes will be safeguarded for national road drainage purposes.*

### Proposed Material Alteration No. 24

Insert the following new section after Section 10.3.1

#### *Section 10.3.2 Site Specific Flood Risk Assessment*

*All development proposals taking place in areas that KCC have applied a Justification Test, where a residual flood risk remains, should be supported by an appropriately detailed SSFRA. The level of detail within the FRA will depend on the risks identified and the land use proposed. Applications should apply the use of the sequential approach in terms of the site layout and design and, in satisfying the Justification Test (where required), the proposal must demonstrate that appropriate mitigation and management measures are put in place. The development should ensure that no encroachment onto, or loss of, the flood plain shall*

*occur. Only water compatible development such as Open Space would be permitted for the lands which are identified as being at risk of flooding within that site. For any development in flood risk areas that meet the Development Plan Justification Test, a Development Management Justification Test must then be applied. Development must satisfy all of the criteria of the Development Management Justification Test as per **Box 4-1 of the Flood Risk Management Guidelines**. This chapter provides a broad overview of the requirements of FRAs which should accompany planning applications.*

#### **Proposed Material Alteration No. 25**

Amend the following objective:

**IO3.2** Ensure development proposals within the areas *where KCC have applied a Justification Test and where residual flood risk remains as* outlined on the Flood Risk Map (*Map Ref. 2*) are the subject of a Site-Specific Flood Risk Assessment, appropriate to the nature and scale of the development proposed.

#### **Proposed Material Alteration No. 26**

Insert the following new objective after objective IO3.4:

**IO3.5** *Ensure that all development proposals apply the sequential approach in terms of the site layout and design and, in satisfying the Justification Test (where required), the proposal shall demonstrate that appropriate mitigation and management measures are put in place. The development proposals should ensure that no encroachment onto, or loss of, the flood plain shall occur. Only water compatible development such as Open Space would be permitted for the lands which are identified as being at risk of flooding within that site.*

## **Chapter 11. Implementation**

#### **Proposed Material Alteration No. 27**

Insert new Map Ref. 2a which illustrates Flood Risk Zones and SSFRA overlaid on the LAP Land Use Zoning Map (Map Ref. 6 Land Use Zoning Map)

#### **Proposed Material Alteration No. 28**

Remove the woodland/scrub designation from the triangular wooded area (as outlined in red on map below) on **Map Ref. 4 Green Infrastructure Map**.

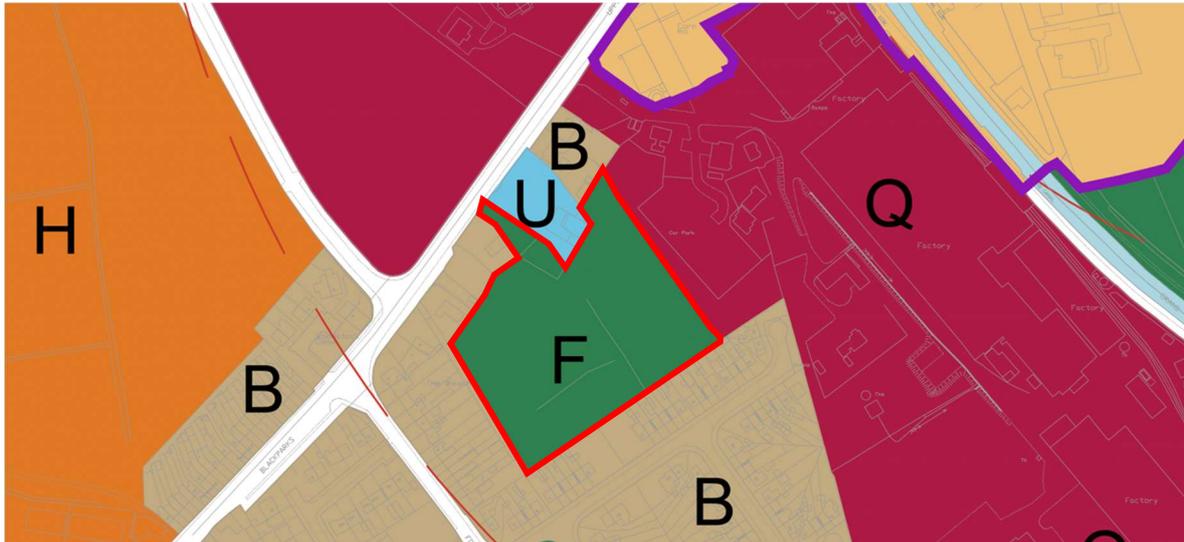


#### **Proposed Material Alteration No. 29**

Amend **Map Ref. 6 Land Use Zoning Map** to designate Etex lands H - Industry and Warehousing. Proposed Material Alteration to include any consequential amendments to the Plan.

### Proposed Material Alteration No. 30

Amend **Map Ref. 6 Land Use Zoning Map** to include lands (as outlined in red on map below) to the west of the Etex Ireland campus as H – Industry and Warehousing. Proposed Material Alteration to include any consequential amendments to the Plan.



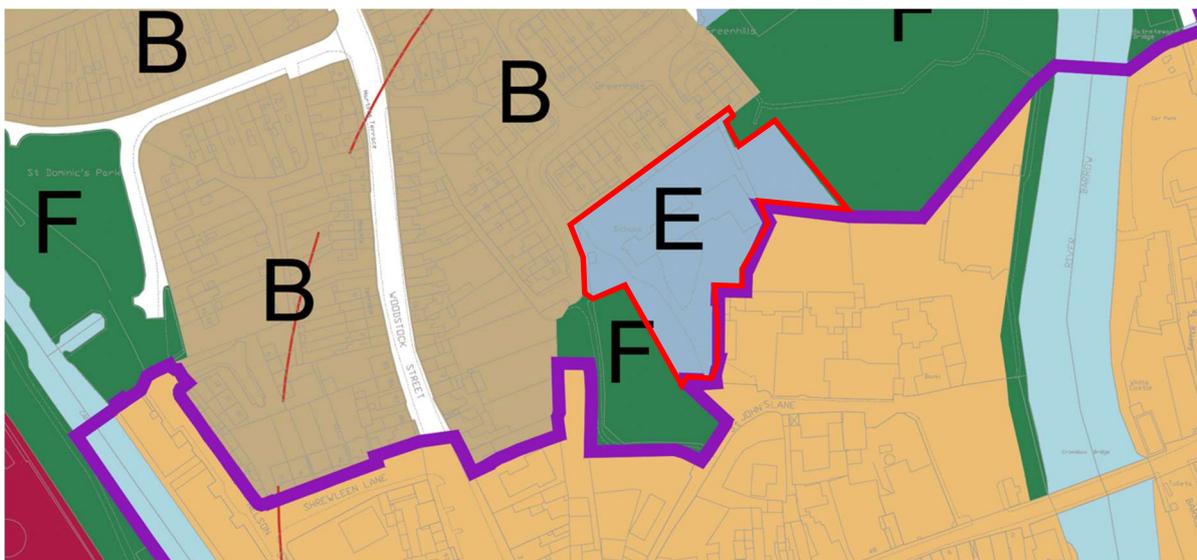
Insert new specific development objective a) and b) in Table 11.3, as follows:

*H lands – Athy West (Bennetsbridge Road)*

- a) Access to these lands shall be via the existing industrial lands to the immediate east. No further access shall be permitted on to the N78 national primary route.*
- b) The development of these lands shall be subject to a site-specific transport assessment to protect the integrity and carrying capacity of the N78 at this location.*

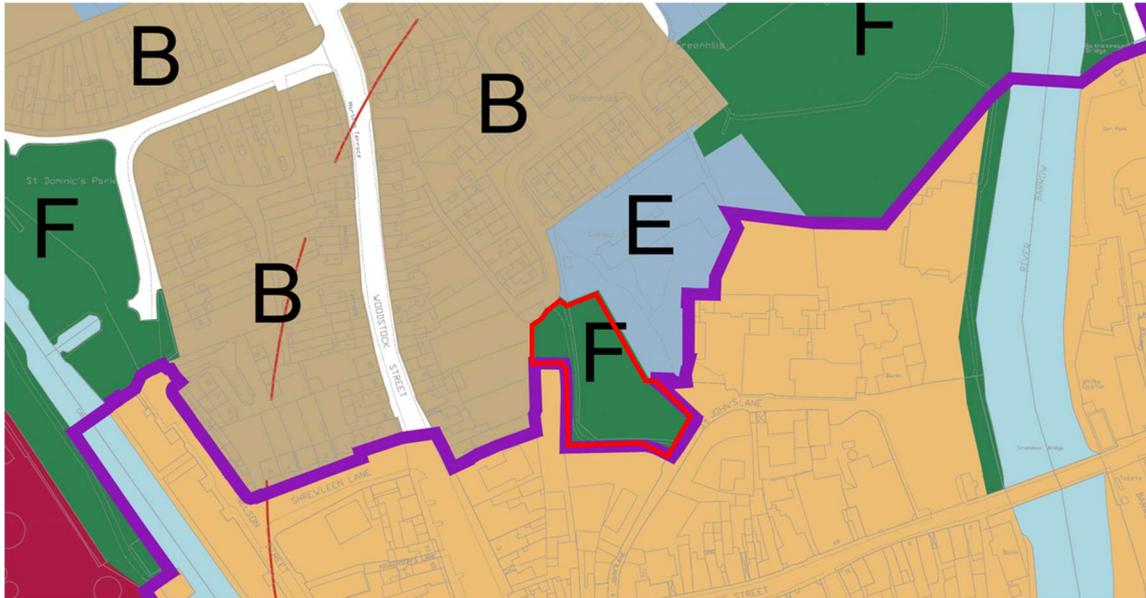
### Proposed Material Alteration No. 31

Amend the zoning designation on **Map Ref. 6 Land Use Zoning Map** for the site occupied by the former St. Patrick's National School (as outlined in red on the map below) on St. John's Lane from 'E: Community and Educational' to 'A: Town Centre'.



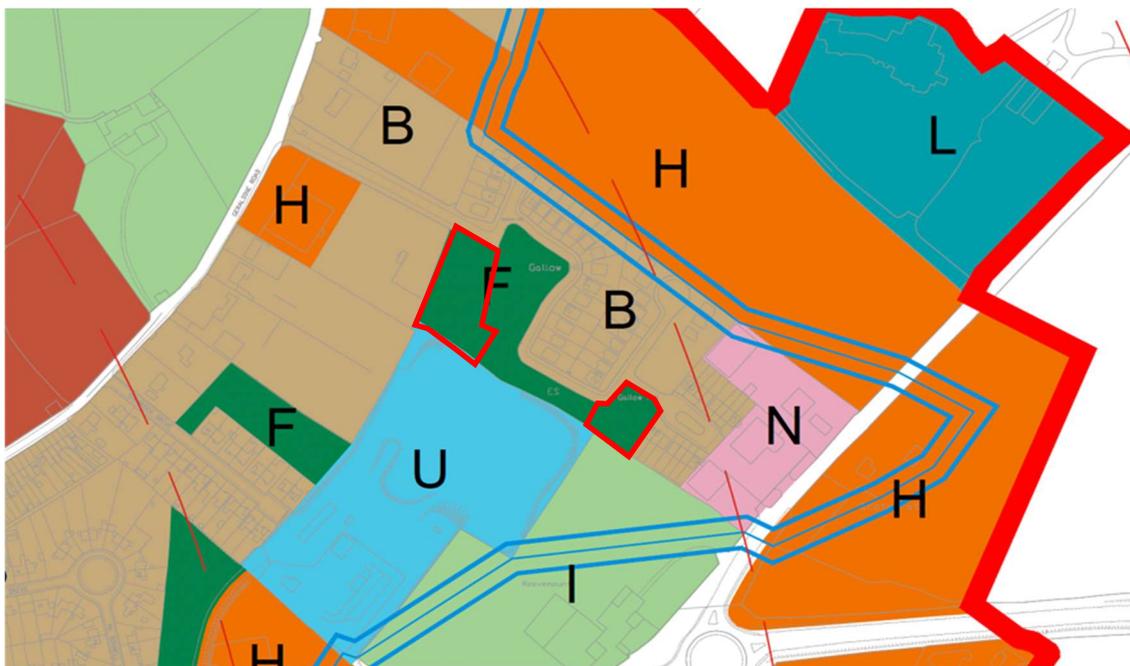
**Proposed Material Alteration No. 32**

Amend the zoning designation on **Map Ref. 6 Land Use Zoning Map** for the lands (as outlined in red on the map below) from 'F: Open Space and Amenity' to 'A: Town Centre'. Proposed Material Alteration to include any consequential amendments to the Plan.



**Proposed Material Alteration No. 33**

Amend the zoning designation on **Map Ref. 6 Land Use Zoning Map** for the sites (as outlined in red on map below) from 'F: Open Space and Amenity' to 'B: Existing Residential/Infill' as per Plan Ref. 151144. Proposed Material Alteration to include any consequential amendments to the Plan.



## 6. Clarification of Typographical Errors in the Draft Athy Local Area Plan

Following an internal review of the Draft Athy Local Area Plan 2021-2027 a number of typographical errors were noted. These errors are not material in nature, however in the interest of transparency and clarity have been outlined in this section. The Chief Executive's corrections are shown in ~~strikethrough blue~~ to illustrate deleted text and *italics red* to indicate new text.

### Typographical Error No. 1

Amend Footnote No. 2, Chapter 3, Section 3.1, as follows:

<sup>2</sup> The figure 9,677 comprises of the population living within the settlement boundary of Athy as defined by the CSO (see Map 6: Land Use Zoning ~~Objectives Map~~) and based on the results of Census 2016 and not the population of the larger Athy Legal Town area which was abolished under the Local Government Reform Act 2014.

### Typographical Error No. 2

Section 3.3 insert additional text, as follows:

#### What is the *settlement boundary/ built-up footprint of a town?*

The existing built-up footprint of an urban settlement is defined by the CSO (in line with UN criteria) as an area with a minimum of 50 occupied dwellings, with a maximum distance between any dwelling and the building closest to it of 100 metres, and where there is evidence of an urban centre (shop, school etc.). The built-up area of Athy, as defined by its settlement boundary is based on the returns from Census 2016.

### Typographical Error No. 3

Amend objective reference (CDP County Development Plan) under Section 3.5.1, as follows:  
It is an objective of the Council to:

~~CPD~~ **CDP1.1** Align the Athy Local Area Plan 2021 – 2027, if necessary, with the Core Strategy of the Kildare County Development Plan 2023-2029 once adopted, and any other material changes relevant to Athy contained in the Kildare County Development Plan 2023 – 2029, by way of a statutory amendment to the Local Area Plan pursuant to Section 20 of the Planning and Development Act 2000 (as amended).

### Typographical Error No. 4

Amend text under Objective CSO1.7 under Section 3.8, as follows:

**CSO1.7** Preserve the lands identified as 'Strategic Reserve' on Map 6: Land Use Zoning ~~Objectives Map~~, thereby controlling the level of piecemeal and haphazard development on these lands and safeguarding their strategic value in accommodating the orderly sequential expansion of the urban settlement beyond the current Plan period.

### Typographical Error No. 5

Amend Footnote no. 7, Chapter 4, Section 4.2.1 as follows:

<sup>7</sup> The population figures referenced here and in Table 4.1 are based on the area comprising Athy Legal Town and were used in this instance to provide a like-for-like comparison. ~~over three decades~~. It is noted that settlement boundaries were only introduced by the CSO in Census 2016. In this regard the 2016 population of 9,677 is based on the 2016 settlement

boundary of the town and is used in this Plan as the baseline figure for population projections to 2027 (see *Chapter 3*, Table 3.1).

#### **Typographical Error No. 6**

Amend Footnote No. 12 by the introduction of a capital letter, under Chapter 4, Section 4.6.1, as follows:

<sup>12</sup> The Kildare Open Space Strategy is currently being reviewed and expected to be completed by the second quarter of 2021.

#### **Typographical Error No. 7**

Amend the objective numbering under Section 4.8, as follows:

**HCO2.5 4.5** Support and facilitate the provision of children's play facilities in Athy within existing and proposed green spaces, for children of all ages while also having regard to those with special needs.

#### **Typographical Error No. 8**

Renumber Subsection 5.2.1 Public Realm Strategy, as follows:

#### **5.2.12 Public Realm Strategy**

#### **Typographical Error No. 9**

Reference 'Appendix 1' when referring to the Urban Regeneration Framework, to ensure clarity for the reader. This change is proposed under Objective UCRO1.3 and the sixth action point.

**UCRO1.3** Improve the quality, ambience, vitality and vibrancy of the town centre, through the following:

1. Promotion of an appropriate mix of day and night time uses.
2. Facilitation of development that will attract and retain commercial and retail activities in the town centre.
3. Encouragement of alternative uses and functions as outlined in Section 3.4 of the Urban Regeneration Framework (*Appendix 1*) for vacant units within the town centre.

- To explore the possibility of the Local Authority acquiring a vacant commercial unit within the town centre (or in partnership with a landowner) in order to demonstrate as a 'pilot project' the feasibility of repurposing the building for alternative uses as outlined in Section 3.4 of the Athy Urban Regeneration Framework (*Appendix 1*).

#### **Typographical Error No. 10**

Sentence correction under Section 6.2, paragraph three, as follows:

Furthermore, this figure it should be noted ~~that there are this figure~~ indicates that there are not enough jobs for every worker living in the town i.e. for every 100 workers there was only 63 jobs based in the town in 2016.

**Typographical Error No. 11**

Amend objective number on the third action detailed under Section 7.4.2, as follows:

- To identify and provide suitable sites for secure and appropriately located bicycle parking as per Objective MTO1.~~87~~.

**Typographical Error No. 12**

Correct section reference numbering under Section 7.5, as follows:

It is a specific objective of this LAP to commence the preparation of a Public Realm Strategy for Athy within 12 months of the adoption of this Plan (Objective UCRO1.10, Chapter 5). This Strategy will set out a programme of works to create an attractive and vibrant urban environment that is well connected and safe, and one which encourages people to use more sustainable forms of transport, particularly for short trips to key destinations within the town (refer to Section 5.2.~~12~~). It is envisaged that the Public Realm Strategy will have a transformative effect on the urban environment of Athy when implemented in conjunction with the recommendations of the ABTA, as outlined in **Section 7.4.1 and Section 3.3 Enhancing Connectivity of the Urban Regeneration Framework** (Appendix 1).

**Typographical Error No. 13**

Amend Objective MTO3.3 under Section 7.7 Public Transport, as follows:

**MTO3.3** Engage with the National Transport Authority (NTA), ~~Dublin Bus~~, Irish Rail, Local Link and other stakeholders to improve the provision of public transport in Athy including the provision of a new bus interchange, close to the train station and the extension of certain bus routes to access this interchange.

**Typographical Error No. 14**

Insert text under Section 7.8.1, under the second paragraph, as follows:

New Street will contribute fundamentally to the connectivity of the town and allow for significant improvements to be made along the main street, catering for pedestrians, cyclists, and vehicular traffic appropriately. This will be achieved by making the section of Leinster Street parallel to New Street one-way from west to east, opening up road space for active travel modes and an enhanced public realm. In turn, New Street will run one-way from east to west, allowing for the integration of appropriate pedestrian and cyclist infrastructure (see Map 1.3 Roads and Streets Network *Measures*).

**Typographical Error No. 15**

Amend the duplication of numbering on Table 8.1 Record of Protected Structures within the Athy Local Area Plan 2021-2027 Boundary, as follows:

AY024	11505341	W.T Duthie, No. 30 Leinster Street	Building
AY025	11505342	No. 31 Leinster Street	Building
AY026	11505331	Bank of Ireland, Emily Square	Building
AY02 <del>67</del>	11505330	O’Brien’s, Emily Square	Building

### Typographical Error No. 16

Amend text under paragraph one of Section 8.5, as follows:

Map 3: Built ~~and Natural~~ Heritage *and Archaeology Map* identifies the sites within the Plan area that are included on the Sites and Monuments Record (SMR). This map should be read in conjunction with Table 8.23 (see below) which lists all the relevant sites, and which has been reproduced in this Plan for information purposes only. The Archaeological Survey of Ireland database at [www.archaeology.ie](http://www.archaeology.ie) contains an interactive map/search facility that provides access to all records of the Archaeological Survey of Ireland (ASI) and should be consulted prior to the development of land within the Plan area. The SMR for Athy is continually updated as new information becomes available and new sites are uncovered.

### Typographical Error No. 17

Amend text and objective numbering under Section 8.6, as follows:

#### Policy BH3 – Archaeological Heritage

**BH3** It is the policy of the Council to safeguard the archaeological heritage located within the boundary of the Local Area Plan and avoid negative impacts on sites, monuments, features or objects of significant historical or archaeological interest.

#### Objectives

It is an objective of the Council to:

- BH3.1** Prioritise the protection/preservation in situ (or upon agreement preservation by record) of items of archaeological interest as listed in Table 8.3 and shown on Map 3: Built ~~and Natural~~ Heritage *and Archaeology* and Map 3a: Built ~~and Natural~~ Heritage *and Archaeology* - Town Centre from inappropriate development that would adversely affect and/or detract from the interpretation and setting of these sites.
- BH3.2** Protect the historic core of Athy and retain, except in exceptional circumstances, the existing street layout, historic building lines and traditional plot widths where these derive from medieval or earlier origins.
- BH3.23** Ensure the remains of the historic walls/defences of the town are retained where these still exist (including subterranean remains) and to promote public awareness and understanding of the existence of these historic elements and their route within the public realm.
- BH3.34** Encourage, where practicable, the provision of public access to sites identified on the Sites and Monuments Record under the direct ownership or control of the Local Authority and the State.
- BH3.45** Provide for the protection of historic burial grounds within Athy, in co-operation with agencies such as the Office of Public Works and the National Monuments Section of the Department of the Housing, Local Government and Heritage.
- BH3.56** Ensure that development proposals contribute towards the protection and preservation of the archaeological value of underwater or archaeological sites associated with the River Barrow, the Grand Canal and associated features.

### Typographical Error No. 18

Amend the title on the accompanying Athy Architectural Conservation Area document, from Character Appraisal to Statement of Character, which is how it was referenced throughout the Written Statement of the Plan.



### Typographical Error No. 19

Amend text under Section 9.3.1 Habitat Mapping, paragraph two, as follows:

The survey employed the Heritage Council's habitat classification system and recorded habitats by features according to their ecological value (see Table 9.1). *Figure 9.1 and Map 9.1.4: Green Infrastructure Map* provides detailed information of the location and distribution of the various habitat types listed below.

### Typographical Error No. 20

Space formatting of Policy GI1 And Objective GI1.1, as follows:

#### Policy GI-1 - Green Infrastructure

GI-1 It is the policy of the Council to protect, enhance and further develop the Green Infrastructure network in Athy to provide a shared space for amenity, recreation and biodiversity to thrive and to strengthen links to the wider regional network.

**GI.1.11** Protect and enhance the existing character and setting along the route of the Barrow Blueway.

### Typographical Error No. 21

Amendment to Footnote No. 23 and Footnote No. 24 under Section 9.4 Strategic Open Space, as follows:

<sup>23</sup>Kildare County Council (~~August 2012~~ *September 2020*) 'Athy Social Infrastructure Audit', Table 15, page 34.

<sup>24</sup>The Kildare Open Space ~~s~~Strategy is currently being reviewed and expected to be completed by the second quarter of 2021.

**Typographical Error No. 22**

Amend text in Objective IO2.3 and IO2.5 in Chapter 10 Infrastructure and Environmental Services, as follows:

**IO2.3** Incorporate Sustainable ~~Urban~~-Drainage Systems (SuDS) and other nature-based surface water drainage solutions as part of all plans and development proposals in Athy. Priority shall be given to SuDS that incorporate green infrastructure and promote biodiversity including green roofs, walls and rain gardens. Proposals for all new residential developments and for the development of 'H' and 'Q' zoned employment lands must consider the potential for SuDS to control surface water outfall and protect water quality, with underground retention solutions only being considered when all other options have been exhausted.

**IO2.5** Require applicants, where necessary, to demonstrate that proposals will not negatively impact on any groundwater or surface water body and be compliant with the requirements of the Water Framework Directive and measures to protect and improve our water bodies set down in the River Basin Management Plan for Ireland 2018 – 2021 and future ~~€~~cycles of this Plan.

**Typographical Error No. 23**

Amend text under Section 10.3, as follows:

While it is noted that Athy is vulnerable to flooding particularly from the River Barrow (see Figure 10.1), large areas of the floodplains within Athy are currently not built upon. In light of the increasing risk and frequency of flooding due to climate change and the need to achieve resilience within the town to mitigate its effects this Plan has taken measures to ensure these lands remain undeveloped. Floodplains and wetlands subject to flooding are therefore recognised and preserved in the Plan to the maximum extent possible, in both urban and rural areas, as green infrastructure that provides a natural defence against flood risk. In recognition of this and in light of their additional value as ecological corridors, the Plan seeks to develop an integrated Green Infrastructure network which focuses on the waterbodies within Athy, namely the River Barrow and the Grand Canal. These measures are required under the Kildare County Council Climate Adaptation Strategy (2019 - 2024) and integrated throughout the plan (see Section 2.2). Areas susceptible to flooding are identified on **Map 2: ~~Athy~~ Strategic Flood Risk Map**.

**Typographical Error No. 24**

Amend text under Chapter 11, Table 11.4, as follows:

<p><b>Not Permitted (N)</b></p>	<p>Land uses which are indicated as 'Not Permitted' in the Land Use Zoning Matrix (see Table 11.45) will not be permitted.</p>
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**Typographical Error No. 25**

Amend text under Section 11.5 as follows:

**11.5 Land Use Zoning Matrix**

The land use zoning objectives for Athy are illustrated on **Map 6: Land Use Zoning Map** and should be read in conjunction with **Table 11.23** Land Use Zoning Objectives, **Table 11.34** Definition of Terms, and **Table 11.45** Land Use Zoning Matrix, below.

**Typographical Error No. 26**

Amend the following errors throughout Table 11.5 Land Use Zoning Matrix.

Amend Footnote No. 33, as follows:

<sup>33</sup>Ancillary to health/community use, and/or to meet special ~~accommodation needs~~ *needs housing*.

Amend the matrix table, as follows:

Group/Special <i>Needs Housing</i> <del>Accommodation</del> <del>Needs</del> <sup>35</sup>	Y	Y	Y	O	N	O	N	O	N	N	N
---	---	---	---	---	---	---	---	---	---	---	---

Amend Footnote No. 35, as follows:

<sup>35</sup> For further information on group/special *needs housing* ~~accommodation needs~~ refer to Section 4.4.1 of this Plan.

Amend the matrix table as follows:

Offices	Y	O <sup>37</sup>	O <sup>37</sup>	N	N	O	O	N	O	N	N
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Shop (Convenience)	Y	O <sup>38</sup>	O <sup>38</sup>	N	N	O <sup>39</sup>	N	N	O <sup>39</sup>	N	N
-----------------------	---	-----------------	-----------------	---	---	-----------------	---	---	-----------------	---	---