



# Chief Executive's Report on Submissions received to the Proposed Material Alterations to Draft Kildare County Development Plan 2023-2029

PLANNING DEPARTMENT  
14TH NOVEMBER 2022



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# PART 1 INTRODUCTION

Part 1 of this report outlines the statutory process for the preparation of the Chief Executive’s report; the purpose of the Chief Executive’s report; and an overview of the consultation process carried out for the Proposed Material Amendments to the Draft Kildare County Development Plan 2023-2029.

## 1.1 Legislative Context for this Report

In accordance with Section 12 (8) of the Planning and Development Act 2000 as amended (hereafter referred to as the Act), the Chief Executive is required to prepare a report on any submissions or observations received during the public consultation period and submit the report to the Elected Members for their consideration.

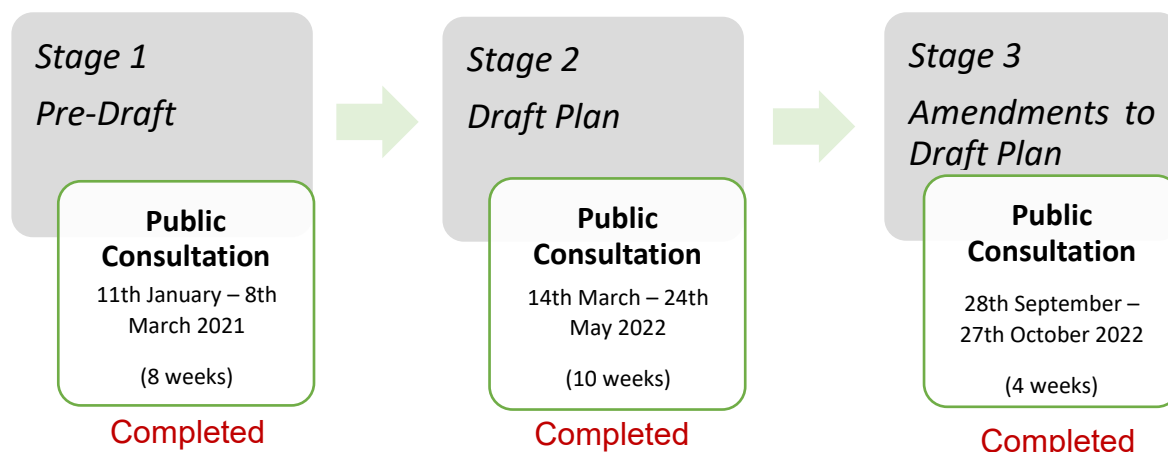
This report lists the persons or bodies who made submissions or observations with respect to the Proposed Material Amendments (PMAs) to the Draft Kildare County Development Plan 2023-2029 (as agreed with the Elected Members of Kildare County Council on 12<sup>th</sup> and 13<sup>th</sup> September 2022), provides a summary of the submissions made (relative to the various proposed material amendments) and the issues contained therein, gives the response of the Chief Executive with respect to the issues raised, taking account of the proper planning and sustainable development of the area, the statutory obligations of the local authority and all relevant policies or objectives of the Government or of any Minister of the Government. The report also summarises the issues and recommendations raised by the Office of the Planning Regulator (OPR) as well as detailing (in Part 1 of the report), where the various issues as raised by the National Transport Authority (NTA), Transport Infrastructure Ireland (TII) and the Office of Public Works (OPW) have been addressed in the report and the various PMAs to which they relate.

## 1.2 Purpose of this Report

The purpose of this report is to report on the submissions and observations received from the public and prescribed bodies during a 4-week consultation period that took place between the 28<sup>th</sup> of September and the 27<sup>th</sup> of October 2022, following the publication of the statutory notice.

## 1.3 Overview of Public Consultation

The Act sets out a number of key stages for the review of a County Development Plan. Each of these stages includes a period of public consultation as set out hereunder:



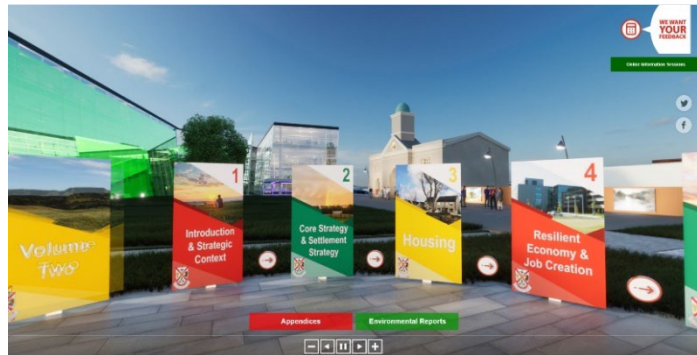
### Stage 2 – Public Consultation

In accordance with Section 12 (7)(a) of the Act, a public notice was published in the Irish Independent on the 28<sup>th</sup> of September 2022 informing the public of the publication of the Proposed Material Amendments to the Draft Kildare County Development Plan 2023-2029 and inviting members of the public to participate in the public consultation process during a 4 week period from 28<sup>th</sup> September to the 27<sup>th</sup> of October 2022. Furthermore,

- Notices were also published in the Leinster Leader, the Nationalist and the Liffey Champion.
- Regular messages were published on Kildare County Council's social media, e.g. Facebook, Twitter and Instagram.
- Notification was sent to all Elected Members and Kildare Oireachtas members.
- Notification was sent to all statutory authorities.
- Notification was sent to all members of the Kildare Public Participation Network (approx. 1200) and Kildare Comhairle na nÓg.

### ***Virtual Consultation Room***

A virtual consultation room of the Proposed Material Amendments to the Draft County Development Plan 2023-2029 were made available on the Kildare County Council website during the 4 week public consultation process. See image of the Virtual Consultation room alongside with the link to the Virtual Consultation room provided below:



<https://draftkildarecdp2023-2029.ie/>

### ***Bodies consulted***

In accordance with Section 12 (7) (a) of the Planning and Development Act 2000 (as amended), the Draft Plan and Public Notice was referred to the Office of the Planning Regulator, An Bord Pleanála and the prescribed bodies. For the purposes of preparing a Development Plan, Prescribed Authorities are set out in Article 13 of the Planning and Development Regulations 2001 (as amended).

### ***Submissions received***

In total, 266 submissions were received during the public consultation period. A full list of those who made submissions is included in Appendix C of this report.

## 1.4 Format of this Report

### PART 1

Sets out the requirements and legislative background of this report.

### PART 2

Summary of the submission received from the Office of the Planning Regulator and the Chief Executive's response and recommendation in relation to same, as well as a note in relation to where in the report the issues raised by the NTA, TII, IW and the OPW have been addressed.

### PART 3

Summary of the submissions received from Statutory Stakeholders, Members of the Public and Interest Groups and the Chief Executive's response and recommendation relative to the appropriate 'Proposed Material Amendment'.

### PART 4

Appendices to the CE Report

In Part 3 of this report, the submissions have been summarised and presented in the order that they appear in the Draft Plan under each chapter in Volume 1, under three distinct sections in Volume 2 and under the Appendices of the Draft County Development Plan as follows:

#### *VOLUME 1 – WRITTEN STATEMENT*

- Chapter 1: Introduction and Strategic Context
- Chapter 2: Core Strategy and Settlement Strategy
- Chapter 3: Housing
- Chapter 4: Resilient Economy & Job Creation
- Chapter 5: Sustainable Mobility & Transport
- Chapter 6: Infrastructure and Environmental Services
- Chapter 7: Energy & Communications
- Chapter 8: Urban Centres and Retail
- Chapter 9: Our Rural Economy
- Chapter 10: Community Infrastructure and Creative Places
- Chapter 11: Built and Cultural Heritage
- Chapter 12: Biodiversity and Green Infrastructure
- Chapter 13: Landscape, Recreation and Amenity
- Chapter 14: Urban Design, Placemaking and Regeneration
- Chapter 15: Development Management Standards
- Chapter 16: Monitoring and Implementation

## VOLUME 2

Small Towns  
Environs Plans  
Village Plans & Rural Settlements

## APPENDICES

- Appendix 2            Wind Energy Strategy
- Appendix 3            Open Space and Outdoor Recreation
- Appendix 5            Record of Monuments and Places
- Appendix 6            Record of Protected Structures
- Appendix 11          Single Rural Dwelling Density Toolkit



For the purposes of reading **PART 2 and PART 3** of this report please note the following:

- Where the Chief Executive shows existing text from the Draft Plan as is, this is shown in **BLUE**.
- Where the Chief Executive proposed amended and new text arising from the public consultation stage that followed publication of the Draft Kildare County Development Plan 2023-2029, this is coloured **RED** in this document.
- Where the Chief Executive proposed to delete text from the Draft Plan, this is shown as **STRIKETHROUGH**.
- Where changes are proposed arising from submissions received further to the recent public consultation of the 'Proposed Material Amendments' to the Draft Kildare County Development Plan 2023-2029, such changes are shown in **GREEN**.

## 1.5 Next Steps

The Elected Members now consider this Chief Executive's Report and will make the Kildare County Development Plan 2023-2029 at a Special meeting of Full Council on 9<sup>th</sup> December. In making the development plan, the members shall be restricted to only considering submissions that relate to any of the 'Proposed Material Amendments' as published on 28<sup>th</sup> of September 2022 and must consider the proper planning and sustainable development of the area to which the development plan relates, the statutory obligations of the authority and any relevant policies or objectives of the Government or any Minister of the Government.

Following the Full Council meeting of 9<sup>th</sup> December 2022, the adopted Kildare County Development Plan 2023-2029 will then come into effect on 28<sup>th</sup> January 2023 in accordance with Section 12 (17) and Section 251 of the Planning and Development Act 2000 (as amended).

**Note:** *It should be noted that in accordance with Section 12 (16) of the Planning and Development Act 2000 (as amended) a person shall not question the validity of the development plan by reason only that the procedures as set out under subsections (3) to (5) of section 11 and subsections (1), (4), (5), (6), (7), (8) and (9) of Section 12 were not completed within the time required under the relevant subsection.*

**PART 2 SUBMISSIONS FROM;**

- (I) THE OFFICE OF THE PLANNING REGULATOR,**
- (II) THE NATIONAL TRANSPORT AUTHORITY,**
- (III) TRANSPORT INFRASTRUCTURE IRELAND,**
- (IV) THE OFFICE OF PUBLIC WORKS &**
- (V) IRISH WATER**



## **PART 2 -**

### **Submission from the Office of the Planning Regulator & brief overview of where submissions from the National Transport Authority, Transport Infrastructure Ireland, Office of Public Works and Irish Water are addressed in this report**

The following sets out the Proposed Material Alterations where the Chief Executive is in agreement with the **Office of the Planning Regulator** and recommends that the PMA **not** be adopted by the Elected Members.

**Recommendation No. 1 Lackagh/Mountrice PMA No's. RS 1, RS 2, RS 3 and RS4** (Designation as a Rural Settlement)

**Note;** Consequential amendments to PMA No. RS 12 and PMA No. 2.21

**Recommendation No. 2.(i) (F) – Crookstown PMA No. V 26** (Zoning of additional lands for A; Village Centre)

**Recommendation No. 2.(i) (G) - Johnstownbridge PMA No. V 28** (Zoning of additional lands for C; New Residential)

**Recommendation No. 3 (ii) – Brownstown PMA No. RS 7** (Designation of additional lands for SS; Serviced Sites)

**Recommendation No. 3 (iv) – Kilberry PMA No. RS 10** (Designation of additional lands for settlement expansion) [Ref Recommendation 6 (ii) also]

**Recommendation No. 3 (vii) – Maganey/Levitstown PMA No. RS 14** (Zoning of additional lands for B; Existing Settlement)

**Recommendation No. 3 (viii) – Milltown PMA No. RS 15;** (Designation of additional lands for SS; Serviced Sites)

**Recommendation No. 6 (ii) – Kilberry PMA No. RS 10** (Designation of additional lands for settlement expansion) [Ref Recommendation 3 (iv) also]

**Recommendation No. 6 (iii) – Kill PMA No. ST 13** (Rezoning of lands from F; Open Space & Amenity to A; Town Centre)

**Note:** Please refer to the Chief Executives Response and Recommendation with respect to all other Recommendations and Observations included in the submission from the Office of the Planning Regulator. **Submission 249 refers.**

# Office of the Planning Regulator

## General

The Office of the Planning Regulator commends Kildare County Council for the extent of work which is evident from the Proposed Material Alterations and, in particular, the general consistency with policies in the NPF and the RSES (noting that changes are recommended to ensure consistency with both as well as Section 28 Guidelines), the updates to the draft Plan with respect to the Climate Action Plan 2021 and the commitment to prepare Local Transport Plans for each of the Local Area Plans as well as the general layout and presentation of the 'Proposed Material Alterations' document.

The submission references issues that were previously raised with respect to the draft Plan, relating to, inter alia, the approach to mid-tier settlements in the county settlement hierarchy with specific reference to Clane and notes that recommendations were also previously made with respect to the growth of certain settlements having regard to flood risk, wastewater treatment infrastructure constraints, compact growth and the sequential approach to development and the Office notes that there were a number of alterations proposed to address same, however, also noting that additional zonings have been proposed.

The Office states in their submission that the Plan should provide clear information regarding the shortfall or excess of residential zoned land to inform the forthcoming LAPs.

### **Chief Executives' Response**

With respect to the comment regarding the shortfall or excess of residentially zoned lands in LAPs and the suggestion that clear information should be provided, the following should be noted and read in conjunction with the response below regarding the evidence-based approach to Local Area Plan preparation in County Kildare.

Settlements across County Kildare present the plan-making process with a series of complex and unique challenges to provide the most appropriate future development strategy based on the requirements of the NPF, RSES and other national and regional policy while also respecting and understanding local matters such as infrastructural constraints both physical and more recently social. The LAPs prepared in recent years in County Kildare have taken a more detailed and evidence-based approach to policy formulation to support development strategies in these plans. These assessments are considered critical to justifying localised policies where a, perhaps, unconventional approach is required (Figure 7.2 of the NPF refers).

It should also be noted that due to the publication of the National Planning Framework in 2018 and the Regional Spatial and Economic Strategy in 2019 that Planning Authorities were precluded from reviewing LAPs until such time as the County Development Plan was aligned with the NPF through a statutory variation (June 2020). While Kildare County Council has prepared and adopted updated LAPs for Leixlip, Athy and Naas, with work ongoing on Kildare Town and Maynooth, it was

not possible to review all LAPs through the evidence-based approach to align these with the NPF. Therefore, without a full suite of assessments to inform these LAPs it is not possible to accurately determine the quantum of excess or shortfall residential lands in these settlements.

In this context, it is also of significant importance to note that a large number of sites within extant LAPs are heavily phased on the delivery of pieces of strategic infrastructure, for example

- Simmonstown (KDA) in Celbridge, zoned for new residential development, however, is fully dependent on the delivery of a new vehicular river crossing
- LIHAF lands at Railpark in Maynooth which are dependent on the delivery of the new road and bridge over the canal and railway
- Lands at Great Connell in Newbridge that are dependent on a new vehicular river crossing.

While it may be perceived that these lands are in excess of the short-term housing land requirement, it is critical that they are included in future development strategies to ensure that future housing is delivered in tandem with the provision of facilitating and enabling infrastructure.

KCC acknowledges that it may be preferable to include this level of detail in the CDP. However, it is considered prudent to take a tailored approach to each settlement at the time the specific local area plan is being prepared to ensure the most robust, up to date future development strategy for that particular settlement rather than identifying a quantum of lands at a specific moment in time. The Kildare Town LAP plan period will be 2023-2029, the Maynooth and Environs Joint LAP will be 2024-2030, the Core Strategy for these will be prepared on the basis of the data available at the time of publication.

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

No further change recommended.

## Settlement Hierarchy

The Office, in their submission, commends the Planning Authority for commissioning AIRO to prepare an assessment of the overall function and performance of Clane in order to provide an evidence-based approach to the designation of the settlement in the hierarchy with respect to the capacity of Clane to accommodate further growth. However, it is noted by the Office that, notwithstanding the Chief Executive's Report and the evidence presented in the AIRO report, the Elected Members did not accept the CE recommendation and as such the Office's concerns with respect to same were not addressed. This results in undermining the purpose of the core strategy and the settlement strategy which sets out the parameters for growth within the county and the spatial priorities for that growth. This is also inconsistent with the Act with respect to the promotion of sustainable settlement and transport strategies to address climate change. The Office advises that this will be considered in the context of the Offices' assessment of the final plan.

The Office also notes that there is no evidential basis for proposing the re-designation of the Tier 7 Rural Node Lackagh/ Mountrice as a Tier 6 Rural Settlement and further notes that two parcels of land have been identified that are located 1.3k apart with limited infrastructure provision at either location and recommendation 1 requires that **RS1, RS2, RS3 and RS4** are not adopted and that Lackagh/Mountrice be designated as a Rural Node.

### **Recommendation No. 1**

**Remove proposed amendments RS1, RS2, RS3 and RS4 that designate Lackagh/ Mountrice as a Tier 6 rural settlement**, having regard to National Policy Objectives NPO 3, NPO 15, NPO 16 and Section 4.2 '*Settlement Strategy*' and Section 4.3 '*Defining a Settlement Typology*' of the Regional Spatial and Economic Strategy, the range of social, community and retail services as well as capacities in service infrastructure such as footpaths, cycle lanes and public transport available.

### **Chief Executives' Response**

The matters raised in Recommendation 1 of the submission from the OPR are noted and agreed.

The lands identified in Lackagh/Mountrice are located ca. 1.3km apart, at locations which are deficient in physical infrastructure and services.

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

**Remove Proposed Material Alterations RS1, RS2, RS3 and RS4 (Lackagh/ Mountrice)**

## Local Area Plans

The submission from the OPR considers that the draft Plan should prioritise the review of LAPs, in particular for Clane and Kilcullen, to ensure that these plans, and their zoning objectives, align with the core strategy.

### Observation No. 1

The Planning Authority is advised to provide greater clarity and certainty for the public by introducing a minor modification to amend the wording proposed in PMA 2.11 (amending CSO 1.9 of the draft Plan) to make clear that where any objective of a LAP is no longer consistent with the development plan, the planning authority will as soon as may be (and no later than one year after the making of the development plan) amend the LAP to make it consistent.

### Chief Executive's Response

The request to prioritise the review of Local Area Plans for Clane and Kilcullen is noted.

At the outset it is important to highlight that it is a priority of Kildare County Council that all Local Area Plans for settlements in County Kildare are reviewed and updated (where appropriate) following the adoption of the County Development Plan. However, this must be considered against the backdrop of an ever-evolving national and regional planning policy and legislative context and the need to balance competing pressures within an increasingly complex system, none more so than the requirement for embedding climate action throughout our development strategies.

In this context, the Office of the Planning Regulator will be aware of the **significant** number of statutory local area plans required for settlements in County Kildare (12). The Office will also be aware of the substantial level of evidence-based assessments including but not limited to Urban Regeneration Frameworks (URFs), Local Transport Plans (LTP) as required by the RSES, Settlement Capacity Audits (SCA) as required by the Section 28 Guidelines for Development Plans, Social Infrastructure Audits, Architectural Conservation Area; Statements of Character, Green Infrastructure Mapping and more recently assessments to inform Nature-based Solutions to the Management of Rainwater and Surface Water Runoff in addition to the mandatory SEA/AA and SFRA that are undertaken by Kildare County Council to inform these LAPs. It is noteworthy that the Office has on a number of occasions highly commended Kildare County Council for the evidence-based approach taken to prepare these LAPs and have also referenced the Athy and Naas LAPs as best practice in local area plan-making.

It is noted that the Office has also previously requested that KCC prioritise the preparation of the Joint LAP (with Meath County Council) for the Key Town of Maynooth<sup>1</sup>. It is of fundamental importance to KCC that LAPs are robust and flexible to withstand unexpected societal and/or economic challenges which occur during the lifetime of these plans and respond to these. It is also imperative that they meet the

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<sup>1</sup> Page 5 of OPR submission to the Predraft Issues Paper 8<sup>th</sup> of March 2021

statutory requirements of the plan hierarchy by adhering to the provisions of the National Planning Framework, Climate Action Plan 2021, the Regional Spatial and Economic Strategy and that they are developed with broad-based community support and 'buy-in' from key stakeholders, including residents, Elected Members, statutory bodies, service providers and other sectoral interests.

While it is most certainly a priority for KCC to have an up-to-date portfolio of Local Area Plans for all large settlements across County Kildare, it is not practical or feasible to prioritise all of these while also adhering to the requirements of relevant national and regional policy with respect to Section 28 Guidelines and the preparation of LTPs, SCAs and all mandatory environmental assessment requirements.

KCC is in the process of reviewing and preparing Local Area Plans for Kildare Town, Maynooth and is at the background research stage for Newbridge. Once these are substantially progressed, KCC will initiate a further round of LAP reviews.

With respect to the Offices' request to include a minor amendment regarding the preparation of amendments to LAPs where they are no longer consistent with the CDP, the Council is therefore agreeable to include a footnote to require the Planning Authority to consider options for providing consistency.

With respect to the issue raised regarding how the target for 30% compact growth will be met, the Office is directed in the first instance to CSO 1.5 which highlights that it is a County Strategic Objective to *"Promote compact growth and the renewal of towns and villages through the development of underutilised town centres and brownfield sites, maintaining a 'live' baseline dataset and to monitor the delivery of population growth on existing zoned and serviced lands to achieve the sustainable compact growth targets of 30% of all new housing within the existing urban footprint of settlements"*.

The Office will also be aware that in the preparation of LAPs for settlements in County Kildare, the CSO settlement boundary is indicated on all Land Use Zoning maps to ensure the optimum % is located within this boundary. The future development strategies for these settlements are also supported and informed by bespoke Urban Regeneration Strategies which address local characteristics/features and opportunities and interact with the Local Transport Plans to include Core Regeneration Areas and Key Development Areas each with distinct site development briefs.

The Office will be aware that the approach undertaken to background research for the LAPs recently adopted in Kildare has indicated that in some cases, well in excess of the 30% can be achieved, with particular reference to the Athy LAP where 100% of the lands identified for new housing are within the CSO Boundary.

While such requirements may seem universally applicable/feasible in theory, they may not always be achievable in practice.

In this context, it is of importance to consider factors such as natural heritage features including rivers and canals and their riparian setbacks, existing road or rail

infrastructure, opportunities for nature-based solutions to SUDS, the existence of vital green infrastructure, Architectural Conservation Areas and/or other critical local characteristics and considerations. The Kildare County Development Plan has been drafted with a firm commitment to evidence-based planning, which is clear from the series of appendices which accompany the plan including the Open Space and Recreation Strategy, Wind Energy Strategy, Housing Needs Demand Assessment, the Rural Housing Report and the Core Strategy Methodology (which details 10 years of housing completions in the county). KCC regularly engages the expertise of external consultants including but not limited to AIRO to augment data to ensure a justified and data-driven approach to future development is employed.

Noting that the Office reiterates the importance of identifying “opportunity sites” in tier 4 settlements (Towns), attention is drawn to the Objectives Maps for the following towns where opportunity sites have been identified.

Rathangan Map ref; V2-1.5B and V2-1.5C (Volume 2)

Derrinturn Map ref; V2-1.2b (Volume 2)

Castledermot Map ref; V2-1.1B (Volume 2)

In addition to the Opportunity sites identified above and Core Regeneration Area/Key Development Area site development briefs referenced earlier in this report, Table 14.1 of the CDP details Kildare County Council’s Placemaking Mechanisms which range from Urban Design Framework/Urban Regeneration Framework and Town Renewal Masterplans. KCC also has a series of Masterplans for strategic sites over the lifetime of the Plan, to be undertaken in co-operation with relevant stakeholders which are listed in UD A2 of the CDP for details.

### **Chief Executive’s Recommendation**

To include, as a minor amendment, the following as a clarifying footnote to CSO 1.9

\* **Footnote**; Where any objectives of an LAP are deemed to be no longer wholly consistent with the County Development Plan, the Planning Authority, will, where practical, consider options regarding the initiation of a review and/or prepare a statutory amendment to the LAP.

## Land Use Zoning Amendments in Tier 4 & 5 Settlements<sup>2</sup>

The Office, in their submission, highlights serious concerns regarding a number of material amendments which zone additional lands in tier 4 and 5 settlements, often outside of the CSO boundary, and further from services and facilities in a manner which does not follow the policies and objectives to adopt a sequential approach to zoning for residential development under section 6.2.3 of the Development Plans Guidelines

### Recommendation No. 2

**Make the Plan without the following amendments** having regard to NPO 3c and NPO 18a, Section 6.2.1 and 6.2.3 of the Development Plans, Guidelines for Planning Authorities (2022) and section 10 (2) (n) of the Planning and Development Act 2000 (as amended);

(i)

- A. Amendment ST 20 Rathangan
- B. Amendment V 15 Allenwood
- C. Amendment V 16 Athgarvan
- D. Amendment V 22 Ballymore Eustace
- E. Amendment V 24 Coill Dubh/Coolearagh
- F. Amendment V 26 Crookstown
- G. Amendment V 28 Johnstownbridge
- H. Amendment V 33 Robertstown

(ii) the Planning Authority is required to include a minor modification to clarify that the lands identified as strategic reserve are generally not developable for housing within the lifetime of the Plan except under exceptional circumstances.

### Chief Executive's Response

(i)

#### **A. Proposed Material Alteration ST 20 Rathangan**

The Office recommends the Planning Authority to make the plan without PMA ST 20 Rathangan.

The comments with respect to Proposed Material Alteration (PMA) ST 20 are noted, however, the lands are located immediately adjacent to existing residential development at a location which is proximate to the town centre. This PMA also includes a Special objective for the delivery of Age Friendly housing/nursing

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<sup>2</sup> Note clarification from OPR 2/11/2022



home/retirement village to the east which is critical in terms of the delivery of appropriate housing types across all settlements.

The Kildare Age Friendly Strategy reports that the ageing of our population from this point onwards will represent one of the most significant demographic and societal developments and challenges that Ireland has encountered.

The Housing Need Demand Assessment carried out to inform this CDP highlights that “According to Census 2016, there were 22,104 people over 65 living in Kildare in 2016, representing 10% of the county’s population, but more significantly, the figure represented a 32.2% increase in that cohort of the population from the 2011 census”. The HNDA Data Source (DoHPLG) provides a projection per annum to 2040 for the population over the age of 65 years for each local authority. The projection is based on the NPF 50:50 City population growth scenario and is as per the ESRI population projections reported in the ESRI December 2020 publication ‘Regional demographics and structural housing demand at a county level’. Table 70 of the HNDA shows the actual figures from Census 2006, 2011 and 2016 followed by the projected growth figures for 2026, 2031 and 2040. The table suggests that by 2031, 16% of the population of County Kildare will be over the age of 65 years, with this rate increasing to 21% by 2040.

In real terms, table 70 indicates that the number of people over the age of 65 in County Kildare in 2031 will be 93% higher than in 2016; and that the number of people over the age of 65 in County Kildare in 2040 will be 167% higher than in 2016. The aging profile of the population has considerable implications for public policy areas such as housing, health, urban and rural planning, transport, policing, the workplace and the business environment.

The ‘Housing Options for Our Ageing Population Policy Statement’, jointly published in 2020 by the Department of Housing, Planning and Local Government and the Department of Health, recognises the need to plan ahead to meet the accommodation needs of an ageing Ireland.

This Policy Statement supports the development of housing and services on centrally located sites within urban areas as research shows that good quality, well connected, urban centres with a range and choice of housing tenures and types actively supports ageing in place. This type of approach ensures older people can choose housing that is appropriate and responsive to more complex needs, enable them to enjoy more active, healthy and socially connected lives and to age healthily and safely within their community. Simultaneously, the HNDA and other relevant policy documents recognise that older people contribute a wealth of skills and experiences that enhance all of our communities bringing significant value across the generations.

It is therefore critical that local authorities plan for this and make adequate provision for Age Friendly and/or Intergenerational schemes that are integrated into existing communities/new housing schemes, which avoids the threat of demand for these facilities at locations which are either rural or remote from essential social facilities

and also negates the risk that the aging population would have to move from their own communities.

### **B. Proposed Material Alteration V 15 Allenwood**

The Office recommends the Planning Authority to make the plan without PMA V 15 Allenwood.

The lands which are the subject of PMA 15 in Allenwood make provision for the delivery of serviced sites in accordance with NPO 18b of the national Planning Framework.

Attention is drawn to the level of rural development which is evident in the environs of the village of Allenwood, with significant levels to the northeast, south and southwest. The overall purpose of the serviced sites scheme, under which this site may come forward, is to provide a sustainable alternative to rural housing, where under NPO 18b of the National Planning Framework it was acknowledged that many people seek the opportunity to build their own homes. NPO 18b sets out to “Develop a programme for ‘new homes in small towns and villages’ with local authorities, public infrastructure agencies such as Irish Water and local communities to provide serviced sites with appropriate infrastructure to attract people to build their own homes and live in small towns and villages”.

The designation of these lands, which are adequately serviced, appropriately located and contiguous to the existing settlement align with this objective and KCC is currently in the final stages of the preparation of a Serviced Sites Scheme which will, where applicable, provide a platform for leverage of funding through the Housing for All, Croí Cónaithe (Towns) fund.

### **C. Proposed Material Alteration V 16 Athgarvan**

The Office recommends the Planning Authority to make the plan without PMA V 16 Athgarvan.

While the concerns of the Office are noted, attention is drawn to PI Ref 19/117 under which planning permission was granted for 95 dwelling units. Having regard to the planning history associated with the subject lands therefore, it is considered practical and reasonable to amend the Athgarvan settlement plan to acknowledge and align with existing live planning permissions.

### **D. Proposed Material Alteration V 22 Ballymore Eustace**

The Office recommends the Planning Authority to make the plan without PMA V 22 Ballymore Eustace.

While the concerns of the Office are noted, of particular importance when considering PMA V22 is PMA V20 where it is proposed to amend the Ballymore

Eustace zoning map to indicate 'Under Construction' on the only two parcels of land in the village proposed to be zoned 'C' (New Residential) to acknowledge the construction works now underway, some of which are nearing completion. There are no further 'New Residential' sites identified within the village of Ballymore Eustace for the period of the Plan and therefore the lands which are the subject of 'V 22' lands should be included in order to ensure continuity of housing supply over the plan period at a location which is proximate to the village centre and necessary social and physical infrastructure. Furthermore, there are adequate water and wastewater facilities as well as numerous community amenities including inter alia, a primary school, church, community hall, riverside walk (a 5k looped walkway which incorporates this riverside walk traverses the subject lands), convenience shop, pubs, a restaurant, cafes and a public transport route (served by Dublin City bus route no. 65). The lands proposed are also subject to a site-specific objective requiring the integration of the existing trees and looped walk into any future scheme, in addition to an archaeological impact assessment. It is therefore considered appropriate and in accordance with proper planning and sustainable development to include the subject lands within the Ballymore Eustace village boundary (PMA V 9 should be noted in this regard).

#### **E. Proposed Material Alteration V 24 Coill Dubh/Cooleragh**

The Office recommends the Planning Authority to make the plan without PMA V 24 Coill Dubh/Cooleragh.

While the concerns of the Office are noted of particular importance when considering PMA V24 is PMA V20 where it is proposed to amend the Coill Dubh/Cooleragh zoning map to indicate 'Under Construction' on part of the lands zoned C; New Residential to acknowledge the construction works now underway, some of which are nearing completion. There are no further 'New Residential' sites identified within the village of Coill Dubh/Cooleragh for the period of the Plan and therefore the lands which are the subject of 'V 24' should be included in order to ensure continuity of housing supply over the plan period at a location which is proximate to necessary social and physical infrastructure and where the pressure on the surrounding countryside for one off housing could be more sustainably addressed.

#### **F. Proposed Material Alteration V 26 Crookstown**

The Office recommends the Planning Authority to make the plan without PMA V 26 Crookstown.

Noted and agreed.

Having regard to the undeveloped 'A' zoned lands in the centre of Crookstown as well as PMA V 25 which proposes to amend the zoning of lands to the north of the village from 'E' (Community and Educational) to 'A' (Village Centre) it is considered that there are sufficient lands to cater for 'Village Centre' type needs of Crookstown during the plan period. Furthermore, it should be noted that a local survey of the

village in 2021 carried out to inform the CDP settlement plan, ascertained that Crookstown had a population of 121 persons within the village boundary. No evidence has been presented to consider the zoning of the subject lands as necessary to meet either the needs of the existing or future population of Crookstown or the surrounding local catchment area. It is therefore considered premature to zone the subject lands at this time.

### **G. Proposed Material Alteration V 28 Johnstownbridge**

The Office recommends the Planning Authority to make the plan without PMA V 28 Johnstownbridge.

Noted and agreed.

It is an objective of the Draft Plan under JV JB3 to consolidate the village centre by way of infill development, appropriate and sensitive backland development and redevelopment. This approach promotes compact growth, climate mitigation and sustainable development in line with national and regional policy. There are numerous parcels of land identified as 'A' (Village Centre) that remain undeveloped within the Johnstownbridge village boundary that have the capacity to accommodate new residential and/or mixed-use development. Furthermore, lands to the north of the subject lands (identified as an Opportunity Site) would further achieve the consolidation of the village to align with national and regional objectives with respect to compact development of centrally located brownfield and infill sites prior to the consideration of greenfield lands for development.

### **H. Proposed Material Alteration V 33 Robertstown**

The Office recommends the Planning Authority to make the plan without PMA V 33 Robertstown.

While the recommendation of the Office is noted, attention is drawn to a number of local considerations with respect to the provision of any new residential zoning in the Draft Plan and the capacity of the existing social and physical infrastructure in Robertstown.

It should be noted that while there is potential, albeit limited, for some elements of residential infill within the existing settlement boundary, the inclusion of the new residential land are immediately contiguous to the existing settlement where there is available capacity in both the water and wastewater networks and social infrastructure including, inter alia, a primary school, sporting facilities, convenience shop, post office, garda station, credit union, pubs and café, provides a sustainable alternative to rural housing while consolidating and supporting the rural community of Robertstown.

(ii) Amend Table 2.2 'Small Town Land Use Zoning Objectives' to clarify (Kill) Strategic Reserve land uses.

Noted and agreed

Chief Executive's Recommendation

- (i) **A. To accept Proposed Material Alteration ST 20 (Rathangan)**
- B. To accept Proposed Material Alteration V 15 (Allenwood)**
- C. To accept proposed Material Alteration V 16 (Athgarvan)**
- D. To accept proposed Material Alteration V 22 (Ballymore Eustace)**
- E. To accept proposed Material Alteration V 24 (Coill Dubh/Coolearagh)**
- F. Not to accept Proposed Material Alteration V 26 (Crookstown)**
- G. Not to accept Proposed Material Alteration V 28 (Johnstownbridge)**
- H. To accept proposed Material Alteration V 33 (Robertstown)**

(ii) **To Amend Table 2.2 'Small Town Land Use Zoning Objectives' to add the following text;**

The lands identified as Strategic Reserve are generally not developable for housing within the lifetime of the Plan except in exceptional circumstances, where the onus will be on the applicant to demonstrate such exceptional circumstances to the satisfaction of the Planning Authority.

## Tier 6 Rural Settlements

The Office notes that the housing numbers provided for in the 19 rural settlements substantially exceeds what is allocated for same which has the potential to undermine wider plan objectives and the core strategy to achieve compact growth and sustainable development of rural areas. Concerns remain in relation to the extent of land included within the rural settlement areas relative to the housing supply targets and the local characteristics of these settlements.

### Recommendation No. 3

**The Planning Authority is required to make the Plan without the following amendments** having regard to national policy objectives NPO 3c and NPO 15 and the draft Plans core strategy objectives CSO 1.1, CSO 1.2 and HO 09;

RS 6 Brannockstown

RS 7 Brownstown

RS 9 Cutbush

RS 10 Kilberry (also referenced in Recommendation No. 6 below).

RS 11 Kiltel

RS 13 Maganey/ Levitstown

RS 14 Maganey/ Levitstown

RS 15 Milltown

RS 17 Nurney

### Chief Executive's Response

#### **(i) Proposed Material Alteration RS 6 Brannockstown**

The Office recommends the Planning Authority to make the plan without PMA RS 6 Brannockstown.

This Proposed Material Alteration provides for a rationalised settlement plan for the village of Brannockstown to amend a land use designation from 'B' (Existing Settlement) to 'SE1' (Settlement Expansion) and was intended to integrate an otherwise 'island' designation within a larger 'SE1' designation surrounding it which would provide for greater flexibility with respect to the overall development of the subject lands and allow for a more coherent planning approach.

#### **(ii) Proposed Material Alteration RS 7 Brownstown**

The Office recommends the Planning Authority to make the plan without PMA RS 7 Brownstown.

Noted and agreed.

Map V2 - 4.6 of the Draft Kildare County Development designates a centrally located infill site in Brownstown for the delivery of serviced sites. HO O53 of the Draft Plan states that it is an objective of the Council to “Identify a series of pilot project sites (private and local authority owned lands) for the initiation of a “County Kildare Serviced Sites Initiative” and progress their delivery.

The designation of a further site is not considered appropriate at this time.

### **(iii) Proposed Material Alteration RS 9 Cutbush**

The Office recommends the Planning Authority to make the plan without PMA RS 9 Cutbush.

The Offices’ attention is drawn to PI. Ref 20/1175 under which planning permission was granted for a residential scheme of 12 units. This development was designed as the initial phase of a two-phase scheme in keeping with the settlement boundary of the current Plan. The scheme permitted was designed with the provision of roads, footpaths, green areas and services for future houses and is currently being developed. Having regard to the planning history associated with the subject lands it is considered appropriate to include the lands subject of RS 9 within the settlement boundary for Cutbush and to identify same as ‘SE1’ (Settlement Expansion).

### **(iv) Proposed Material Alteration RS 10 Kilberry**

The Office recommends the Planning Authority to make the plan without PMA RS 10 Kilberry.

Noted and agreed. The SFRA Addendum report identifies the subject lands as at risk of flooding, therefore residential uses are “Highly Vulnerable” and are not considered appropriate at this location.

### **(v) Proposed Material Alteration RS 11 Killeel**

The Office recommends the Planning Authority to make the plan without PMA RS 11 Killeel.

While the recommendation of the Office is noted, consideration of the particular circumstances of these lands (marked A on Map ref V2 - 4.1) is critical. The lands which are the subject of PMA RS 11 are located immediately adjacent to an existing housing scheme (to the east) and the physical infrastructure to service the proposed site currently exists including roadway/footpaths etc. It is therefore considered practical to make provision within the settlement plan for a minor extension to the settlement boundary to facilitate the completion and delivery of the permitted units.

**(vi) RS 13 Maganey/ Levitstown**

The Office recommends the Planning Authority to make the plan without PMA RS 13 Maganey/Levitstown.

Permission for 4 dwelling units was granted under planning reference 19/822 which relates to the subject lands, and it is considered reasonable to include the subject lands in order to align with an extant planning permission.

**(vii) RS 14 Maganey/ Levitstown**

The Office recommends the Planning Authority to make the plan without PMA RS 14 Maganey/Levitstown.

Noted and agreed.

The subject site is located to the east of the railway line, at a remove from the boundary of Maganey. To identify this site as 'Existing Settlement' and within the settlement boundary, would set an undesirable precedent for further sporadic development at locations which are remote from existing developments and essential services.

**(viii) RS 15 Milltown**

The Office recommends the Planning Authority to make the plan without PMA RS 15 Milltown.

Noted and agreed.

The subject lands are located 750m from the crossroads in Milltown where lands are proposed to be designated as 'Settlement Expansion' (6.2ha) and 'Serviced Sites' (2ha) both of which are contiguous to the 'Settlement Core' area. The proposal to include the designation of the RS 15 lands to the east of Milltown would not comply with core national and regional planning principles of compact growth, would encourage car-based travel and would be contrary to the proper planning and sustainable development of Milltown.

**(ix) RS 17 Nurney**

The Office recommends the Planning Authority to make the plan without PMA RS 17 Nurney.

While the recommendation of the Office is noted, attention is drawn to PMA V3 to amend policy V GP 2 in section V2 3.1.4 as follows: "Facilitate sustainable population growth in the identified villages with growth levels of up to 25% over the Plan period" and therefore acts as a management tool to ensure the sustainable growth of all villages across County Kildare. It should also be noted that Irish Water



has confirmed that the upgrade of the Nurney Wastewater treatment Plant will take place under the IW Small Towns and Villages programme.

Chief Executive's Recommendation

- (i) **To accept Proposed Material Alteration RS 6** (Brannockstown)
- (ii) **Not to accept Proposed Material Alteration RS 7** (Brownstown)
- (iii) **To accept Proposed Material Alteration RS 9** (Cutbush)
- (iv) **Not to accept Proposed Material Alteration RS 10** (Kilberry)
- (v) **To accept Proposed Material Alteration RS 11** (Kilteel)
- (vi) **To accept Proposed Material Alteration RS 13** (Maganey/ Levitstown)
- (vii) **Not to accept Proposed Material Alteration RS 14** (Maganey/ Levitstown)
- (viii) **Not to accept Proposed Material Alteration RS 15** (Milltown)
- (ix) **To accept Proposed Material Alteration RS 17** (Nurney)

## Tiered Approach to Zoning

The Office notes that a number of proposed amendments in Volume 2 associated with the Tier 4, 5 and 6 settlement plans state that upgrading of the wastewater treatment plant networks are necessary however no clear timeline has been provided for these upgrades to justify the consideration of these lands as being serviceable within the lifetime of the Plan. The detail provided in the infrastructure assessment of the draft Plan does not reflect the standardised approach set out in the Development Plan Guidelines or Appendix 3 of the NPF.

### Recommendation No. 4

The Planning Authority is required to insert a footnote in new objective CSO 1.18 to state 'detailed infrastructure assessments, consistent with NPO 72 and the methodology for a Tiered Approach to Zoning under Appendix 3 of the NPF, and Settlement Capacity Audits under Appendix A of the Development Plans, Guidelines for Planning Authorities (2022) will be prepared to inform the development strategy for future Local Area Plans in the county'.

### Chief Executive's Response

The Office will be aware that KCC has, as standard practice, since the publication of the NPF, prepared detailed infrastructure assessments known as *Sustainable Planning and Infrastructural Assessments* to inform LAPs for Leixlip (2019), Athy (2020) and Naas (2020) in accordance with NPO 72 and the methodology for a Tiered Approach to Zoning under Appendix 3 of the NPF which preceded the Development Plan Guidelines for Planning Authorities (2022).

The Office can be assured that such assessments will continue to be prepared for LAPs in County Kildare as a matter of course and will in future be referred to as Settlement Capacity Audits.

### Chief Executive's Recommendation

Include a footnote in new Objective CSO 1.18 (related to PMA 2.16) to read as follows;

'Detailed infrastructure assessments, consistent with NPO 72 and the methodology for a Tiered Approach to Zoning under Appendix 3 of the NPF, and Settlement Capacity Audits under Appendix A of the Development Plans, Guidelines for Planning Authorities (2022) will continue to be prepared to inform the development strategy for future Local Area Plans in the county'.

## Employment Lands

The Office has concerns in relation to the proposed new land use zonings at Ladytown Business Park where the 'island' of 'Industry and Warehousing' zoned land, surrounded by agricultural/ rural land is in a location that provides for greenfield development outside rather than within the existing built-up areas of Naas and Newbridge settlements.

The submission from the OPR notes that the draft Plan already provides 119 hectares of undeveloped enterprise and employment lands before the enterprise and employment zoning at Ladytown is added in, in a location that is poorly served by public transport.

The rezoning of the subject lands is also considered premature until such time as Action RE A1 of the draft Plan is realised which sets out to 'undertake an evidence-based assessment together with LEO, Enterprise Ireland and the IDA to inform the location of strategic employment sites throughout Kildare'.

### Recommendation No. 5

**The Planning Authority is required to make the Plan without the following amendments** having regard to NPO 11, RSES 6.1, Section 6.2.5 of the Development Plans, Guidelines for Planning Authorities (2022) and the implementation of objectives to promote sustainable settlement and transport strategies under 10(2)(n) of the Act;

- (i) EN5 to add a new site-specific objective as LE O3 (Ladytown) in Section 2.7 (Vol 2)
- (ii) EN7 to amend Ladytown Environs Plan to zone lands H3 Industry/ Warehousing

### Chief Executive's Response

While the comments from the Office of the Planning Regulator are noted KCC would urge the Office to consider the proposed zoning at Ladytown having regard to a number of factors as follows;

Section 2.15 of the Draft Plan sets out in detail the Naas to Newbridge Strategic Economic and Employment Zone. The Newbridge to Naas corridor is seen as a Strategic Economic Zone in the centre of the County, comprising the Tougher Industrial Estate and the industrial zone on the northern end of Newbridge. The area comprises global names such as Pfizer Pharmaceuticals, DSV and a number of hyper scaled distribution centres including the Lidl Regional Distribution Centre, the Barola/Primark Distribution Centre with a 68,000 square metre facility (with national and international distribution planned) and Dr Pepper.

The overall area is strategically located at the confluence of the M7 and M9. The Industrial Development Authority (IDA) has also acquired a strategic bank of land in the zone, which will over time see the Ladytown area linked back into Newbridge. While only a portion of the IDA landholding is zoned, it is the intention of the Council to work with the IDA and other relevant stakeholders should any new Foreign Direct

Investment company express an interest to establish a strategic employer in the County. The long-term vision for this area between Naas and Newbridge is for two dynamic and vibrant town centres linked by a strong economic corridor focused on the eastern side of the R445. Each town will offer a wide range of retail, commercial, leisure, social and cultural enterprises and civic amenities (civic squares/public realm interventions) and a vibrant evening economy sustaining a strong residential base that will be served by a future DART service (electrification of the rail line from Sallins to Newbridge).

This will evolve over many years – well beyond the lifetime of this County Development Plan. However, what is critical during the lifetime of this plan (and subsequent plans) is that there is an avoidance of haphazard industrial units, sporadically located on either end of the corridor or at either side of the R445. The focus for this plan period will be to concentrate on the Newbridge end of the corridor linking back up to Tougher. The vision will be to provide a higher end profile - i.e. offices and/or strong architectural and landscape treatment - with more consistent building lines along the east side of the R445 (Newbridge to Naas Road), with more 'big box' developments (i.e., logistics, warehousing and possibly data centres) to the rear (further east). The development of the area will be underpinned by an Urban Design Framework, identifying key landscape/heritage features to be retained, indicative areas for strategic and sustainable urban drainage systems (SUDs), key road linkages/circulation routes and indicative urban design treatments (landscaping and building lines).

Ladytown is a very substantial landbank and is home to a significant number of employers with notable interest from a number of others. In this regard, a total of 92 employment units of varying sizes are operational.

A new link road has recently been constructed to the west of the subject lands with the roundabout, from which access to these lands would be possible, located less than 500m away. Creating a direct link to Ladytown would ultimately create a link to the Industrial and Warehousing zonings at Newbridge with the Lidl Distribution Centre located immediately to the west of this roundabout.

While the concerns of the Office are noted with respect to the location of the subject lands being remote from high quality public transport, it should be noted that a bus stop is currently in situ to the north-east along the R445, adjoining and facilitating the 'Ladytown Business Park' lands.

To enhance the sustainable travel offer to and from these employment lands, there are a number of stated objectives within the Draft Plan that, when realised, will improve public transport and cycling facilities in particular;

*TM O10 'It is an objective of the Council to facilitate and secure the delivery/implementation of the public transport regional corridor proposals that relate to County Kildare and the County Kildare local route proposals as identified within the NTA's 'The Connecting Ireland Rural Mobility Plan' (November 2021), specifically prioritising the proposed new local route from Naas to Newbridge'*

and

TM O11 *'It is an objective of the Council to investigate the feasibility of developing high-quality, suitable, safe and sustainable cycle pathways*

*(ii) between Naas and Newbridge*

Furthermore, the subject lands are located less than 4km from Newbridge train station where there is potential to provide a rail link from the station to Ladytown in consultation with Irish Rail and the NTA given the significant employment base at this location. The development of same is part of a larger, overall vision for the future employment of a strategic landbank between Ladytown and Newbridge and would strengthen the links between both. A similar model is already in place between the nearby Kildare Village and the Kildare Town Train Station.

Having regard to the above therefore it is considered appropriate to accept the proposed material alteration to the west of Ladytown.

Chief Executive's Recommendation

Not to accept Recommendation No. 5 as set out above

## Rail Station at the Curragh

The Office welcomes a number of policies and objectives in the Plan which support modal shift, compact growth, decarbonising transport and the transition to more sustainable travel modes as well as the Plans' consistency with national and regional transport policies. The Planning Authority is also commended for amendments to a number of policies to reflect the requirements of the Spatial Planning and National Roads Guidelines for Planning Authorities (2012) and the amendments to TM A2 to reference the ABTA Guidelines.

While the Office acknowledges the planning authority's ambition for a new station serving the Curragh, it is noted that this infrastructure project is not included in the NTA's Draft Transport Strategy for the Greater Dublin Area 2022-2042.

### **Observation No. 2**

Having regard to the need to ensure that the CDP is consistent with the GDA Transport Strategy 2022-2042, the Planning Authority is advised to review amendment No. 5.43 which 'investigates the feasibility of a new train station at the Curragh' and acknowledge any decision to develop a new rail station will be progressed by the NTA in conjunction with Irish Rail.

### Chief Executive's Response

While the comments of the Office are noted, KCC acknowledges that this is ambitious however, the objective is to "investigate the feasibility of a new train at the Curragh". Should same be feasible, it may be included in future GDA Transport Strategies.

### Chief Executive's Recommendation

Amend the proposed new objective TM O45 (related to PMA 5.43) to read as follows;

'Investigate the feasibility of a new train station at the Curragh in consultation with **the NTA and** Irish Rail'.

## Flood Risk Management

The Planning Authority is commended for the inclusion of proposed amendment MA 7.3 to revised Action EC A1 in relation to the preparation of a Climate Action Plan for County Kildare and a number of amendments to ensure consistency with the Climate Action Plan 2021.

The Office welcomes the Planning Authority's updates to the Strategic Flood Risk Assessment and the decision of the Planning Authority to include a number of amendments to rezone lands identified as within a flood risk zone to water compatible uses such as Open Space.

The Office notes with concern that a number of material amendments have been proposed for the zoning of lands at risk of flooding for vulnerable or highly vulnerable uses in Castledermot, Kilberry and Kill which have not passed the Justification Test.

### Recommendation No. 6

**The Planning Authority is required to make the Plan without the following material amendments in Volume 2** having regard to NPO 57 and to the provisions of The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009);

(i) ST 4 Castledermot

(ii) RS 10 Kilberry (also referenced in Recommendation No. 3 above).

(iii) ST 13 Kill

(iv) The Planning Authority may consider making the Plan with proposed amendment V 27 Johnstown subject to a minor modification to state that *'the use or development of the lands will not cause unacceptable adverse flood risk impacts elsewhere'*.

### Chief Executive's Response

#### **(i) ST 4 Castledermot**

ST 4 proposes to amend a land use zoning from 'F' (Open Space and Amenity) to 'C' (New Residential). However, it is important to note that ST 4 and ST 5 are interdependent and should be read together. ST 5 relates to the 1.5ha site identified as 'New Residential' in the draft Plan as well as the parcel of land related to ST 4, immediately south of same. Furthermore, Proposed Material Alteration No. ST 5 makes provision for a new site-specific objective (ST C24) which reads as follows;

Any development of the 'C' zoned lands identified within the yellow boundary on Map V2-1.1A [which incorporates lands being subject to ST 4 & ST 5] shall incorporate a 10m 'open space/amenity' buffer either side of the stream that runs in a north-south direction through the subject lands. Where a 10m buffer cannot be satisfactorily achieved, for stated reasons, compensatory open space for the quantum of open space that cannot be provided, shall be provided at an alternative, suitable, central location to be agreed with the Planning Authority noting that in accordance with Section 2.1.6, lands within the flood zone area must be accompanied by a site-

specific flood risk assessment. There shall be no requirement for any additional open space to be provided on the lands outlined in yellow, in addition to the open space as required above.

**(ii) RS 10 Kilberry**

Noted and agreed. See also recommendation 3 above.

**(iii) ST 13 Kill**

Noted and agreed.

**(iv) V 27 Johnstown**

Noted and agreed.

Chief Executive's Recommendation

**(i) To accept Proposed Material Alteration ST 4 (Castledermot)**

**(ii) Not to accept Proposed Material Alteration No. RS 10 (Kilberry)**

**(iii) Not to accept Proposed Material Alteration No. ST 13 (Kill)**

**(iv) Include a new footnote to V2 3.9.1 Johnstown (Volume 2) to read as follows;**

A site-specific Flood Risk Assessment (FRA) shall be required as part of any development proposal with respect to lands zoned 'Q' to the south of Johnstown. This FRA shall clearly demonstrate that there shall be no adverse flood risk impacts arising from any development of the subject lands.'



## Record of Protected Structures

The Office notes that a number of amendments are proposed to the Record of Protected Structures including three deletions. There is no structure address, photographs and/or analysis provided for same. The Office is not satisfied that a sufficient evidence-based rationale for the intended deletions has been provided.

### Recommendation No. 7

**The Planning Authority is required to provide additional details to indicate that the planning authority considers the following properties have lost their special interest or that the special interest value was mistakenly attributed in accordance with Section 2.7 of the Architectural Heritage Protection Guidelines for Planning Authorities (2011);**

- (i) Hillford House (PPS 21)
- (ii) Knockaphuca House (PPS 28)
- (iii) Cope Bridge (PPS 20)

**Where a clear evidence-based rationale cannot be provided the planning authority is required to make the Plan without the relevant material amendment.**

### Chief Executive's Response

#### Hillford House

The proposed inclusion of Hillford House, Leixlip through the County Development Plan process was identified as an appropriate means by which to update the RPS to reflect the status of Hillford House as a building of historical significance.

However, **as noted in the Chief Executives Report dated July 2022** (Page 1428/1429) on the Draft Plan issues have arisen in relation to the service of notices around the proposed inclusion of Hillford House onto the County Kildare Record of Protected Structures. In order to protect the integrity of the County Development Plan process it was not proposed to include Hillford House onto the Record of Protected Structures at this time. Notwithstanding these issues, the Chief Executives Report is explicit in stating that KCC will initiate a Section 55 process in accordance with the provisions as set out in the Planning and Development Act 2000 (as amended), as soon as is practicable.

#### Knockaphuca House

Since the publication of the Draft Plan a detailed assessment of Knockaphuca House has been undertaken by the Architectural Conservation Office of Kildare County Council. This assessment indicates that there have been extensive alterations to the structure since the house was built in the 19<sup>th</sup> century. Extant historic fabric is limited

to its external stone walls which themselves have been significantly altered. The historical layout has also been altered beyond recognition. Having regard to the foregoing, Knockaphuca House is no longer considered to be of special interest from an architectural, historical, archaeological, artistic, cultural, scientific, social or technical point of view.

### **Cope Bridge**

The DART+ West project is of national and regional strategic importance and plays a critical role in facilitating a modal shift towards the use of sustainable public transport by providing an alternative to the private car. It is also noteworthy that a submission received from Iarnród Éireann requests that the bridge is not added to the Protected Structures list on the grounds of safety, maintenance and the future electrification of the Dublin-Maynooth railway line as proposed under the DART+ West Project, which is imminent, and for which a design is currently being progressed. Kildare County Council Roads and Transportation Department has also expressed acute concern with respect to the safety of road users at Cope Bridge which is currently an extremely narrow single lane heavily trafficked bridge which connects the north Kildare area of the MASP to west Dublin.

While Kildare County Council recognises and acknowledges the heritage significance of Cope Bridge, it is considered appropriate to remove Cope Bridge from the list of proposed Protected Structures to ensure safety for all road users.

### Chief Executive's Recommendation

- (i) **Not to include Hillford House on the RPS** at this time and to initiate a Section 55 process in accordance with Sections 54 & 55 of the Planning and Development Act 2000 (as amended) as soon as is practicable
- (ii) **Not to include Knockaphuca House on the RPS**
- (iii) **Not to include Cope Bridge on the RPS**

### **National Transport Authority (NTA) – Submission No. 118**

A summary of the commentary/recommendations related to PMA's are included in the relevant chapters that each PMA relates to, as well as the Chief Executive's response and recommendations.

The submission from the National Transport Authority (NTA) notes the incorporation of the majority of its substantive recommendations made at the Draft Development Plan stage, including: 1) Further reference to LTPs being prepared in conjunction with LAPs; 2) Reference to the Draft GDA Cycle Network, published alongside the Transport Strategy for the Greater Dublin Area 2022-2042; 3) Reference to the National Cycle Manual; 4) Objectives relating to removing reliance on the use of kissing gates; and 5) Objectives relating to the need to protect the strategic transport function of the national roads. In addition, the NTA specifically welcomes PMA Nos. 2.16, 4.3, 4.9, 5.23, 5.27, 5.9, and 5.16. The submission makes a series of recommendations (5) with respect to PMA Nos. 2.11, 2.12, 4.67, 4.68, 5.18, 5.19, 5.20, 5.21, 5.10, 5.49 and 5.78. Regarding PMA No. 5.43, it is stated that the NTA has no objections to the carrying out of feasibility studies, but notes that there are no plans in the current Transport Strategy for the GDA or in the Draft Transport Strategy for the development of a rail station at the Curragh.

### **Transport Infrastructure Ireland (TII) – Submission No. 133**

A summary of the commentary/recommendations related to PMA's are included in the relevant chapters that each PMA relates to, as well as the Chief Executive's response and recommendations.

The submission from Transport Infrastructure Ireland (TII) welcomes Objectives TM O54, TM O57, TM O63, TM O64, TM O67, TM O68 and TM O69 of the Draft Plan and noted that no material alterations to these objectives are proposed. In addition, the submission welcomes the Proposed Material Alterations arising from consideration of the Authority's initial submission to the Draft Plan and specifically welcomes PMA Nos. 2.16, 5.10, 5.26, 5.28, 5.56, 5.59, 5.60, 5.64, 15.31, 15.55 and 15.60 (A). PMA No. 5.49 is acknowledged, and the submission notes the inclusion of projects related to national roads in Table 5.4. The submission makes a series of recommendations (6) with respect to PMA Nos. 5.50, 5.51, 5.52, 5.54, 5.55, 5.57. In conclusion the submission stated that TII remains available to meet the Executive of the Council to discuss any issues arising in the foregoing or other matters related to the Development Plan and the national road network.

### **Office of Public Works (OPW) – Submission No. 131**

A summary of the commentary/recommendations related to Proposed Material Alterations (PMA's) are included in the relevant chapters that each PMA relates to, as well as the Chief Executive's response and recommendations.

The submission from the Office of Public Works (OPW) is made specifically regarding flood risk and the application of the Flood Risk Management Guidelines (2009). The submission specifically welcomes PMA Nos. 6.2, 6.4, ST3, AFR 1 & 2, V19 and V29.

The submission makes a series of recommendations (5) with respect to PMA Nos. G1, G5, V27, RS10 and AFR3.

In conclusion the submission stated that the OPW is available to be contacted in advance of the completion of the Draft Kildare County Development Plan 2023-2029.

### **Irish Water (IW) – Submission No. 195**

The submission states that Irish Water have no objection to the proposed material alterations to the draft County Development Plan.

In relation to Volume 2 the submission includes the following observations:

- 1) The following treatment plants have limited headroom and there are no current plans to upgrade them. Any connections will be on a first come, first served basis.
  - ST 17 Rathangan
  - RS 8 Calverstown
  - V6 Allenwood
  
- 2) The following Treatment plants have upgrades planned and may be completed over the lifetime of the plan.
  - ST 6 Derrinturn
  - V 14 Timolin
  
- 3) The following treatment plants may be candidates under the next Capital Investment Plan under the Small Towns and Villages Programme.
  - RS 16 Nurney
  - RS 18 Rathcoffey.

In addition to the above the submission states that several investment cycles will be required to address all candidates in the STVGP, and that IW plan to continue this Programme into the next investment period (2025-2029) and beyond to achieve this (subject to the regulatory approvals process). During the current Investment Plan period (2020-2024) Irish Water will continue to complete strategic assessments on treatment plants in the nominated settlements, to enable Irish Water to continue delivering projects under this programme and into the next investment period. The submission also states that Local Authorities will be given the opportunity to update their priority list in 2023.

**PART 3 – Submissions received from all persons/bodies apart from the OPR which is addressed in full in Part 2 of this report**

## Chapter 1: Introduction and Strategic Context

### **Proposed Material Alteration No. 1.1**

Amend the second paragraph of Section 1.3 as follows:

The most recent census in Ireland was in 2016<sup>footnote</sup>. The following infographic (Figure 1) provides highlights of the profile of the county.

Footnote: Preliminary Census 2022 data was published by the CSO on 23<sup>rd</sup> June 2022 which indicates that County Kildare has a current population of 246,977 persons. Detailed CSO data and population analysis for the County will not be published until 2023.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 1.1

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 1.1

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### **Proposed Material Alteration No. 1.2**

(A) Amend section 1.4 as follows;

A development plan shall, as far as practicable, be consistent with the Planning and Development Act 2000 (as amended), national plans, regional spatial and economic strategies, and policies and strategies which relate to the proper planning and sustainable development of land.

(B) Amend 1.4.3 as follows

The aim of the Regional Spatial and Economic Strategy (RSES) is to strengthen the settlement structure of the Region and to capitalise on the individual and collective strengths of the region's cities, towns, and rural areas. It provides policy responses in the form of Regional Policy Objectives to ensure that people's needs, such as access to housing, jobs, ease of travel and overall well-being are met. The Development Plan is required to be consistent with the RSES. The Strategy is underpinned by three key principles: healthy placemaking, climate action and economic opportunity.

### **Submissions/Observations**

The following relates to Submission No. 191.

The submission states that although the reference in relation to consistency with the RSES is welcomed, this is not then reflected in the subsequent proposed material alterations to the Core Strategy of the Draft Plan, particularly in relation to Leixlip. Leixlip is located within Metropolitan Area Strategic Plan (MASP). Table 5.1 of the RSES provides further detail on the North-West corridor and it identifies a population capacity in the short term of 24,000 and in the medium term of 10,000 for the Northwest Corridor which includes Dublin 15 lands, Leixlip, Maynooth and Dunboyne. The draft Plan should prioritise growth into towns, such as Leixlip, which have good existing and proposed transport provision (Dart + West) and other supporting services.

However, it is not considered this is reflected in the population target for the plan period for Leixlip of 2,565 set out in the Core Strategy Table 2.8.

### **Chief Executives Response**

Leixlip's location within the MASP is noted, however, the additional population from the redistribution of the NPF City and Suburbs allocation will be allocated to the 'key town' of Maynooth, where the precise allocation to be attributed to Maynooth will be determined at Local Area Plan stage. The request to reconsider the settlement strategy with a view to increasing its unit target allocation in Leixlip is not accepted. The Council has adopted a bespoke approach which will provide for the potential of additional provision on a case-by-case basis within the main settlements of the county (including Leixlip) as part of the local area plan process. This will consider the specific development circumstances of each settlement and factor in issues including extant permissions and the potential residential development yield from suitably zoned sites. Such a position is considered to align with Section 4.4.3 of the Guidelines which state 'on a settlement basis, the precise extent to which zoned lands and sites in excess of that required to match the agreed housing supply target are provided, is to be determined by the planning authority'.

The Council acknowledges that the rail service to Leixlip / Confey will be considerably enhanced over the coming years when the western line is upgraded to Dart status. The requirement for a Masterplan to guide and manage the phased development of the lands is also supported by an Action (UD A2) of the Draft Plan which provides for the development of a masterplan in Confey in co-operation with relevant stakeholders.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 1.2.

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### **Proposed Material Alteration No. 1.3**

Amend Section 1.5 to add a final paragraph as follows:

The Council is currently preparing a Sustainable Energy Climate Action Plan (SECAP) which will include targets to reach the county's climate change goals over the short, medium and longer term. When published, the targets identified in the SECAP may be incorporated into the County Development Plan by way of a statutory variation pursuant to Section 13 of the Planning and Development Act 2000 (as amended).

### **Submissions/Observations**

The following relates to Submission No. 228.

The submission supports the commitment set out in Proposed Material Alteration No. 1.3, which reinforces Action EC A1 (as per Proposed Material Alteration No. 7.3).

The following relates to Submission No. 247.

It is submitted that due to the importance of Proposed Material Alteration No. 1.3 and the stated national policy and legislation in this area and the need to integrate policies and plans across Kildare, it is recommended that consideration be given to changing the wording from 'may be incorporated' to 'will be incorporated'.

### **Chief Executives Response**

The comments of Submission No. 228 are noted.

The following relates to Submission No. 247.

The recommendation to amend Proposed Material Alteration No. 1.3 is not accepted. It will only become known whether the content of the Sustainable Energy Climate Action Plan (SECAP) will require a statutory variation to the Plan when the SECAP is published.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 1.3.

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### **Proposed Material Alteration No. 1.4**

Amend Section 1.8 as follows:

The 'Strategic Vision' for the County, as outlined at the start of this chapter, is 'To build on the strengths of the county in order to improve the quality of life of all residents, through the creation of high-quality job opportunities, by the provision of high-quality residential development supported by ~~adequate~~ **high quality** community and **social** infrastructure, through the provision of a high-quality sustainable transport network, by healthy placemaking and transformational regeneration, ~~by~~. **The vision for County Kildare also supports**ing the transition to a low carbon climate resilient environment, by embracing inclusiveness, ~~and by~~ enhancing our ~~natural and built~~ environment and **enshrining the importance of conserving, restoring and protecting Kildare's biodiversity for future generations.**

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 1.4

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 1.4

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### **Proposed Material Alteration No. 1.5**

Add an additional key principle in Section 1.8.1 as follows:

**(xi) To promote co-ordinated spatial planning to conserve and enhance the biodiversity of our protected habitats and species including landscape and heritage protection.**

### **Submissions/Observations**

The following relates to Submission No. 229.

The submission welcomes the new key principle for conserving biodiversity.

### **Chief Executives Response**

Noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 1.5.



## Chapter 2: Core Strategy & Settlement Strategy

### **Proposed Material Alteration No. 2.1**

Display the Aim for Chapter 2 similar to other chapters, i.e., within a 'box'.

Amend Section 2.1 as follows:

To provide for the delivery of an additional 9,144 housing units to accommodate an additional 25,146 people by the end of the Plan period, and to continue to create the environment to retain existing and attract new employers to locate in County Kildare through the delivery of sustainable, compact settlements supported by a commensurate level of physical, and social and green infrastructure to mitigate against climate change and enhance the quality of life of residents.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 2.1.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 2.1

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### **Proposed Material Alteration No. 2.2**

Amend the first paragraph of Section 2.5.1 as follows:

As a direct result of the coronavirus pandemic, the 2021<sup>12</sup> Census was postponed and conducted by the CSO in April 2022. Preliminary census data was published in June 2022 which indicated that County Kildare has a population of 246,977 persons, representing an 11% increase from Census 2016 (up by 24,473 persons from 222,504 in 2016) and is now the county with the fourth highest population, after counties Dublin, Cork, and Galway. Detailed CSO data and population analysis for the County will not be published until 2023 and therefore the most up to date population analysis is Census 2016. ~~This census outlines that the total population within Kildare in 2016 was 222,504, which was the fifth highest population in the State. Over a 20-year period (1996 to 2016), Kildare experienced a 64.8% (+87,512) increase in its population base, the second highest rate in the State. The growth rate from 2006 to 2016 2022 was 32.5%. of 19.4% is the fourth highest in the State.~~ Of note is that County Kildare is now one of the largest counties in the state, however commensurate funding is not provided by government per head of population over the last 3 intercensal periods.

### **Submissions/Observations**

The following relates to Submission No. 226.

The Department notes the preliminary census data that was published in June 2022 and is mindful of the proposed population projection for County Kildare as outlined in the RSES. The submission notes that if the projections identified in the RSES materialise then the future education provision requirements as indicated in the May submission remain unchanged.

The following relates to Submission No. 210.

The submission notes that Proposed Material Alteration No. 2.2 includes reference to the preliminary 2022 Census data published in June 2022 which identified a population growth of 11% for the County in the period between 2016 and 2022. The population of 246,977 for Kildare in April 2022, exceeds the annual projected population for Kildare in 2022 (as set out in Table 14 of the Draft Plan Appendix 1 ‘Housing Need and Demand assessment & Housing Strategy’) of c. 241,000 by some 5,977 persons and falling only 2,023 short of the ‘Lower’ NPF population projection of 249,000 for 2026. The submission further states that there is nothing to suggest that this rate of population growth will not continue. Based on the 2016-2022 population growth rates, the countywide population will also exceed the ‘Upper’ NPF annual projected population for 2031 (as set out in Table 14 of the Draft Plan Appendix 1) by 22,325 or almost 8%. It is highly important that the additional housing needs of this additional population over the plan period are fully provided for in the core strategy of the plan and primarily in the upper tier settlements, such as Celbridge.

The following relates to Submission No. 220.

The preliminary Census results record a population of 246,977 for the County. This is only marginally below the RSES’s projected population for 2026 of 249,000 and demonstrates the extent to which the RSES’s and by extension the Draft Plan’s population targets and housing demand assessment are out of kilter with the 2022 Census results. It is therefore considered appropriate that the population and housing allocation for the settlement centres is extended upwards which requires an amendment to Table 2.8 which underestimates the quantum of zoned land required in each settlement.

The following relates to Submission No. 191.

Submission No. 191 suggests that Proposed Material Alteration No. 2.3(A) includes a reference to the preliminary 2022 Census data. This indicates a population of 246,977 for the county of Kildare in April 2022, exceeding the ‘Upper’ NPF projection in 2022 of c. 241,000 by some 5,977 persons and falling only 2,023 short of the ‘Lower’ NPF population projection of 249,000 for 2026. This indicates an 11% increase in population in the 6 years between 2016 to 2022. It is considered that this rate of population growth will in all probability be sustained. Based on 2016- 2022 growth rate, the countywide population will exceed the ‘Upper’ NPF projection for 2031 by 22,325 or almost 8%. It is highly important that the additional housing needs of this additional population over the plan period are fully provided for in the core strategy of the plan.

Further consideration should be given to the Development Plan Guidelines 2022. Section 4.4.3 of the Development Plan Guidelines (DPGs) recognise that additional land should be zoned over and above the projected housing demand for that settlement.

The submission further suggests that to address the requirement to ensure sufficient provision of housing land/sites, the DPGs include an allowance for ‘Additional Provision’, of zoned lands of 20-25% of the required quantum of zoned land and sites in settlements in any planning authority area as a whole for any six-year plan period. It is submitted that this additional provision should be provided in the settlement of Leixlip so as to ensure that the delivery of the level of housing is

appropriate to its position on a high-capacity rail line in the metropolitan area, having regard to current and future housing needs of a rapidly growing population.

Overall, it is considered that, following the publication of the preliminary Census 2022 population figures which indicate County-wide growth exceeding the 'Upper' population projection set out in the NPF for 2022; taken in combination with the 'Additional Provision' in the Development Plan Guidelines published in June 2022, that separate additional population allocations should be applied to direct growth of upper tier settlements within the Metropolitan area, including to the self-sustaining growth town of Leixlip

The following relates to Submission No. 176.

The recent Census data is available, and the Plan should be revised to provide greater clarity on how and when these figures will be incorporated in any variation to the yet to be adopted Development Plan.

It is proposed to add the following text amendment to PMA No. 2.2. The additional text proposed is highlighted in red below.

As a direct result of the coronavirus pandemic, the 2021 Census was postponed and conducted by the CSO in April 2022. Preliminary census data was published in June 2022 which indicated that County Kildare has a population of 246,977 persons, representing an 11% increase from Census 2016 (up by 24,473 persons from 222,504 in 2016) and is now the county with the fourth highest population, after counties Dublin, Cork, and Galway. Detailed CSO data and population analysis for the County will not be published until 2023 and ~~therefore while~~ the most up to date population analysis is ~~Census 2016~~ the preliminary population figures from the 2022 Census date will be used to inform the Local Area Plan review process. ~~This census outlines that the total population within Kildare in 2016 was 222,504, which was the fifth highest population in the State. Over a 20-year period (1996 to 2016), Kildare experienced a 64.8% (+87,512) increase in its population base, the second highest rate in the State. The growth rate from 2006 to 2016–2022 was 32.5%. At a national level, the NPF projections published in 2018 indicated a population of 'almost 5.7 million by 2040'. The preliminary Census 2022 figures indicate an increase of 8% and a population of 5,123,536 of 19.4% is the fourth highest in the State. Of note is that County Kildare is now one of the largest counties in the state, however commensurate funding is not provided by government per head of population over the last 3 intercensal periods.~~

### **Chief Executives Response**

While Census 2022 Preliminary data is available at a County level (as reflected in the PMAs), up-to-date population figures at settlement level have not yet become available.

Given the limited CSO information related to settlements throughout Kildare presently, Proposed Material Alteration No. 2.15 is considered adequate and should be noted which, for ease of reference reads as follows;

Amend objective CSO 1.18 as follows:

~~To consider aligning~~ **Align** the Kildare County Development Plan 2023-2029, with the up-to-date population from ~~the forthcoming~~ **Census 2022** where there are verified material population differentials **at settlement level** to those in Table 2.8 of the Plan,

by way of a statutory variation/**review** pursuant to Section 13 of the Planning and Development Act 2000 (as amended).

As is the case with any statutory variation of the County Development Plan there are legislative provisions for the receipt of submissions that must be considered by both the Executive and the Elected Members prior to the formal adoption of same by Full Council.

The methodology for the development of Local Area Plans for settlements in the county is based on the preparation of a series of detailed assessments including an Infrastructural Assessment (Settlement Capacity Audit), a Social Infrastructure Audit and an Area Based Transport Assessment (ABTA) to determine the suitability and capacity of specific sites to accommodate land use zoning objectives. To allocate for additional population in certain locations is considered premature in the outcome of the comprehensive evidence-based methodology which is fundamental to the Council's local area plan making process.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 2.2.

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### **Proposed Material Alteration No. 2.3**

(A) Amend Table 2.2

The Transitional Regional and County Population Projections to 2031 for Kildare as provided in the NPF Roadmap and the RSES, are as follows:

County	2016	2022	2026	2031
Kildare	222,500	246,977	249,000 - 254,000	259,000 - 266,500

**Table 2.2 - Transitional Population Projections**

(B) Add new text to the end of the last paragraph of Section 2.5.2 as follows;

The above figures for Kildare provide for a population range for the period to 2026 and onwards to 2031. Taking the higher range for each growth band, the county population is projected to increase by 31,500 persons to 2026 with an additional 12,500 to the year 2031. The MASP Transitional Population Projections, adjusted to comply with NPO 68, allocate an additional population of **up to 10,000 persons** to the Key Town of Maynooth within County Kildare up to the year 2031. The transitional population targets apply to compact growth in tandem with existing or planned delivery of high-capacity public transport corridors in the Key Towns. The precise allocation that will be attributed to Maynooth will be determined at Local Area Plan stage on foot of detailed assessments and audits of available social and physical infrastructure.

### **Submissions/Observations**

The following relates to Submission No. 174.

The new Development Plan will play a critical role in the delivery of housing in the right places 'to deliver compact growth'. The first element of this is to ensure that the

allocation of future growth is directed towards the key towns of Naas, Maynooth and self-sustaining growth towns, with good rail links such as Leixlip.

The submission recommends that growth identified for the lower order towns be reallocated to Naas and Leixlip in the core strategy rather than continuing to allocate growth in unsustainable locations, dispersed across the county. Also, it is recommended that the Planning Authority defines the extent of “additional provision” for settlements such as Leixlip and Naas, as per 4.4.3 of the Development Plan Guidelines for Planning Authorities and that the population targets in Table 2.8 of the Draft Plan Core Strategy be amended to ensure that the adopted Development Plan takes further account of the adopted Development Plan Guidelines 2022(July 2022) in the formulation of the Core Strategy allocations for towns such as Naas and Leixlip.

The submission welcomes the Proposed Material Alteration No. 2.3 which allocates an additional 10,000 population to the Key Town of Maynooth up to the year 2031 in accordance with National Policy Objective 68 of the National Planning Framework (NPF) and reinforced in the Regional Spatial and Economic Strategy (RSES). The submission considers that, following the publication of the preliminary Census 2022 population figures which indicate County-wide growth exceeding the ‘Upper’ population projection set out in the NPF for 2022; taken in combination with the ‘Additional Provision’ in the Development Plan Guidelines published in June 2022, that separate additional population allocations should be applied to the key town of Naas and self-sustaining growth town of Leixlip.

The submission also notes that the key town of Maynooth and Leixlip will benefit substantially from the Dart+ programme. The development of appropriate densities and expanded residential areas, will underpin, and deliver a return to the exchequer on this significant public investment in public infrastructure.

A greater commitment to the use of detailed 2022 Census data when published in 2023 should be used to directly inform Local Area Plans and that population targets be adjusted accordingly alongside housing targets to ensure the continued and sustainable growth of Naas and Leixlip in tandem with current growth trends.

Submission no. 174 proposes to add the following text amendment to PMA No. 2.3. The additional text proposed is highlighted in red below.

“The above figures for Kildare provide for a population range for the period to 2026 and onwards to 2031. Taking the higher range for each growth band, the county population is projected to increase by 31,500 persons to 2026 with an additional 12,500 to the year 2031. The MASP Transitional Population Projections, adjusted to comply with NPO 68, allocate an additional population of up to 10,000 persons to the Key Town of Maynooth within County Kildare up to the year 2031. The transitional population targets apply to compact growth in tandem with existing or planned delivery of high-capacity public transport corridors in the Key Towns. The precise allocation that will be attributed to Maynooth will be determined at Local Area Plan stage on foot of detailed assessments and audits of available social and physical infrastructure. On foot of Census 2022 preliminary data indicating an 11% population increase in Kildare in the period 2016 to 2022, the preparation of Local Area Plans including population and housing allocations shall be directly informed by detailed Small Area Population Statistics (SAPS) to be published in 2023. Provision shall be made for up to an

additional 7,500 population in the Key Town of Naas, consistent with the approach taken with Maynooth with up to an additional 5,000 population allocation to the Self-Sustaining Growth Town of Leixlip. This will allow for the sustainable growth of these towns in alignment with current population trends demonstrated in the preliminary 2022 Census results.

The following relates to Submission No. 138.

Submission no. 138 states that according to the last census Kildare has a population of 246,977 and the county's excellent infrastructure ensures that it is well placed to achieve the goals set out in the National Planning Framework however, housing availability continues to be the biggest challenge to Kildare's competitiveness. Housing supply targets for Kildare under this development plan are 9,144 and current housing stock levels are inadequate. It is crucial that the level of housing supply target is correct for key growth towns such as Naas, Maynooth and the surrounds. The population averages used in the National Planning Framework are too low to calculate future need and will negatively impact the County's ability to attract new businesses.

The following relates to Submission No. 230.

The submission welcomes the insertion of text into Section 2.5.2 but submits that the correct reference to the Joint Local Area Plan 2024-2030 for Maynooth should be included. Furthermore, the submission refers to the wording 'the precise allocation that will be attributed to Maynooth will be determined.....' and states that the wording presumably refers to where the population allocation (thus housing and zoning) will be made within the settlement boundary (Kildare and Meath combined) rather than elsewhere in the County and should therefore be clarified and amended accordingly.

The following relates to Submission No. 210.

The submission states that separate additional population allocations should be applied for the upper tier settlements within the Metropolitan area, including the self-sustaining town of Celbridge. The reasoning for these separate additional population allocations relates to the publication of the preliminary Census 2022 population figures which indicate County-wide growth which exceed the annual projected population for Kildare in 2022 (as set out in Table 14 of the Draft Plan Appendix 1 'Housing Need and Demand assessment & Housing Strategy'); taken in combination with the 'Additional Provision' in the Development Plan Guidelines published in June 2022

This additional provision should specifically be provided in the settlement of Celbridge given the existing / planned infrastructure for the town and the location of Celbridge within the Dublin Metropolitan Area (DMA). This includes the Dart+ South West Project which aims to modernise and improve existing rail services in the Greater Dublin Area.

Further consideration should be given to the Development Plan Guidelines 2022. Section 4.4.3 of the Development Plan Guidelines (DPGs) recognises that additional land should be zoned over and above the projected housing demand for that settlement.

The following relates to Submission No. 220.

The preliminary Census results record a population of 246,977 for the County. This is only marginally below the RSES's projected population for 2026 of 249,000 and

demonstrates the extent to which the RSES's and by extension the Draft Plan's population targets and housing demand assessment are out of kilter with the 2022 Census results. It is therefore considered appropriate that the population and housing allocation for the settlement centres is extended upwards which requires an amendment to Table 2.8 which underestimates the quantum of zoned land required in each settlement.

This approach is fully aligned with the objectives of Housing for All to deliver new homes at scale and in early course; with the National Planning Framework (NPF) that requires local authorities to develop a long-term strategic view of housing need; and with the Guidelines on the preparation of Development Plans that underlines the role that strategic and sustainable development sites must play in supporting regeneration.

The following relates to Submission No. 191.

The submission states that the Proposed Material Alteration No. 2.3(A) includes a reference to the preliminary 2022 Census data. This indicates a population of 246,977 for the county of Kildare in April 2022, exceeding the 'Upper' NPF projection in 2022 of c. 241,000 by some 5,977 persons and falling only 2,023 short of the 'Lower' NPF population projection of 249,000 for 2026. This indicates an 11% increase in population in the 6 years between 2016 to 2022. It is considered that this rate of population growth will in all probability be sustained. Based on 2016- 2022 growth rate, the countywide population will exceed the 'Upper' NPF projection for 2031 by 22,325 or almost 8%. It is highly important that the additional housing needs of this additional population over the plan period are fully provided for in the core strategy of the plan.

Further consideration should be given to the Development Plan Guidelines 2022. Section 4.4.3 of the Development Plan Guidelines (DPGs) recognise that additional land should be zoned over and above the projected housing demand for that settlement.

To address the requirement to ensure sufficient provision of housing land/sites, the DPGs include an allowance for 'Additional Provision', of zoned lands of 20-25% of the required quantum of zoned land and sites in settlements in any planning authority area as a whole for any six-year plan period. It is submitted that this additional provision should be provided in the settlement of Leixlip so as to ensure that the delivery of the level of housing is appropriate to its position on a high-capacity rail line in the metropolitan area, having regard to current and future housing needs of a rapidly growing population.

Overall, it is considered that, following the publication of the preliminary Census 2022 population figures which indicate County-wide growth exceeding the 'Upper' population projection set out in the NPF for 2022; taken in combination with the 'Additional Provision' in the Development Plan Guidelines published in June 2022, that separate additional population allocations should be applied to direct growth of upper tier settlements within the Metropolitan area, including to the self-sustaining growth town of Leixlip.

**Chief Executives Response**

The approach taken for Maynooth is to comply with NPO 68, which allocates an additional population **of up to** 10,000 persons to the Key Town of Maynooth. The

precise allocation that will be attributed to Maynooth will be determined at Local Area Plan stage on foot of detailed assessments and audits of available social and physical infrastructure.

Neither Naas, Celbridge nor Leixlip have similar provisos within the NPF or RSES for additional population growth. The methodology for the formulation of Local Area Plans for settlements across County Kildare are based on the preparation of a series of detailed assessments including an Infrastructural Assessment (Settlement Capacity Audit), a Social Infrastructure Audit and an Area Based Transport Assessment (ABTA) to determine the suitability and capacity of specific sites to accommodate land use zoning objectives. To allocate for additional population in the Key Town of Naas and the Self-Sustaining Growth Town of Leixlip in the County Development Plan (as specifically referenced in submission no. 174 and 191) and additional provision to be specifically provided for Celbridge in the County Development Plan (as specifically referenced in submission no. 210) is considered premature to the outcome of the comprehensive evidence-based methodology which is central to the Council's local area plan making process.

The settlement strategy, as proposed, takes a balanced approach which seeks to consolidate and sustainably develop all settlements, including rural settlements, in a manner which fully aligns with both national and regional policy. In this regard, it is noted that one of the stated National Strategic Outcomes of the NPF is strengthened rural economies and communities. Also, while acknowledging the provisions of the Guidelines on Development Plans relating to additional provision, the Council has adopted a bespoke approach which will provide for the potential of additional provision on a case-by-case basis within the main settlements of the county as part of the local area plan process. This will consider the specific development circumstances of each settlement and factor in issues including extant permissions and the potential residential development yield from sites zoned town centre and existing residential/infill. Such a position aligns with Section 4.4.3 of the aforementioned Guidelines which state that it is **'on a settlement basis, the precise extent to which zoned lands and sites in excess of that required to match the agreed housing supply target are provided, is to be determined by the planning authority'**.

The calculation of the housing target is based on actual housing delivery and the unmet housing demand in the county. The methodology used to determine the housing target to the end of the Plan period is set out in Table 2.4 and its accompanying footnotes (see also Core Strategy Methodology in Appendix 9 of the dCDP).

The request in the submission that a greater commitment to the use of detailed 2022 Census data when published in 2023 should be used to directly inform Local Area Plans is addressed under PMA 2.15, which states the following *'Align the Kildare County Development Plan 2023-2029, with the up-to-date population from Census 2022 where there are verified material population differentials at settlement level to those in Table 2.8 of the Plan, by way of a statutory variation/review pursuant to Section 13 of the Planning and Development Act 2000 (as amended).'* Also, PMA No. 2.7 proposes the following new footnote be added to Table 2.8: *'As Local Area Plans are prepared during the lifetime of this County Development Plan, the Census 2022 figure will be used as the population baseline from which projected population growth will be calculated for each individual LAP town, where available. Any LAP prepared*



*before the publication of the Census 2022 Small Area Population Statistics (SAPS) will require an updated population estimate to be prepared for the Draft LAP (to be based on factors including the quantum of residential units built since Census 2016), which will differ from that shown in the ‘2021 Population Estimate’ column in this table.’*

In relation to submission no. 230, it is considered appropriate to amend part (B) of Proposed Material Alteration No. 2.3 to include the correct reference to the Joint Local Area Plan 2024-2030 for Maynooth. Regarding the allocated additional population of up to 10,000 persons for Maynooth, it should be noted that the population allocation for Maynooth under NPO 68 is in addition to the growth allocation for the town at County level.

Under the provisions of NPO 68 of the National Planning Framework a Metropolitan Area Strategic Plan may enable up to 20% of the phased population growth targeted in the principal city and suburban area, to be transferred to the wider metropolitan area i.e. outside the city and suburbs or contiguous zoned area, in addition to growth identified for the Metropolitan Area. The Metropolitan Area Strategic Plan (MASP) for Dublin states that the provisions of NPO 68 shall apply only to the three Key Towns within the MASP, namely Bray, Swords and Maynooth, and only if they can demonstrate compact growth on high capacity planned or existing public transport corridors.

The Eastern and Midland Regional Assembly (EMRA) has in consultation with the MASP Implementation Group (July 2020) allocated an additional population growth target of 10,000 to Maynooth over the period to 2031, as provided for under NPO 68.

Table 3.1: Transitional Population Projections for Maynooth adjusted to comply with NPO 68

	Census 2016	NPO 68 Allocation	2031 high (adjusted)
Maynooth Census Pop. (Kildare and Meath)	14,500	10,000 (10,000 to Kildare County Council)	24,500

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 2.3 (A) and to Proposed Material Alteration No. 2.3 (B) with following a minor amendment;

Add new text to the end of the last paragraph of Section 2.5.2 as follows;

The above figures for Kildare provide for a population range for the period to 2026 and onwards to 2031. Taking the higher range for each growth band, the county population is projected to increase by 31,500 persons to 2026 with an additional 12,500 to the year 2031. The MASP Transitional Population Projections, adjusted to comply with NPO 68, allocate an additional population of up to 10,000 persons to the Key Town of Maynooth within County Kildare up to the year 2031. The transitional population targets apply to compact growth in tandem with existing or planned delivery of high-capacity public transport corridors in the Key Towns. The precise population allocation that will be attributed to Maynooth will be determined at Local Area Plan stage through the preparation of the Joint Local Area Plan 2024-2030 for Maynooth on foot of detailed assessments and audits of available social and physical infrastructure.

#### **Proposed Material Alteration No. 2.4**

Amend the first sentence of the first paragraph and add a new paragraph at the beginning of Section 2.6:

The impacts of climate change, and the vulnerability of poor communities to climate change, vary greatly, but generally, climate change is superimposed on existing vulnerabilities. One of the areas where both environmental pollution and climate policy has significant impacts on vulnerable communities is in relation to transportation.

For this reason, ~~t~~The promotion of a compact urban form of development, including sustainable rural development, is a central part of reducing the need to travel and mitigating climate change and to enhance public transport options for these areas to encourage the use of same.

#### **Submissions/Observations**

The following relates to Submission No. 247

It is submitted that the increase in health inequalities due to climate change is not restricted to economically disadvantaged communities, but to a wide spectrum of communities that are socially excluded or disadvantaged. The Environmental Health Service therefore recommends that consideration is given to changing 'poor' to 'disadvantaged and socially excluded' communities, and 'superimposed' to 'exacerbates' or 'increases'

#### **Chief Executives Response**

The submission is noted and accepted. It is considered appropriate to amend the wording of Proposed Material Alteration No. 2.4.

#### **Chief Executives Recommendation**

Amend the first sentence of the first paragraph of Proposed Material Alteration No. 2.4 and add a new paragraph at the beginning of Section 2.6:

The impacts of climate change, and the vulnerability of ~~poor~~ certain communities to climate change, vary greatly, but generally, climate change ~~is superimposed~~ ~~degrades~~ ~~on~~ existing vulnerabilities. One of the areas where both environmental pollution and climate policy has significant impacts on vulnerable communities is in relation to transportation.

For this reason, ~~t~~The promotion of a compact urban form of development, including sustainable rural development, is a central part of reducing the need to travel and mitigating climate change and to enhance public transport options for these areas to encourage the use of same.

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#### **Proposed Material Alteration No. 2.5**

Amend paragraph 1 of Section 2.10 as follows:

The Sustainable Residential Development Guidelines generally encourages net densities of between 35-50 dwellings per hectare within larger towns ~~with net densities of between 30-35 dwellings per hectare considered acceptable in certain~~

~~large town contexts and net densities of less than 30 dwellings per hectare.~~ **Net densities of less than 30 dwellings per hectare will be considered on a case-by-case basis having regard to the existing pattern of development and characteristics of the receiving environment<sup>1</sup>.**

### **Submissions/Observations**

The following relates to Submission No. 224

The top end 50 should be strengthened so that in no case does the density exceed 50 in Kildare towns, large or small. There are no cities or metropolitan areas in Kildare so a realistic standard of 50. max needs to be laid down and firmly observed. Amendments need to be made at para. 3.7 of the County Development Plan to make it consistent with the Proposed Alteration 2.5.

### **Chief Executives Response**

The Sustainable Residential Development Guidelines 2009 outline appropriate locations for increased densities within larger towns (e.g. public transport corridors). There are potential development locations within County Kildare, which may, subject to appropriate and sensitive design safeguards, be deemed appropriate for increased densities. Therefore, to insert a definitive maximum standard of 50 dwellings per hectare is not considered appropriate and would be contrary to the aforementioned Guidelines and the National Strategic Objective of the NPF for Compact Growth.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 2.5.

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### **Proposed Material Alteration No. 2.6**

Amend Table 2.8 as follows:

**Table 2.8 - Core Strategy Table Settlement Hierarchy Population and Housing Unit Targets Q1 2023 to Q2 2028.**

### **Submissions/Observations**

Submission no. 174 supports Proposed Material Alteration 2.6

### **Chief Executives Response**

Noted

### **Chief Executives Recommendation**

Accept Proposed Material Alteration 2.6

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### **Proposed Material Alteration No. 2.7**

Add the following new footnotes to Table 2.8:

**(A)** Add footnote to column '2021 Population Estimate (based on % growth from 2011-2016)'

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<sup>1</sup> **Note;** consequential amendments to other sections of the dCDP may result on foot of the above.

Footnote: The 2021 population estimate is a holding figure and is used as a guide only until a detailed 2022 county profile is published by the Central Statistics Office (CSO). Preliminary Census 2022 data was published by the CSO on 23<sup>rd</sup> June 2022 which indicates that County Kildare has a population of 246,977 persons in 2022. Detailed CSO data for the settlements and population analysis for the County will not be published until 2023. As Local Area Plans are prepared during the lifetime of this County Development Plan, the Census 2022 figure will be used as the population baseline from which projected population growth will be calculated for each individual LAP town, where available. Any LAP prepared before the publication of the Census 2022 Small Area Population Statistics (SAPS) will require an updated population estimate to be prepared for the Draft LAP (to be based on factors including the quantum of residential units built since Census 2016), which will differ from that shown in the '2021 Population Estimate' column in this table.

**(B)** Add footnote to rows 'Villages' and 'Rural Villages'

New footnote: Objective V GO 4 (Volume 2) is to generally control the scale of individual development proposals to 10-15% of the existing housing stock of any village or rural settlement over the lifetime of the Plan in accordance with the Sustainable Residential Development in Urban Areas Guidelines (2009). Furthermore, Objective V GO 9 (Volume 2) is to restrict growth in a village/rural settlement where necessary physical and social infrastructure cannot be delivered. In the absence of the necessary physical or social infrastructure, the projected growth for that development centre may be allocated to other serviced settlements within the same Municipal District or adjoining Municipal District or to serviced towns within the upper range of the settlement hierarchy.

**(C)** Add footnote to rows 'Villages' and 'Rural Villages'

New footnote: Objective V GO 9 (Volume 2) is to restrict growth in a village/rural settlement where necessary physical and social infrastructure cannot be delivered. In the absence of the necessary physical or social infrastructure, the projected growth for that development centre may be allocated to other serviced settlements within the same Municipal District or adjoining Municipal District or to serviced towns within the upper range of the settlement hierarchy.

### **Submissions/Observations**

The following relates to Submission No. 210

It is noted in this submission that Proposed Material Alteration 2.7 states that the 2021 population estimate included in the Core Strategy Table 2.8 will be a holding figure until a detailed 2022 county profile is published by the CSO and that as the LAP's are prepared, the Census 2022 figure will be used as the baseline from which projected population growth will be calculated for each individual LAP town. The submission states that a failure to match the above demographic drivers through the necessary provision of new housing in the draft Plan will result in worsening affordability and a constraining of new households from realising their needs and aspirations locally. Therefore, additional population should be allowed for in the upper tier settlements in the new CDP

The following relates to Submission No. 191

The Census 2022 population figures indicate County-wide growth exceeding the 'Upper' population projection set out in the NPF for 2022; this taken in combination

with the 'Additional Provision' in the Development Plan Guidelines published in June 2022, show that separate additional population allocations should be applied to the upper tier settlements within the Metropolitan area, including to the self-sustaining growth town of Leixlip.

The following relates to Submission No. 176

The last sentence of the footnote be omitted as it contradicts the first sentence of the footnote, which states that the 2021 population estimates be '**used as a guide only**'. The only LAP review underway now is the Maynooth LAP 2024-2030. There is no need to rely on population data from 2016 as Census 2022 data will be available to inform the preparation of this LAP.

Submission no. 176 proposes to amend the following text to PMA No. 2.7. The amended text is highlighted in red below.

Add the following new footnotes to Table 2.8:

- (A) Add footnote to column '2021 Population Estimate (based on % growth from 2011-2016)'

Footnote: The 2021 population estimate is a only holding figure and is used as a guide only until a detailed 2022 county profile is published by the Central Statistics Office (CSO). Preliminary Census 2022 data was published by the CSO on 23rd June 2022 which indicates that County Kildare has a population of 246,977 persons in 2022. Detailed CSO data for the settlements and population analysis for the County will not be published until 2023. As Local Area Plans are prepared during the lifetime of this County Development Plan, the Census 2022 figure will be used as the population baseline from which projected population growth will be calculated for each individual LAP town, where available. ~~Any LAP prepared before the publication of the Census 2022 Small Area Population Statistics (SAPS) will require an updated population estimate to be prepared for the Draft LAP (to be based on factors including the quantum of residential units built since Census 2016), which will differ from that shown in the '2021 Population Estimate' column in this table.~~

The following relates to Submission No.221

The submission encourages the Council to reconsider its approach in respect of the population figures and re-adjust the population baseline to align with the preliminary census 2022 data, ahead of adoption of the Plan. PMA No. 2.7 includes a footnote to Table 2.8 of the Draft Plan, which states that the 2021 population estimate availed as part of the Settlement Hierarchy, is a holding figure until a detailed 2022 county profile is published by the CSO. This completely compromises the integrity of the Plan, given the clear disparity between the 2021 Population estimate indicated in Table 2.8 (7,702) and the actual 2022 population for Clane published by the CSO (8,946 based on new local electoral division boundary). It should also be noted that that the 2022 preliminary Census for Co. Kildare is 246,977, which far exceeds the NPF and Draft CPD respectively. This highlights the fact that the core of the plan is based upon a redundant baseline population figure. The 2016 population figure provided within the settlement Hierarchy table for Clane is also based on what is now a redundant electoral boundary.

It should also be noted that despite the content of PMA No. 2.7, PMAs 2.2 and PMA 2.3 of the Draft Plan have regard to the preliminary 2022 Census data, it is therefore unclear why this information can't be used to form the basis of the core strategy growth targets.

### **Chief Executives Response**

The methodology for the development of Local Area Plans for settlements in the county is based on the preparation of a series of detailed assessments including an Infrastructural Assessment (Settlement Capacity Audit), a Social Infrastructure Audit and an Area Based Transport Assessment (ABTA) to determine the suitability and capacity of specific sites to accommodate land use zoning objectives. To allocate additional population growth in the upper tier settlements in the County Development Plan (as specifically referenced in submission no. 210 and 191) is considered premature to the outcome of the comprehensive evidence-based methodology which is central to the Council's local area plan making process.

With respect to the issues raised with regard to submission no. 176 it should be noted that the review of the Maynooth, Kildare Town and Newbridge LAPs are all underway currently. In the absence of the Census 2022 Small Area Population Statistics (SAPS) being available an updated population estimate shall be prepared for the relevant Draft LAPs. It is not considered necessary to delete the last sentence of the footnote, the purpose of which is to clarify the scope of work to be undertaken with respect to population data as part of the preparation of any Local Area Plans.

Submission no. 221's contention that Table 2.8 (7,702) of the draft Plan and the actual 2022 population for Clane published by the CSO (8,946 based on new local electoral division boundary) differ significantly are noted. At the outset, it should be noted that the local electoral division boundaries do not give an accurate indication of population figures for settlements and would not be relied upon to calculate population figures for the settlement of Clane. Small Area Population Statistics (SAPS) is the appropriate dataset for the determination of the accurate population statistics from the CSO for designated settlements and the CSO have advised that these figures will not be available till 2023. PMA 2.7 is clear that the *'2021 population estimate is a holding figure and is used as a guide only until a detailed 2022 county profile is published by the Central Statistics Office (CSO).'* PMA 2.7 also states that *'As Local Area Plans are prepared during the lifetime of this County Development Plan; the Census 2022 figure will be used as the population baseline from which projected population growth will be calculated for each individual LAP town.'*

The submissions comments regarding PMAs 2.2 and PMA 2.3 of the Draft Plan having regard to the preliminary 2022 Census data is noted, however, as outlined above, key information in relation to population numbers within settlements will only become available in 2023. Proposed Material Alteration No. 2.15 is considered sufficient and should be noted which, for ease of reference reads as follows.

Amend objective CSO 1.18 as follows:

~~To consider aligning~~ **Align the Kildare County Development Plan 2023-2029, with the up-to-date population from the forthcoming Census 2022 where there are verified material population differentials at settlement level to those in Table 2.8 of the Plan, by way of a statutory variation/review pursuant to Section 13 of the Planning and Development Act 2000 (as amended).**

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 2.7.

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### **Proposed Material Alteration No. 2.8**

Amend objective CSO 1.3 as follows:

To actively engage with the Eastern Midlands Regional Assembly during the mid-term review of the Regional Spatial and Economic Strategy and to inform the consideration of how urban settlements, regional growth centres and the retail hierarchy are designated within the region.

### **Submissions/Observations**

The following relates to Submission No. 221.

The submission states that further clarity on the timeframe for the ‘mid-term’ review of the RSES should be included as part of the objective. It is unclear when this mid-term review is proposed to commence. It is considered more appropriate that a concrete timeframe is outlined in the plan as to when this mid-term review is due to take place.

### **Chief Executives Response**

The Council is unable to identify a definitive timeframe for the ‘mid-term’ review of the RSES as the Eastern Midlands Regional Assembly are the responsible authority for this process.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 2.8.

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### **Proposed Material Alteration No. 2.9**

Amend objective CSO 1.5 as follows:

Promote compact growth and the renewal of towns and villages through the development of underutilised town centres and brownfield sites, and where appropriate, pursue through active land management measures a co-ordinated planned approach to developing appropriately zoned lands at key locations, including regeneration areas, vacant sites and under-utilised areas in cooperation with state agencies, while also maintaining a ‘live’ baseline dataset and to monitor the delivery of population growth on existing zoned and serviced lands to achieve the sustainable compact growth targets of 30% of all new housing within the existing urban footprint of settlements.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 2.9

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 2.9.

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### **Proposed Material Alteration No. 2.10**

Amend objective CSO 1.7 as follows:

Promote and facilitate the development of sustainable and socially integrated communities through ~~land use planning~~ a plan-led approach that is informed by settlement capacity audits and social infrastructure audits, by providing for land uses zoning designations capable of accommodating employment, environmental education, community, leisure, education campuses, childcare, recreational and cultural facilities having regard to the quality of the receiving environment, and any landscape character, and the archaeological and architectural heritage sensitivities.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 2.10

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 2.10.

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### **Proposed Material Alteration No. 2.11**

Amend objective CSO 1.9 as follows:

Review and prepare on an ongoing basis a portfolio of Local Area Plans (LAPs) for the mandatory LAP settlements (and environs, where appropriate) of Naas, Maynooth, Newbridge, Leixlip, Kildare, Athy, Celbridge, Kilcock, Monasterevin, Sallins, Clane and Kilcullen in accordance with the objectives of the County Development Plan and all relevant Section 28 Ministerial Guidelines.

### **Submissions/Observations**

The following relates to Submission No. 118.

The submission notes that Clane and Kilcullen have been added to the list of settlements for which LAPs are to be prepared. It is recommended that Proposed Material Alteration No. 2.11 also include reference to Local Transport Plans (LTPs) being prepared in conjunction with LAPs.

The following relates to Submission No. 230.

The submission welcomes Proposed Material Alteration No. 2.11 which notes that the environs, where appropriate, are also included in a local area plan for a settlement.

The following relates to Submission No. 219.

The submission supports the proposed amendment.

The following relates to Submission No. 221.

The submission notes that Clane is now included in the listing of LAPs for review/preparation. The submission directs the Council to the provisions of Section 4.4.1 of the recently published Development Plan Guidelines 2022, which states that it is a clear objective of the Guidelines to ensure that 'zoned land in an existing development plan under preparation, should not be subject to dezoning' Reference is



also made to ‘Housing for All – A new Housing Plan for Ireland’, which seeks to increase new housing supply to an average of at least 33,000 units per year. The level of actual growth in population as indicated by Census 2022 underscores the urgent requirement for additional housing in Clane to accommodate this level of population growth. Therefore, the current extent of zoning within Clane should be maintained as part of any upcoming review of the LAP.

### **Chief Executives Response**

The comments made by Submission No. 230 and 219 are noted.

#### The following relates to Submission No. 118

Objective CSO 1.9 (as per Proposed Material Alteration No. 2.11) states that it is an objective of the Council to review and prepare Local Area Plans (LAPs) in accordance with the objectives of the County Development Plan and all relevant Section 28 Ministerial Guidelines.

In particular, it is considered that Objective CSO 1.18 (as per Proposed Material Alterations No. 2.16) and Action TM A2 (as per Proposed Material Alterations No. 5.10) of the Plan adequately address the suggested recommendation.

#### The following relates to Submission No. 221

The comments in the submission that the current extent of zoning within Clane should be maintained as part of any upcoming review of the LAP is noted, however the methodology for the development of Local Area Plans for settlements in the county is based on the preparation of a series of detailed assessments including an Infrastructural Assessment (Settlement Capacity Audit), a Social Infrastructure Audit and an Area Based Transport Assessment (ABTA) to determine the suitability and capacity of specific sites to accommodate land use zoning objectives. Having regard to the above, it is considered premature indicate whether the current extent of zoning within Clane should be maintained as part of any upcoming review of the LAP.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 2.11.

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### **Proposed Material Alteration No. 2.12**

Add new objective after objective CSO 1.9 and renumber objectives accordingly:  
**Prepare a Joint Local Area Plan for Maynooth and Environs in conjunction with Meath County Council.**

### **Submissions/Observations**

#### The following relates to Submission No. 118.

Submission no. 118 notes Proposed Material Alteration No. 2.12 and recommends that it also include reference to Local Transport Plans (LTPs) being prepared in conjunction with LAPs.

#### The following relates to Submission No. 174.

Submission no. 174 states that the preparation of a Joint Local Area Plan for Maynooth and Environs in conjunction with Meath County Council is welcomed, however it is

essential that this growth is undertaken in a sequential manner and in a timely fashion to allow development to progress quickly to meet the needs of a growing population, which is captured in the following proposed additional text to PMA no. 2.12.

The additional text proposed is highlighted in red below.

“CSO 1.9 Prepare a Joint Local Area Plan for Maynooth and Environs in conjunction with Meath County Council to promote growth in a sequential manner contiguous to the existing development. This LAP should be prepared within 12 months of the adoption of the CDP”

The following relates to Submission No. 230.

The submission welcomes Proposed Material Alteration No. 2.12 which arose on foot of the Meath County Council submission to the Draft Plan.

The following relates to Submission No. 251.

The submission supports Proposed Material Alteration No. 2.12

### **Chief Executives Response**

The following relates to Submission No. 118.

Objective CSO 1.9 (as per Proposed Material Alteration No. 2.11) states that it is an objective of the Council to review and prepare Local Area Plans (LAPs) in accordance with the objectives of the County Development Plan and all relevant Section 28 Ministerial Guidelines.

In particular, it is considered that Objective CSO 1.18 (as per Proposed Material Alterations No. 2.16) and Action TM A2 (as per Proposed Material Alterations No. 5.10) of the Plan adequately address the suggested recommendation.

The following relates to Submission No. 174.

The Pre-Draft Public Consultation for the Maynooth Local Area 2024-2030 was initiated on the 30<sup>th</sup> September 2022 and it is intended that the Maynooth Local Area Plan will be fully adopted by 2024. Indicating a timeframe for the adoption of an LAP within the County Development Plan is not considered necessary when the process is currently underway.

The submission requests that the Joint Local Area Plan for Maynooth promote growth in a sequential manner contiguous to the existing development is noted. LAPs are informed by a series of evidence-based reports, including but not limited to Settlement Capacity Audits, Area Based Transport Assessments and Social Infrastructure Audits which all contribute towards a preferred development strategy, which will align with the core principles of compact and sequential growth.

The following relates to Submission No. 230 and Submission No. 251.

The contents of the submission are noted. Kildare County Council commits to engaging with Meath County Council for the preparation the Joint Local Area Plan for Maynooth and Environs.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 2.12.

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### **Proposed Material Alteration No. 2.13**

Amend objective CSO 1.11 as follows:

~~Leverage funding from all available sources including the Urban Regeneration and Development Fund (URDF) and the Rural Regeneration and Development Fund (RRDF) to help secure the equitable delivery of key projects that will contribute to town and village renewal~~ **Continue to implement the Council's programme of regeneration and renewal projects and actively seek funding from relevant agencies and Government sources including the Rural/Urban Regeneration and Development Fund (RRDF/URDF) in order to ensure the equitable delivery of projects across County Kildare, particularly in more densely populated areas in the north of the county. and to e** ~~and e~~ **Endeavour to ensure key that such project plans proposals are, where possible, fully prepared in advance of funding announcements-, and to have resources allocated to focus on undeveloped projects or match funded opportunities.**

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 2.13

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 2.13

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### **Proposed Material Alteration No. 2.14**

Amend objective CSO 1.12 as follows:

~~Require that the design of future developments occurs in a manner that facilitates sustainable travel patterns, with a particular focus on increasing the share of active modes (walking and cycling) and public transport use and creates~~ **complies with the 10-minute settlement principle through the creation of a safe, attractive, permeable, and universally accessible environment for pedestrians and cyclists all, where** ~~measurably adequate transport links are in place, or will be situated, close to new developments and, insofar as possible, to existing developments which would benefit from them. Including permeability to existing estates to require public consultation~~ **which maximises the potential for active modes of travel along with accessibility to both present and planned public transport options and to advocate for increased public transport options to meet this goal where none are in place.**

### **Submissions/Observations**

The following relates to Submission No. 230.

Meath County Council look forward to collaborating with Kildare County Council on the preparation of the Joint Maynooth LAP and this includes the application of this objective related to Proposed Material Alterations No. 2.14.

The following relates to Submission No. 263.

The submission requests that objective CSO1.12 be amended, as follows: Deletion of 'pedestrians and cyclists' and replacement with 'for all'

### **Chief Executives Response**

Submission No. 230 is noted and welcomed.

The following relates to Submission No. 263.

Objective CSO 1.12 (as per Proposed Material Alteration No. 2.14) includes the amendments proposed by Submission No. 263.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 2.14.

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### **Proposed Material Alteration No. 2.15**

Amend objective CSO 1.18 as follows:

~~To consider aligning~~ **Align the Kildare County Development Plan 2023-2029, with the up-to-date population from the forthcoming Census 2022 where there are verified material population differentials at settlement level to those in Table 2.8 of the Plan, by way of a statutory variation/review pursuant to Section 13 of the Planning and Development Act 2000 (as amended).**

### **Submissions/Observations**

The following relates to Submission No. 210

There should be a commitment to review and publish the variation within 6 months of the final Census 2022 figures.

Submission no. 210 proposes to add the following text amendment to PMA No. 2.15. The additional text proposed is highlighted in red below.

~~To consider aligning~~ **Align the Kildare County Development Plan 2023-2029, with the up-to-date population from the forthcoming Census 2022 where there are verified material population differentials at settlement level to those in Table 2.8 of the Plan, by way of a statutory variation/review pursuant to Section 13 of the Planning and Development Act 2000 (as amended). This will be carried out within 6 months from when the detailed CSE data and population analysis for the County is published.**

The following relates to Submission No. 176

There should be greater clarity in the County Development Plan on when the new Census figures will be reflected in the Development Plan. There should be no variation to the Plan given the significant increase in population above the projected figures and a deficit in housing to accommodate this population.

Submission no. 176 proposes to amend the following text to PMA No. 2.15. The additional text is highlighted in red below.

Amend objective CSO 1.18 as follows:

~~To consider aligning~~ **Align the Kildare County Development Plan 2023-2029, with the up-to-date population from the forthcoming Census 2022 where there are verified material population differentials at settlement level to those in Table 2.8 of the Plan, by way of a statutory variation/review pursuant to Section 13 of the Planning and**

**Development Act 2000 (as amended).** The preparation of a variation to the Plan will commence as soon as the Census 2022 figures are available.

The following relates to Submission No. 221

The submission states that the preliminary Census results are available on the CSO, which includes figures for the overall population of the county and the population per settlement. It is considered that the upgrade of the core strategy population figure should be undertaken now, ahead of the adoption of the new plan.

### **Chief Executives Response**

It is the intention of the Council that any statutory variation to the CDP will be commenced as expeditiously as possible on publication of the Census 2022 SAP data from CSO.

It should be noted that the local electoral division boundaries do not give an accurate indication of population figures for settlements. Small Area Population Statistics (SAPS) are the method to get an accurate picture of population numbers within settlements and these figures will not be available till 2023. PMA 2.7 is clear in its assertion that the *'2021 population estimate is a holding figure and is used as a guide only until a detailed 2022 county profile is published by the Central Statistics Office (CSO).'* PMA 2.7 also states that *'As Local Area Plans are prepared during the lifetime of this County Development Plan; the Census 2022 figure will be used as the population baseline from which projected population growth will be calculated for each individual LAP town.'* It is considered that PMA 2.7 and PMA 2.15 satisfactorily address any concerns about the preliminary Census results not being reflected in Table 2.8 of the draft Plan.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 2.15.

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### **Proposed Material Alteration No. 2.16**

Add new objective after CSO 1.18 as follows and renumber objectives accordingly: **Prepare a Local Transport Plan, Settlement Capacity Audit and Social Infrastructure Audit for each local area plan, in order to facilitate the integration of land use and transportation, to apply a tiered approach to zoning and to identify deficiencies in social infrastructure provision, all in order to provide a sustainable growth strategy for each town.**

### **Submissions/Observations**

The following relates to Submission No. 118.

The submission welcomes and supports Proposed Material Alteration No. 2.16.

The following relates to Submission No. 133.

It is highlighted in TII's submission to the Draft Plan noted that planning authorities must develop an evidence-based approach to planning policy and undertake detailed transport modelling, as necessary. Furthermore, the submission stated that an integrated approach to the design of development areas should include a set of principles and criteria designed to ensure a high standard of access by public transport, foot and private car so that the variety of retail, enterprise and employment

zones/areas can be easily accessible by all modes of transport and all sections of society.

In this regard, TII welcomes the commitment to the preparation of Local Transport Plans for each Local Area Plan as per proposed material alteration no. 2.16.

The following relates to Submission No. 230.

Meath County Council look forward to collaborating with Kildare County Council on the preparation of the Joint Maynooth LAP and this includes the application of this objective related to Proposed Material Alterations No. 2.16.

The following relates to Submission No. 251.

The submission supports Proposed Material Alteration No. 2.16

### **Chief Executives Response**

All submissions received relating to Proposed Material Alteration No. 216 have been noted and welcomed.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 2.16.

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### **Proposed Material Alteration No. 2.17**

Add new objective after CSO 1.18 as follows and renumber objectives accordingly:  
**Monitor the delivery of new housing units and facilitating infrastructure (i.e., Irish Water Capital Investment Programme, Irish Rail DART + Programmes etc.) across County Kildare<sup>2</sup> on an annual basis to ensure general compliance with the County Development Plan Core Strategy and housing supply targets to inform possible redistribution if/where appropriate.**

### **Submissions/Observations**

The following relates to Submission No. 174.

In accordance with the County Development Plan and to meet core strategy growth targets, Cairn has delivered a number of key elements of roads infrastructure within Kildare to facilitate the implementation of residential development and benefit the wider community with limited contribution by the Council.

It is considered that where a developer delivers infrastructure in a more efficient and expeditious manner to the local authority which benefits the wider public, these costs should be offset within development contributions required under the provisions of Section 48 of the Act 2000.

Submission no. 174 proposes to add the following text amendment to PMA No. 2.17. The additional text proposed is highlighted in red below.

**“Monitor the delivery of new housing units and facilitating infrastructure (i.e. Irish Water Capital Investment Programme, Irish Rail DART + Programmes etc.) across County Kildare on an annual basis to ensure general compliance with the County Development Plan Core Strategy and housing supply targets to inform possible redistribution if/where appropriate. Work in tandem with developers to delivery key**

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<sup>2</sup> In accordance with the CSO Housing Completion data

infrastructure such as roads to serve residential lands and allow for development contributions to be calculated proportionate to the cost incurred by the developer in implementing any such infrastructure.”

The following relates to Submission No. 176.

The submission states that clarity should be provided on when the annual review will take place. The provision to zone additional lands is also considered necessary as the redistribution of housing targets will not be sufficient to address the deficit in housing and that the provision to zone additional residential lands is also deemed necessary.

Submission no. 176 proposes to add the following text amendment to PMA No. 2.17. The additional text proposed is highlighted in red below.

Add of new objective after CSO 1.18 as follows and renumber the objectives accordingly:

Monitor the delivery of new housing units and facilitating infrastructure (i.e, Irish Water Capital Investment Programme, Irish Rail DART + Programmes et.) across County Kildare on an annual basis to ensure general compliance with the County Development Plan Core Strategy and housing targets to inform possible redistribution if/where appropriate and the zoning of additional residential lands as required. Findings of the first review will be published by the Council within 3 months of the enactment of the development plan and every 12 months following the first publication.

### **Chief Executives Response**

Kildare County Council has prepared a draft Development Contributions Scheme 2023-2029 which was subject to a public consultation and any specific reference to contributions in the Draft Plan would be premature pending the adoption of this scheme.

The zoning of additional residential lands in large urban settlements is part of the Local Area Plan process, which is based on a series of detailed assessments including an Infrastructural Assessment (Settlement Capacity Audit), a Social Infrastructure Audit and an Area Based Transport Assessment (ABTA) to determine the suitability and capacity of specific sites to accommodate land use zoning. To zone additional residential lands, without going through the above, would be considered premature to the outcome of the comprehensive evidence-based methodology which is central to the Council’s local area plan making process.

In relation to the timings around monitoring it is considered that the commitment to monitor the delivery of housing on an annual basis is adequate and this information will inform the preparation of all emerging Local Area Plans along with the published CSO quarterly housing completion figures.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 2.17.

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### **Proposed Material Alteration No. 2.18**

Amend and move objective UD O8 (Chapter 14) and insert after CSO 1.18 (Chapter 2) as follows:

~~Address new settlement areas already in the planning process, in the appropriate Local Area Plan process and to ensure that future new settlements....~~ **Ensure that all sustainable urban extensions to settlements along high-capacity public transport routes (Dart+ services, Bus Connects routes and any designated bus only/ bus priority route) are considered in the appropriate Local Area Plan process, in conjunction with the Regional Spatial and Economic Strategy and Metropolitan Area Strategic Plan to support new distributed growth in County Kildare during the lifetime of this Plan and to inform the next GDP County Development Plan, LAPs, UDZs and or any other plans or variation.**

### **Submissions/Observations**

The following relates to Submission No. 230.

Meath County Council look forward to collaborating with Kildare County Council on the preparation of the Joint Maynooth LAP and this includes the application of this objective related to Proposed Material Alterations No. 2.18.

The following relates to Submission No. 191

The submission notes that in relation to Leixlip. Leixlip is identified by the RSES as a key strategic development area within the Metropolitan Area Strategic Plan (MASP), and to reflect this and the existing / planned infrastructure (including the Dart + West Project) that serves the town, additional population growth should be applied to the self-sustaining growth town of Leixlip.

### **Chief Executives Response**

The request to reconsider the settlement strategy with a view to increasing its unit target allocation in Leixlip is not accepted. The Council has adopted a bespoke approach which will provide for the potential of additional provision on a case-by-case basis within the main settlements of the county (including Leixlip) as part of the local area plan process. This will consider the specific development circumstances of each settlement and factor in issues including extant permissions and the potential residential development yield from sites zoned town centre and existing residential/infill. Such a position is considered to align with Section 4.4.3 of the Guidelines which state that it is 'on a settlement basis, the precise extent to which zoned lands and sites in excess of that required to match the agreed housing supply target are provided, is to be determined by the planning authority'.

The Council acknowledges that the rail service to Leixlip / Confey will be considerably enhanced over the coming years with the delivery of the DART + West project. The requirement for a Masterplan to guide and manage the phased development of the lands is also supported by an Action (UD A2) of the Draft Plan which provides for the development of a masterplan in Confey in co-operation with relevant stakeholders

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 2.18.

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### **Proposed Material Alteration No. 2.19**

Add new objective after CSO 1.18 as follows and renumber objectives accordingly: :



Support the implementation of LEADER Programmes equally across all areas which aim to deliver a range of rural enterprise, social inclusion and community development initiatives in County Kildare.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 2.19

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 2.19.

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**Proposed Material Alteration No. 2.20**

Add new objective after CSO 1.18 and renumber objectives accordingly (Move from Chapter 4 to Chapter 2):

Consider any proposal for a Strategic Development Zone (SDZ) in County Kildare on its merits, having regard to the characteristics of the proposed area and the ability of the receiving environment to absorb new development of the level proposed.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 2.20

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 2.20.

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**Proposed Material Alteration No. 2.21**

(a) Amend Table 2.6 – Rural Nodes to delete ‘Lackagh’ and to include ‘Lackagh’ in Table 2.8 as a ‘Rural Settlement’

(b) Amend Map Ref: V1-2.2, remove Lackagh as a ‘Rural Node’ and insert Lackagh / Mountrice as a ‘Rural Settlement’. See Map below.



### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 2.21

### **Chief Executives Response**

Having regard to the deficiency of available physical and community infrastructure relative to other rural nodes and rural settlements, it is not recommended that Mountrice be designated within the County Development Plan (CDP). However, it is considered appropriate to designate Lackagh as a rural node within the CDP. (See also response to OPR – submission no. 249)

### **Chief Executives Recommendation**

**Not to accept** Proposed Material Alteration No. 2.21.

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## Chapter 3: Housing

### **Proposed Material Alteration No. 3.1**

Amend the heading of Section 3.7 as follows:

#### **3.7 Residential Densityies and Building Height**

#### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 3.1

#### **Chief Executives Response**

N/A

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 3.1.

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### **Proposed Material Alteration No. 3.2**

Amend paragraph four of Section 3.7 as follows:

The Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG (2009) and Urban Development and Building Height Guidelines, DHLGH (2018) outline appropriate densities and building heights applicable to settlements of various size and location within these settlements. For further details on the implementation of the Urban Development and Building Height Guidelines refer to Section 14.8 Urban Design and Building Heights.

#### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 3.2

#### **Chief Executives Response**

N/A

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 3.2.

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### **Proposed Material Alteration No. 3.3**

Delete the text of Section 3.7 as follows:

#### **Building Heights**

~~Aligned with the principle of greater densification, will be the requirement to consider greater height in appropriate locations. It is important to note however, that higher density does not necessarily equate to high rise buildings and plot ratio and site coverage all contribute to the density of a particular built form. Appropriate higher density schemes can often be achieved by using mid-rise typologies and key to the success of such development is high quality design and placemaking.~~

~~The Urban Development and Building Height Guidelines for Planning Authorities published in December 2018 state that increasing prevailing building heights has a critical role to play in addressing both the scale and density of development. The~~

~~guidelines also note that increased building height is a factor in assisting modern placemaking and improving the overall quality of our urban environments. The strategic approach, therefore, is to promote more intensive forms of development, including increased height, whilst ensuring that high quality places and a good quality of life are achieved.~~

~~The Guidelines include 4 no. Specific Planning Policy Requirements (SPPR), which the Planning Authority must apply in carrying out its functions. SPPR 1 relates to increased building heights and density in locations with good public transport accessibility. SPPR 2 seeks to ensure that an appropriate mix of uses is delivered as part of increased building heights. SPPR 3 relates to localised environmental issues to consider for higher buildings. SPPR 4 cross-references the application of residential density:~~

#### **SPPR 4**

~~It is a specific planning policy requirement that in planning the future development of greenfield or edge of city/town locations for housing purposes, planning authorities must secure:~~

- ~~1. the minimum densities for such locations set out in the Guidelines issued by the Minister under Section 28 of the Planning and Development Act 2000 (as amended), titled “Sustainable Residential Development in Urban Areas (2007)” or any amending or replacement Guidelines;~~
- ~~2. a greater mix of building heights and typologies in planning for the future development of suburban locations; and~~
- ~~3. avoid mono-type building typologies (e.g. two storey or own-door houses only), particularly, but not exclusively so in any one development of 100 units or more.~~

~~Circular letter NRUP 02/2021 clarifies that the Guidelines referred to in Point 1 above, are in fact the Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities, DEHLG (2009), and that it follows that discretion may be applied in the assessment of residential density at the periphery of larger towns, with net residential densities below 35 dwellings per hectare permissible in certain cases, as set out above. Accordingly, ‘minimum’ densities should not be equated with 35 dwellings per hectare in all contexts and may be lower than that figure.~~

#### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 3.3

#### **Chief Executives Response**

N/A

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 3.3.

### **Proposed Material Alteration No. 3.4**

Delete objective HO O5 as follows:

~~Ensure a strategic approach to building height in urban settlements that accords with The Urban Development and Building Height Guidelines for Planning Authorities (2018) and in particular, Specific Planning Policy Requirements (SPPR) 1 to 4.~~

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 3.4

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 3.4.

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### **Proposed Material Alteration No. 3.5**

Amend reference from ~~the elderly~~ to **older persons** throughout the plan.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 3.5

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 3.5.

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### **Proposed Material Alteration No. 3.6**

Amend objective HO O22 as follows:

~~Require~~ **To meet the needs of older people and persons with a disability through by requiring** the provision of alternative accommodation, such as age appropriate homes, independent and assisted living units, day-care facilities, nursing homes and specialised care units (e.g. dementia specific units) to meet the needs of older people and to facilitate the provision of a range of housing options for ~~elderly~~ **older persons** in central, convenient and easily accessible locations, integrating such housing with mainstream housing through the ~~designation~~ **application of a location specific objective (Specific Local Objectives (SLO))** ~~specific land uses~~ **at appropriate and optimised strategic locations particularly on Council owned land in mandatory Local Area Plans in County Kildare.**

### **Submissions/Observations**

The following relates to Submission No. 230.

Meath County Council welcomes Proposed Material Alteration No. 3.6.

### **Chief Executives Response**

Noted and acknowledged.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 3.6.

---

### **Proposed Material Alteration No. 3.7**

Amend action HO A6 as follows:

Promote Ballymore Eustace as a national exemplar model of an age friendly, universally accessible, climate-friendly village and seek to facilitate and support this model for other settlements within County Kildare.

### **Submissions/Observations**

The following relates to Submission No. 263.

The submission requests that action HO A6 be amended to read as follows: 'Promote Ballymore Eustace as a national exemplar model of an age-friendly, **universally accessible**, climate-friendly village and seek to facilitate and support this model for other settlements within County Kildare.'

### **Chief Executives Response**

Action HO A6 (as per Proposed Material Alteration No. 3.7) includes the proposed additional text 'universally accessible'.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 3.7.

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### **Proposed Material Alteration No. 3.8**

Add a new objective after objective HO O33 as follows and renumber objectives accordingly:

Support the implementation of the recommendations of the Irish Human Rights and Equality Commission Equality Review on the provision of Traveller accommodation in Co. Kildare.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 3.8

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 3.8.

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### **Proposed Material Alteration No. 3.9**

Amend the last paragraph before Table 3.4 in Section 3.13.3 as follows:

Cluster type developments of five houses or less may be considered in rural areas on family farm holdings for applicants who are family members or adjacent to urban boundaries where no other land is available and comply with the social or economic element of the rural housing policy, where there has not been speculative sale of sites.

### **Submissions/Observations**

The following relates to Submission No. 170

Replace PMA No. 3.9 with the following text.

A) Cluster type developments of five houses or less will be considered on family land holdings for applicants who are family members and who comply with the social or economic element of the rural housing policy (1) where the family landholding is in a rural area, and (2) where there has not been speculative sale of sites by the family.

B) Cluster type developments of five houses or less will be considered on family land holdings for applicants who are family members and who comply with the social or economic element of the rural housing policy (1) where the family landholding is adjacent to urban boundaries/edge of settlement, and (2) where the family does not own any other landholding in the locality, and (3) where there has not been speculative sale of sites by the family

The following relates to Submission No. 230.

Meath County Council welcomes Proposed Material Alteration No. 3.9.

### **Chief Executives Response**

Submissions no. 170 and 230 are noted.

In relation to submission no. 170, it is considered the proposed amendment to PMA No. 3.9 considered to be open to misinterpretation and no further change is proposed. Also, HO P15 of the Draft Plan is clear in its requirement to protect the character of transitional lands particularly the approach roads to towns and villages and areas immediately outside of settlement boundaries.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 3.9.

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### **Proposed Material Alteration No. 3.10**

Amend HO P11 as follows:

Facilitate subject to all appropriate environmental assessments proposals for dwellings in the countryside outside of settlements in accordance with NPF Policy NPO 19 for new Housing in the Open Countryside in conjunction with the rural housing policy zone map (Map 3.1) and accompanying Schedule of Category of Applicant and Local Need Criteria set out in Table 3.4 and in accordance with the objectives set out below. Documentary evidence of compliance with the rural housing policy must be submitted as part of the planning application.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 3.10.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 3.10.

**Proposed Material Alteration No. 3.11**

Amend objective HO O50 as follows:

Require that all applications to demonstrate the ability to provide safe vehicular access to the site where without the necessity to remove extensive stretches of native hedgerow and trees. All applications will be considered on a case-by-case basis, having regard to, the quality of the hedgerow, age and historical context, if an old town boundary hedgerow, species composition, site context and proposed mitigation measures or can demonstrate existing hedgerow is not native and provide a landscape design to reinstate a hedgerow to outline proposals for replacement of same or comparative.

**Note;** The need for the removal of extensive roadside hedgerow may indicate that the site is unsuitable for development.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 3.11.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 3.11.

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**Proposed Material Alteration No. 3.12**

Add a new objective after objective HO O50 as follows and renumber objectives accordingly:

Recognise the biodiversity and ecosystem services value of established hedgerows within rural and urban settings and where hedgerow must be moved to achieve minimum sight lines, a corresponding length of hedgerow of similar species composition (native and of local provenance) shall be planted along the new boundary, while allowing occasional hedgerow trees to develop.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 3.12.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 3.12.

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**Proposed Material Alteration No. 3.13**

Add a new policy in Section 3.13.5 as follows and renumber objectives accordingly:

Consider the presence of bat species, all of which are listed on Annex IV of the Habitats Directive in the restoration/refurbishment of traditional structures and to ensure applications relating to the restoration and re-use of vernacular structures



and houses in the countryside are accompanied by a bat survey report, as required and appropriate.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 3.13.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 3.13.

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### **Proposed Material Alteration No. 3.14**

Amend policy HO P21 as follows:

Consider, applications for one-off housing in areas bordering neighbouring counties, where the proposed site is located on family land within County Kildare, at a distance of up to 2km located in Zone 1 and up to 5km located in Zone 2, from the county boundary. Applicants will be required to demonstrate, to the satisfaction of the planning authority, that no suitable family-owned site is available in the adjoining county and that all other aspects of rural housing policy including local need, siting and design are complied with and that no significant negative environmental effects will occur as a result of the development. The applicant shall also fully demonstrate that they are building their rural dwelling and that it will be for their permanent place of residence.

### **Submissions/Observations**

The following relates to Submission No. 230.

Meath County Council welcomes Proposed Material Alteration No. 3.14.

### **Chief Executives Response**

Noted and welcomed.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 3.14.

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### **Proposed Material Alteration No. 3.15**

Amend the final bullet point of Section 3.14 as follows:

- Where the RRD exceeds 25 units per square kilometre there will be a presumption against further one-off houses, however in certain circumstances the above limits on RRD<sup>1</sup> may be exceeded subject to the exceptions outlined in section 3.14 of Chapter 3 of Volume 1.

### **Submissions/Observations**

The following relates to Submission Nos. 170 and 189.

Amend PMA No. 3.15 as follows.

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<sup>1</sup> Rural Residential Density

\*Where the RRD exceeds ~~25~~ 30 units per square kilometre there will be a presumption against further one-off houses, however in certain circumstances the above limits on RRD<sup>3</sup> may be exceeded subject to the exceptions outlined in Section 3.14 of Chapter 3 of Volume 1.

Rationale: so that Material Alteration No. 3.15 corresponds with Proposed Material Alteration No. 3.22.

### **Chief Executives Response**

It is considered in the interests of consistency that PMA No. 3.15 should align with PMA No. 3.22. Therefore, the above figure, which relates to the number of units per square kilometre in rural areas should be amended from 25 to 30.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 3.15, to include the following amendment:

- Where the RRD exceeds ~~25~~ 30 units per square kilometre there will be a presumption against further one-off houses, however in certain circumstances the above limits on RRD<sup>2</sup> may be exceeded subject to the exceptions outlined in section 3.14 of Chapter 3 of Volume 1.

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### **Proposed Material Alteration No. 3.16**

Amend policy HO P24 as follows:

Sensitively consider the capacity of the receiving environment to absorb further development of the nature proposed through the application of Kildare County Councils 'Single Rural Dwelling Density' Toolkit (see Appendix 11) and facilitate where possible those with a demonstrable social or economic need to reside in the area. Applicants will be required to demonstrate, to the satisfaction of the planning authority that no significant negative environmental effects will occur as a result of the development. In this regard, the Council will:

- examine and consider the extent and density of existing development in the area,
- the degree and pattern of ribbon development in the proximity of the proposed site.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 3.16.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 3.16.

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<sup>2</sup> Rural Residential Density

### **Proposed Material Alteration No. 3.17**

Add new text after the Note below Objective HO O56 as follows:

A clearly defined urban area may be omitted from the calculations (applying a pro-rata density on the balance of area within the square kilometre buffer), however, where extensive sprawl and ribbon development extends from an urban centre or village, then these units – if they fall within the circle – may be used in the calculation of the rural residential density. If the circle/area passes through the curtilage of a residential site, then it is included within the calculation.

### **Submissions/Observations**

The following relates to Submission No. 189.

The reference to the curtilage of a residential site should be omitted from PMA No. 3.17 as it is not consistent with the footnote to PMA No. 3.22, which states “in all instances be measured from centre...”

### **Chief Executives Response**

There is no inconsistency between PMA No. 3.17 and PMA No. 3.22. A clear demarcation is required when calculating the number of units within a square kilometre and it is considered the clarification outlined above, which relates to instances where the circle/area passes through the curtilage of a residential site is necessary, clear and unambiguous. It will be necessary to amend Appendix 11 where it relates to ribbon development to accord with the policies and objectives of the Draft Plan.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 3.17 and amend Appendix 11 ‘Single Rural Dwelling Density Toolkit’ to remove the following text;

~~Therefore, ribbon development will also be evaluated on the basis of 10 houses or more over a 500m stretch; and/or 20 units or more over a 1,000m stretch of road. For the avoidance of doubt, the dwellings either side of the road will be used to form the calculation.~~

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### **Proposed Material Alteration No. 3.18**

Add new policy before HO P26 of section 3.16 as follows and renumber policies accordingly:

Avoid the creation of new accesses for one-off dwellings onto national roads, regardless of the housing circumstance of the applicant, to comply with the requirements of the Spatial Planning and National Roads Guidelines, DECLG (2012).

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 3.18.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 3.18.

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**Proposed Material Alteration No. 3.19**

Amend objective HO O49 as follows:

Require that new dwellings incorporate principles of sustainability and green principles in terms of design, services and amenities with careful consideration in the choice of materials, roof types (i.e. green roofs), taking advantage of solar gain/passive housing and the provision of low-carbon and renewable energy technologies as appropriate to the scale of the development and to support microgeneration in all residential, commercial, agricultural and community development planning. Other sustainable principles could include the use of Sustainable Urban Drainage Systems (such as attenuation ponds and grass lined swales), the use of gravel or grasscrete rather than permanent paving/tarmac for driveways, landscaping and planting for biodiversity/pollinators and adequate waste segregation and storage space, as set out in Section 15.4 of Chapter 15 (Development Management standards) and the Rural House Design Guide contained in Appendix 4.

**Submissions/Observations**

The following relates to Submission No. 215.

The submission supports the inclusion of microgeneration in all residential, commercial, agriculture and community development planning.

**Chief Executives Response**

Noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 3.19.

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**Proposed Material Alteration No. 3.20**

To include an additional objective in Section 3.13.7 (Providing a sustainable alternative to One Off Housing) to read as follows and renumber objectives accordingly:

Following the preparation and adoption of the 'Kildare County Council Serviced Sites Scheme Policy Document', the Council will consider varying the Kildare County Development Plan 2023- 2029 (CDP) to incorporate additional serviced sites' lands that are located within or adjacent to zoned or designated lands as identified in the CDP.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 3.20.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 3.20.

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**Proposed Material Alteration No. 3.21**

Amend HO A8 as follows:

Prepare, within 6 months of the adoption of this Plan, a Kildare County Council Serviced Sites Scheme Policy Document, for the agreement of the Elected Members, to guide the development of serviced sites, ~~no later than 6 months after the adoption of this Plan.~~ This policy document shall;

.....  
3) Explore mechanisms to support the delivery of affordable homes and sites, including the provision of smaller homes and sites which would not compromise the overall quality of life for future occupants. All relevant and appropriate housing models will also be considered in order to support the delivery of affordable, high-quality homes. To support existing villages and cluster communities that are in decline or are experiencing low population growth.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 3.21.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 3.21.

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### **Proposed Material Alteration No. 3.22**

Amend HO O56 as follows:

Carefully manage Single Rural Dwelling Densities to ~~between 15 and 25 units per square kilometre~~ and ensure that the density of one-off housing does not exceed 25 30 units per square kilometre (footnote), unless the applicant is actively engaged in agriculture, or an occupation that is heavily dependent on the land and building on their own landholding.

Footnote: The sq.km. shall, in all instances, be measured from the centre point of the application site.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 3.22.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 3.22.

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### **Proposed Material Alteration No. 3.23**

Amend HO P14 as follows:

The Council will seek to resist further development which would serve to extend ribbon development, save in circumstances where a “gap site” is evident within the existing ribbon pattern, where one individual dwelling is proposed. Such proposals

will be considered, regardless of the density of the area, only in the following circumstances:

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 3.23.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 3.23.

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**Proposed Material Alteration No. 3.24**

Include a new objective under Section 3.13.3 after HO O48 as follows:

To consider favourably proposals to complete/renovate/refurbish one-off houses in rural areas which may be unfinished (for stated reasons outside the control of the original applicant) for a period in excess of 3 years, subject to an occupancy clause of 5 years where the applicant can demonstrate that they have lived and worked within 10km of the site for a period of not less than 3 years. The onus shall be on the applicant/occupant of the property (as appropriate) to satisfactorily demonstrate to the Planning Authority, full compliance with this policy.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 3.24.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 3.24.

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**Proposed Material Alteration No. 3.25**

Include a new policy in Section 3.13.5 to read as follows;

Positively accept any brown field residential site, non-habitable dwelling or farm buildings irrespective of their condition, as a viable alternative to a new residential build in a rural area. Rural density figures or limits will not apply to applicants who comply with the local need criteria.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 3.25.

**Chief Executives Response**

In the interests of clarity and ensure accurate interpretation it is proposed to include a footnote as follows;

'Rural density limits set out in Objective HO O56 will not apply to applicants restoring or refurbishing existing structures in this regard who comply with the local need criteria'

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 3.25 and include the following footnote:  
'Rural density limits set out in Objective HO O56 will not apply to applicants restoring or refurbishing existing farm structures or non-habitable dwellings who comply with the local need criteria'

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### **Proposed Material Alteration No. 3.26**

Amend HO O44 as follows:

Restrict residential development on a landholding, where there is a history of development through the speculative sale or development of sites to an unrelated third party, to family members of the landowner who are involved in agriculture, equine, horticulture. ~~notwithstanding the applicant's compliance with the local need criteria.~~

### **Submissions/Observations**

The following relates to Submission No. 170

Amend PMA No. 3.26 as follows;

Restrict residential development on a landholding, where there is a history of development through the speculative sale by the family or development by the family of sites to an unrelated third party, to family members of the landowner who are involved in agriculture, equine, horticulture, notwithstanding the applicant's compliance with the local need criteria.

### **Chief Executives Response**

The purpose of objective HO O44 is to restrict development on landholdings where there is a history of speculative development and ensure the protection of key economic, environmental, natural and heritage assets, such as the road network, water quality, sensitive landscapes, habitats, and the built heritage. If the ownership of a landholding changes it does not negate the potential detrimental impact of further residential development on that landholding. No further change recommended.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 3.26.

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### **Proposed Material Alteration No. 3.27**

Amend (ii) under section 3.13.3 as follows:

An owner and operator of a farming/horticultural/forestry/bloodstock/animal husbandry business on an area less than 15ha, who is engaged in farming activity on a daily basis, where it is demonstrated through the submission of documentary evidence that the farming/agricultural activity forms a significant part of their livelihood, including but not limited to intensive farming.

Also amend table 3.4 to include same wording

The owner/operator [as referred to in Category A (ii)] must be engaged in that farming activity on a daily basis, as their main employment. Same must be demonstrated through the submission of documentary evidence to include confirmation that the farming/agricultural activity forms a significant part of the applicant's livelihood, including but not limited to intensive farming.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 3.27.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 3.27.

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**Proposed Material Alteration No. 3.28**

Amend Section 3.18 Technical Considerations for Rural Housing Proposals in County Kildare to include additional point as follows.

7. Scenic Routes; As part of all planning proposals, applicants should refer to Section 13.5 of Chapter 13 (Landscape, Recreation & Amenity), and demonstrate that any scenic route referenced (either in table or map form) will not be significantly interfered with when viewed from nearby areas, viewpoints, and settlements.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 3.28.

**Chief Executives Response**

In the interest of clarity, the table under Section 3.18 Technical Considerations for Rural Housing Proposals in County Kildare will be referenced as Table 3.5.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 3.28 and to title the table in Section 3.18 'Table 3.5 – Technical Considerations for Rural Housing Proposals in County Kildare'

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## Chapter 4: Resilient Economy & Job Creation

### **Proposed Material Alteration No. 4.1**

Add the following new text at the end of Section 4.3.1:

The review of the Local Economic & Community Plan will illustrate how strengthening community infrastructure could support the priority of achieving critical mass and moving people closer to enterprise support agencies such as LEO.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.1.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.1.

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### **Proposed Material Alteration No. 4.2**

Amend RE O13 as follows:

Support An Post in the provision of new postal facilities and the enhancement of existing facilities, including operational requirements, in the County and to facilitate the provision of postal infrastructure at suitable locations in the County.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.2.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.2.

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### **Proposed Material Alteration No. 4.3**

Add new objective in Section 4.3.2 as follows and renumber objectives accordingly:

Ensure that economic development that is urban in nature should be located in urban areas and will not be permitted to re-locate to the countryside or to un-serviced rural areas.

### **Submissions/Observations**

Submission Nos. 118 & 215 welcome and support Proposed Material Alteration No. 4.3.

### **Chief Executives Response**

Noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.3.

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#### **Proposed Material Alteration No. 4.4**

Add new objective after RE O13 as follows and renumber objectives accordingly:  
**Work with EirGrid and ESB Networks to support the provision of a resilient electricity supply and distribution system to accommodate the future economic growth of the county and to facilitate the transition of heat and transport from fossil fuels to electricity.**

#### **Submissions/Observations**

Submission No. 235 welcomes this Proposed Material Alteration.

The following relates to Submission No. 190.

The submission welcomes the new objective and states that EirGrid looks forward to working with Kildare County Council and to delivering the infrastructure required to accommodate the future economic growth of the county.

The following relates to Submission No. 228.

The submission welcomes the addition of a new objective through Proposed Material Alteration No. 4.4, that reinforces support for the provision of a resilient electricity supply and distribution system.

#### **Chief Executives Response**

Noted.

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.4.

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#### **Proposed Material Alteration No. 4.5**

Add new objective after RE O13 as follows and renumber objectives accordingly:  
**Support the implementation of the ‘Local Just Transition Plan for West Kildare, 2022’ a focus of which, through identified thematic actions, is to help communities benefit from new business, income and job creation opportunities in existing and emerging industries.**

#### **Submissions/Observations**

Submission No. 213 welcomes Proposed Material Alteration No. 4.5.

Submission No. 215 welcomes Material Alterations to facilitate the implementation of the Just Transition Plan for West Kildare.

The details of funding priorities and mechanisms for the EU Just Transition Fund are under development at present and the Minister expects to be in a position to finalise the Programme with the European Commission before the end of 2022.

#### **Chief Executives Response**

Noted.

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.5.

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#### **Proposed Material Alteration No. 4.6**

Amend RE O14 as follows:

Undertake, within the first 2 years from the adoption of the Plan, a Strategic Land Use, Employment and Transportation Study of north east Kildare including the Dublin Metropolitan area towns of Leixlip, (and Collinstown), Maynooth, Celbridge and Kilcock. The preparation of the study will have regard to existing and emerging local area plans and any evidence-based assessments associated with same.

Where LAPs are prepared after the completion of the study, such plans shall have regard to any relevant recommendations set out therein. It is envisaged that the study will involve the participation of all strategic stakeholders, including the National Transportation Authority, adjoining local authorities (i.e. Meath, Fingal and South Dublin County Councils), the Regional Assembly, transportation providers, Waterways Ireland, Government Departments and Environmental Agencies.

#### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.6.

#### **Chief Executives Response**

N/A

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.6.

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#### **Proposed Material Alteration No. 4.7**

Amend RE O16 as follows:

Co-ordinate the delivery of strategic infrastructure subject to appropriate route option selection processes and environmental assessments including pedestrian and cycle linkages within Maynooth and the Royal Canal Greenway, DART expansion and road linkages forming part of the Maynooth Outer Orbital Route in a manner which supports future development and population growth.

#### **Submissions/Observations**

The following relates to Submission No. 230.

The submission welcomes the inclusion of text noting that infrastructure delivery in Maynooth, including the Maynooth Outer Orbital Route (hereafter “MOOR”) as well as others, will be “subject to appropriate route option selection processes and environmental assessments”.

It is highlighted that an indicative route for the MOOR in County Meath has been detailed in the Meath County Development Plan 2021 - 2027 and has been subject to the Strategic Environmental Assessment process. The development of the road shall be subject to further environmental assessment, and this will be addressed through the legislative planning process.

Submission No. 251 supports Proposed Material Alteration No. 4.7.

#### **Chief Executives Response**

Noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.7.

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**Proposed Material Alteration No. 4.8**

Amend RE O24 as follows:

Promote the town of Athy as a Food, Drink and Skills Innovative Hub and to support the regeneration and development of Athy to ensure that it provides an enhanced role in delivering economic growth and promoting sectoral interests, including the development of tourism within the south of the county while recognising the historic importance of the food and drink industry in the town and potential for future development.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.8.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.8

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**Proposed Material Alteration No. 4.9**

Include a new objective in Section 4.4.5 'Self-Sustaining Growth Towns' to read as follows;

Co-ordinate the delivery of strategic infrastructure including pedestrian and cycle linkages within Leixlip and between Leixlip and the Greenway, Intel, Celbridge and Lucan in a manner which supports future development and population growth.

**Submissions/Observations**

Submission No. 118 welcomes and supports Proposed Material Alteration No. 4.9.

**Chief Executives Response**

Noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.9.

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**Proposed Material Alteration No. 4.10**

Amend Section 4.5 as follows:

~~Economic clusters are also promoted as part of the overall economic strategy. Naas is clustered with Newbridge and Kilcullen while Maynooth is clustered with Leixlip, Celbridge and Kilcock. Clusters are to develop in a mutually dependent way, so that the amenities and economies of the whole cluster are greater than the sum of the individual parts.~~

Economic clusters, according to the EU Commission, are defined as groups of firms, related economic actors and institutions located near each other and with sufficient scale to develop specialised expertise, services, resources, suppliers and skills. The potential for such clusters to become self-sustaining beacons for attracting further investment, industry, employment opportunities and institutional collaboration is acknowledged by the Council. Accordingly, the following two areas within County Kildare have been identified as economic clusters:

- The MASP (Metropolitan Area Strategic Plan) Economic Cluster in northeast Kildare, which includes the settlements of Maynooth, Leixlip, Celbridge and Kilcock.
- The Sallins-Naas-Newbridge Cluster which also incorporates the proposed Naas to Newbridge Strategic Economic and Employment Zone.

The designation of these clusters is in keeping with the provisions of the Regional Spatial and Economic Strategy 2019-2031 and Kildare 2025 Economic Development Strategy. It also acknowledges the existing relationships and synergies that have developed between settlements and in particular, the role that certain towns within these clusters have developed as strategic destinations for employment and education. It is considered that the focusing of sectoral growth opportunities, along with targeted infrastructural development, within these designated clusters will enable the development of economies of scale, thereby securing critical mass. The successful development of these clusters will not only provide the county with a competitive advantage but also help to safeguard its long-term economic wellbeing.

### **Submissions/Observations**

Submission no. 213 welcomes PMA No. 4.10.

The following relates to Submission No. 230.

The promotion of economic clusters in the MASP area and particularly along the North-West Corridor as noted in Section 5.4 in relation to the MASP of the Eastern & Midland Regional Assembly Regional Spatial & Economic Strategy 2019-2031, (hereafter RSES) is welcomed.

The following relates to Submission No. 221.

Clane is a 'Self-Sustaining Town' and is a Level 3 Retail Centre, according to the RSES (i.e same level as Celbridge and Kilcock) and is a vital link between the M4 and M7, close to Sallins Train Station and is on the R403 main link between the M4 and M7. The recommendations of the OPR and Chief Executive in the Chief Executive report, both indicate that the growth of Clane has not been met with the corresponding delivery of social and physical infrastructure. If Clane is not included in this policy, the town will continue to expand and grow in advance of the delivery of essential infrastructure, which is contrary to the principles of proper planning and sustainable development. The Development Plan Guidelines 2022 clearly state that 'the settlement hierarchy of the plan is the means by which spatial choices are made and prioritised.' Having regard to the above, Clane should be referred to as an intrinsic link along the economic corridor between the economic clusters in northeast Kildare and Sallins-Naas-Newbridge.

### **Chief Executives Response**

As outlined in PMA No. 4.10, “according to the EU Commission, economic clusters are defined as ‘groups of firms, related economic actors and institutions located near each other and with sufficient scale to develop specialized expertise, services, resources, suppliers and skills.’” The fact that Clane is on the main link between the M4 and M7 does not mean it should come within the remit of an economic cluster.

The MASP economic cluster and the Sallins-Naas-Newbridge cluster all come within the above definition of a cluster, however the settlement of Clane is geographically and economically divorced from these two distinct areas and to include it as part of either economic cluster would dilute the potential for either of these identified clusters to become self-sustaining beacons for attracting further investment, industry, employment opportunities and institutional collaboration.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.10.

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### **Proposed Material Alteration No. 4.11**

Delete objective RE O29 in its entirety.

~~Promote and facilitate an economy of smart specialisation around specific towns and regions within the county.~~

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.11.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.11.

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### **Proposed Material Alteration No. 4.12**

Add new objective after RE O29 as follows and renumber objectives accordingly:

Promote and facilitate the development of the Metropolitan Area Strategic Plan (MASP) Economic Cluster, encompassing the towns of Maynooth, Leixlip, Celbridge and Kilcock, by supporting identified key sectoral opportunities, including the development of synergies between Maynooth University, employers in the area, key stakeholders and community leaders, along with the requisite targeted infrastructural investment, in accordance with the Regional Spatial and Economic Strategy 2019-2031.

### **Submissions/Observations**

Submission No. 230 states that the implementation of RE O29 as noted in Proposed Alteration No. 4.12 has the potential to economically integrate settlements including

Maynooth, Kilcock and Dunboyne, as intended in the RSES. Meath County Council look forward to working with KCC in the development of this North-West Corridor as envisaged in the RSES.

**Chief Executives Response**

The submission is noted and welcomed.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.12.

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**Proposed Material Alteration No. 4.13**

Add new objective after RE O29 as follows and renumber objectives accordingly: Promote and facilitate the development of the Sallins-Naas-Newbridge Economic Cluster, including the proposed Naas to Newbridge Strategic Economic and Employment Zone, by supporting identified key sectoral opportunities along with requisite targeted infrastructural investment, in accordance with the Regional Spatial and Economic Strategy 2019-2031.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.13

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.13

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**Proposed Material Alteration No. 4.14**

Amend paragraph four to seven of Section 4.7 as follows:

~~The Urban Regeneration and Housing Act 2015 aims to incentivise urban regeneration and facilitate increased activity in the housing construction sector. Under the Urban Regeneration and Housing Act 2015, the Planning Authority is required to identify vacant sites that fall within the definition set by the Act, maintain a register of vacant sites and apply a levy in respect of such sites. The sustainable development of vacant sites in Kildare has been promoted through the targeted application of the Urban Regeneration and Housing Act, 2015 (Vacant Site Levy) in towns that are the subject of a statutory Local Area Plan.~~

In order to enhance the appearance and socio-economic performance of the towns, villages and settlements in the county, Kildare County Council will proactively engage with the Elected Members of each Municipal District in devising and delivering plans and projects for regeneration. Urban Town Renewal Masterplans Plans shall be informed by Town Centre Health Checks and shall incorporate a public realm enhancement plan proposals that are bespoke to each settlement.

Funding opportunities at both national and EU levels should will be targeted to empower local communities to make a difference at a local level.

The Council has recently launched the 2021 Town and Village Renewal Scheme, which will prioritise tackling vacancy in towns and villages, remote working and supporting town centre living. Other projects which will be welcomed the Council is seeking to progress include regeneration projects that support, inter alia, active and vibrant town or village centres, upgrading shopfronts and street facades, and green spaces and parks. For further details on the Council's actions in the renewal and regeneration of the county's towns and villages refer to Section 14.5 Policy Responses.

The Urban Regeneration and Development Fund (URDF) and Rural Regeneration Development Fund (RRDF) also have vital roles in funding projects aimed at enhancing urban and rural areas to make them more attractive places in which to live, work, visit and invest.

#### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.14.

#### **Chief Executives Response**

N/A

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.14.

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#### **Proposed Material Alteration No. 4.15**

Amend RE O32 as follows:

Continue to promote the sustainable development of vacant residential and regeneration sites in towns that are the subject of a statutory Local Area Plan, through the application of the Urban Regeneration and Housing Act 2015 (as amended), Vacant Site Levy<sup>add footnote</sup>, on lands zoned for Town Centre, Regeneration and Residential uses.

Footnote: Action 15.2 of Housing for All identifies the introduction of a new tax to activate vacant land for residential purposes as part of the pathway to increasing new housing supply, which will in time replace the Vacant Site Levy. The Residential Zoned Land Tax (RZLT) was introduced by the Finance Act 2021 and will come into effect from 2024. The principal purpose of the Residential Zoned Land Tax is to encourage the timely activation of serviced lands zoned for residential or mixed-use purposes.

#### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.15.



**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.15.

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**Proposed Material Alteration No. 4.16**

Delete RE O34 and renumber objectives accordingly:

~~Promote quality placemaking and design as an integral element of attracting investment and a diverse and creative population to live and work within the county.~~

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.16.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.16.

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**Proposed Material Alteration No. 4.17**

Delete RE O35 (See objectives UD O6 and RD A3) and renumber objectives accordingly:

~~Prioritise the regeneration of rural towns and villages through the identification of significant regeneration projects for rural villages and rural areas which could harness untapped assets with community and wider private and public sector support and investment including the Rural Regeneration and Development Fund.~~

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.17.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.17.

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**Proposed Material Alteration No. 4.18**

Amend RE O37 as follows:

- (a) Promote the Shop Front Improvement, & Accessibility and Age Friendly Grant Scheme to financially assist and support independent business owners to improve the appearance of their shop fronts/ commercial properties.
- (b) Financially assist and support independent business owners to improve accessibility to their commercial properties.
- (c) Promote the use of Irish Language signage in the County through the Shop Front Improvement, & Accessibility and Age Friendly Grant Scheme.

- (d) Promote all signage both within and outside of all public buildings to be displayed in both the Irish and English languages.

### **Submissions/Observations**

Submission No. 263 requests change to objective RE O37, as follows:

Promote the Shop Front & Accessibility Grant Scheme to:

- a) Financially assist and support independent business owners to improve the appearance of their shop fronts/commercial properties.
- b) **Financially assist and support independent business owners to improve accessibility to their commercial properties.**
- c) Promote the use of Irish Language signage in the County through the Shop Front & Accessibility Grant Scheme.

### **Chief Executives Response**

Objective RE O37 (as per Proposed Material Alteration No. 4.18) includes the proposed additional text.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.18.

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### **Proposed Material Alteration No. 4.19**

Delete RE O38 and renumber objectives accordingly:

~~Ensure a synergy between economic growth and investment and the development of urban centres, supporting the consolidation and re-intensification of infill, derelict, brownfield and underutilised lands within the County.~~

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.19.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.19.

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### **Proposed Material Alteration No. 4.20**

Delete RE O45 (Move from Chapter 4 to Chapter 2) and renumber objectives accordingly:

~~Consider any proposal for a Strategic Development Zone (SDZ) in County Kildare on its merits, having regard to the characteristics of the proposed area and the ability of the receiving environment to absorb new development of the level proposed.~~

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.20.

### **Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.20.

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**Proposed Material Alteration No. 4.21**

Delete RE O46 (See objectives and actions in Chapter 14) and renumber objectives accordingly:

~~Facilitate and support outdoor activity and public realm improvements throughout the towns and villages in Kildare which have become particularly important arising from the Covid-19 pandemic.~~

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.21.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.21.

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**Proposed Material Alteration No. 4.22**

Add new objective under Section 4.7 as follows and renumber objectives accordingly:

Support and prioritise the delivery of all projects funded under the Fáilte Ireland's Destination Towns funding programme to enhance public spaces and projects.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.22.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.22.

**Proposed Material Alteration No. 4.23**

Amend RE O60 as follows:

Promote the development of a Technology and Innovation Park with Maynooth University subject to all relevant and cumulative environmental assessments and planning conditions within the Key Town of Maynooth, that will act as an anchor, supporting incubator, innovation and business development initiatives that are located to build upon research and technology activities in Maynooth University; with supporting transport infrastructure; broadband infrastructure; and a diverse local sectoral mix.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.23.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.23.

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**Proposed Material Alteration No. 4.24**

Add a new objective after objective RE O65 as follows and renumber objectives accordingly:

Support UCD Lyons Farm as a centre of excellence and a third level teaching and agricultural research facility and to facilitate the delivery of key infrastructure, as appropriate subject to planning and environmental considerations.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.24.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.24.

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**Proposed Material Alteration No. 4.25**

Amend Section 4.14 as follows:

The Chemicals Act (Control of Major Accident Hazards involving Dangerous Substances) Regulations 2015 implements the SEVESO III Directive (2012/18/EU).

Two firms in County Kildare fall within the terms of the SEVESO III Directive (2012/18/EU). The Directive seeks to prevent major industrial accidents that involve dangerous substances and to limit the consequences of accidents on people, property and the environment. In accordance with Section 10(2) (k) of the Planning and Development Act 2000 (as amended), this Plan seeks to ensure that:

- Proposals for new industries at risk of causing major accidents
- Proposals for the expansion of existing industries designated under the directive; and
- Other developments proposed near to existing SEVESO III industries

take account of the need to prevent major accidents involving hazardous substances and safeguard the public, property and the environment.

The industries that are currently covered are outlined in Table 4.2 below. The Health and Safety Authority (HSA) has been designated as the central competent authority for the enforcement of the SEVESO III Directive (2012/18/EU) and has established generic consultation distances for these facilities.

Establishment	Address	Consultation Distances
---------------	---------	------------------------

Irish Industrial Explosives	Clonagh, Enfield	500 metres (subject to further consultation with the HSA)
Intel Ireland Ltd	Industrial Park, Collinstown, Leixlip	1,000 metres (subject to further consultation with the HSA)

**Table 4.2 - Industries affected by the Seveso III Directive**

It is also noted that Johnston Logistics in South Dublin located in Rathcoole, is also a designated SEVESO III site.

### **Submissions/Observations**

Submission No. 9 requests the following:

- Consultation distance for Irish Industrial Explosives to be changed to 1000 metres.
- Change the reference of ‘Johnston Logistics’ to ‘Dachser Ireland Limited’.

Attached to the submission is a note on the Approach of the HSA to the Provision of Land-use Planning Advice.

### **Chief Executives Response**

It is considered appropriate to amend the Plan to reflect the requested changes.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.25, except for the following changes in green:

<b>Establishment</b>	<b>Address</b>	<b>Consultation Distances</b>
Irish Industrial Explosives	Clonagh, Enfield	<del>500</del> 1,000 metres (subject to further consultation with the HSA)
Intel Ireland Ltd	Industrial Park, Collinstown, Leixlip	1,000 metres (subject to further consultation with the HSA)

**Table 4.2 - Industries affected by the Seveso III Directive**

It is also noted that ~~Johnston Logistics~~ Dachser Ireland Limited in South Dublin located in Rathcoole, is also a designated SEVESO III site.

### **Proposed Material Alteration No. 4.26**

Amend policy RE P10 as follows:

Have regard to the following in the preparation of spatial plans and in assessing planning applications for new development, or the expansion of existing development involving hazardous substances:

- ~~The Major Accidents Directive (SEVESO III, 2012/18/EU).~~
- SEVESO III Directive (2012/18/EU).
- The consultation distances and HSA technical advice in relation to the industries affected by the SEVESO III Directive (2012/18/EU).
- Potential adverse impacts on public health and safety.

- ~~HSA Technical advice.~~

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.26.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.26.

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### **Proposed Material Alteration No. 4.27**

Amend policy RE P11 as follows:

Support the accommodation of Data Centres at appropriate locations in line with the objectives of the National Planning Framework and the Government Statement on the Role of Data Centres in Ireland subject to appropriate Transport and Environmental ~~Impact~~ Assessments and all relevant planning conditions. The location of data centres shall be situated where they will not have a potential likely significant effect on a European Site or on a site that shares a hydrological connection to a European Site.

### **Submissions/Observations**

The following relates to Submission No. 187

The submission considers the insertion of text stating that data centres will not be situated on a site “that shares a hydrological connection to a European Site” to be unduly onerous, and if adopted, the proposed alteration will have the effect of completely prohibiting data centre development on all lands which share a hydrological connection to a European Site.

It is considered that a more reasonable approach would be to allow each site with a hydrological connection to a European Site to be assessed on a case-by-case basis subject to an AA Screening Report, and where applicable, Stage 2 AA, to ensure that the proposed development would not have a potential likely significant effect on a European Site.

Specific wording is proposed as set out below (changes in green);

Support the accommodation of Data Centres at appropriate locations in line with the objectives of the National Planning Framework and the Government Statement on the Role of Data Centres in Ireland subject to appropriate Transport and Environmental ~~Impact~~ Assessments and all relevant planning conditions. The location of data centres shall be situated where they will not have a potential likely significant effect on a European Site ~~or on a site that shares a hydrological connection to a European Site.~~ Such developments shall be subject to an AA-Screening Report, and where applicable, Stage 2-AA. They shall have a regard for any hydrological-connection shared with a European Site and shall account for any potential likely significant effects and provide mitigation and monitoring where appropriate.

The following relates to Submission No. 247

It is submitted that it is not clear if this criterion is after proposed mitigation identified in the application process (residual impact) or an absolute criterion prior to mitigation. The Environmental Health Service recommends that the wording is changed to 'shall not be situated where there is a significant residual effect on a European Site or a site that shares a hydrological connection with a European Site'

### **Chief Executives Response**

It is considered appropriate to modify the text outlined in Proposed Material Alteration No. 4.27 to ensure that sites that share a hydrological connection to a European Site can be brought forward for development subject to an AA Screening Report, and where applicable, Stage 2 AA.

In addition, for consistency, it is considered necessary to amend the text to align with Proposed Material Alteration No. 7.42.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.27, except for the following changes:  
Amend RE P11 as follows:

Support the accommodation of Data Centres at appropriate locations in line with the objectives of the National Planning Framework and the principles for Sustainable Data Centre Development of the Government Statement on the Role of Data Centres in Ireland's Enterprise Strategy (July 2022) subject to appropriate Transport, Energy and Environmental Impact Assessments and all relevant planning conditions. The location of data centres shall be situated where they will not have a potential likely significant effect on a European Site ~~or on a site that shares a hydrological connection to a European site~~. Such developments shall be subject to an AA Screening Report, and where applicable, Stage 2 AA. They shall have regard for any hydrological connection shared with a European Site and shall account for any potential likely significant effects and provide mitigation and monitoring where appropriate.

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### **Proposed Material Alteration No. 4.28**

Amend RE O69 as follows:

Require that any application for a data centre will be subject to all relevant and cumulative environmental assessments and planning conditions and shall take account of the cumulative visual impact of the proposed connections of the data centre with electricity transmission, renewable energy, and broadband infrastructure in the area.

### **Submissions/Observations**

Submission No. 187 supports the additional text to RE O69 as per Proposed Material Alteration No. 4.28.

### **Chief Executives Response**

Noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.28.

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### **Proposed Material Alteration No. 4.29**

Amend RE O70 as follows:

Require data centres to consider the use of sustainable renewable sources of energy to fuel their operations in whole in the first instance or in part (minimum of 30%) where this is not possible and where it has been satisfactorily demonstrated not to be possible, subject to all relevant and cumulative environmental assessments and planning conditions.

### **Submissions/Observations**

Submission No. 187 supports the additional text to RE O70 to seek that all data centre operators use a minimum of 30% sustainable renewable sources of energy to fuel their operations. It is however suggested that this is best achieved via a Corporate Power Purchase Agreement (CPPA).

The following modification to the text is proposed: “Require data centres to consider the use of sustainable renewable sources of energy to fuel their operations in whole in the first instance or in part (minimum of 30%), via a Corporate Power Purchase Agreement (CPPA), where this is not possible and where it has been satisfactorily demonstrated not to be possible, subject to all relevant and cumulative environmental assessments and planning conditions”.

### **Chief Executives Response**

It is considered that sustainable renewable sources of energy to fuel data centre operations can be achieved via a variety of means including but not limited to Corporate Power Purchase Agreements. It is therefore not considered appropriate to amend Proposed Material Alteration No. 4.29 to only refer to a Corporate Power Purchase Agreement (CPPA).

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.29.

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### **Proposed Material Alteration No. 4.30**

Amend the last paragraph of section 4.17 as follows:

The transition to a more circular economy and bio-economy, where the value of bio-based products, materials and resources is maintained in the economy for as long as possible, and the generation of waste minimised, will provide an essential contribution to Kildare developing a sustainable, low carbon, resources efficient and competitive economy. The Council will support the development of the bio-energy industry in the county (including bio-gas) where appropriate. The green and circular economy agenda will also reduce the use of peat within horticulture and agriculture which will reduce pressure on the environment and lower greenhouse gases, improving the situation for biodiversity and moving us in a direction of sustainable production.



### **Submissions/Observations**

Submission no. 138 welcomes the commitments set out within the development plan, particularly the significance of climate action, the green economy and sustainability to any future economic development of Kildare. The County Kildare Chamber also supports the Circular Economy integration, particularly with manufacturing industry and social enterprise developments. A circular economy is vital in combatting climate change and meeting our 2030 targets.

### **Chief Executives Response**

The contents of the submission are noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.30.

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### **Proposed Material Alteration No. 4.31**

Add new objective in Section 4.17 as follows and renumber objectives accordingly:  
**Support and facilitate the development of a Green Enterprise Zone associated with the peat era in accordance with the provisions of Kildare 2025 Economic Development Strategy, subject to planning and environmental considerations.**

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.31

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.31.

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### **Proposed Material Alteration No. 4.32**

Add new objective in Section 4.17 as follows and renumber objectives accordingly:  
**Support EMRA in undertaking a bioeconomy feasibility study for the region to identify areas of potential growth to inform investment.**

### **Submissions/Observations**

Submission No. 221 states that the above objective is noted and accords with Regional Policy Objective 7.34 of the RSES. However, further clarity on the scope of this feasibility study relative to Kildare and the timeframe for commencement of same should be provided.

### **Chief Executives Response**

The submission is noted, RPO 7.34 of the RSES states the following '*EMRA supports the National Policy Statement on Bioeconomy (2018) and supports the exploration of opportunities in the circular resource-efficient economy including undertaking a bioeconomy feasibility study for the Region to identify the area of potential growth in the Region to inform investment in line with the national transition objective to a low carbon climate resilient economy.*'

The Council has not been tasked with undertaking the bioeconomy feasibility study and therefore is unable to provide further clarity on the scope of this feasibility study relative to Kildare or the associated timeframe for same.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.32.

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### **Proposed Material Alteration No. 4.33**

Amend RE P13 as follows:

Support and facilitate sustainable agriculture, horticulture, forestry, and other rural enterprises at suitable locations in the County where there will be no potential for likely significant effects on a European Site or on a site that shares a hydrological connection to a European Site.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.33.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.33.

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### **Proposed Material Alteration No. 4.34**

Amend the second and third paragraphs of Section 4.21 as follows:

Kildare's tourist attractions and tourism amenities are therefore important assets for the development of the county and are fundamental to the enjoyment by both visitors and residents. The important contribution that the community and the vast numbers of volunteers throughout the county make to the enhancement of Kildare as a place to visit is widely acknowledged and recognised. The key focus for the Midlands/Mid-East ~~Failte Ireland~~ Into Kildare region will be the further development and promotion of the local culture and heritage product, including the development of 'the Ireland's Ancient East' brand as it relates to Kildare.

~~The Department of Transport, Tourism and Sport and Failte Fáilte Ireland are responsible for the delivery of policy and investment in tourism in Ireland. Failte Ireland promotes Ireland based on a Regional Experience Brand where Kildare falls within 'Ireland's Ancient East'. The aim of the branding is to inspire visitors to travel to Ireland's Ancient East by appealing to their interest in local culture and heritage.~~ develops, promotes and invests in regional tourism through Regional Experience Brands. Kildare sits within the 'Ireland's Ancient East' regional experience brand. The strategic focus for Ireland's Ancient East is to refine and strengthen the destinations' brand proposition to embrace the broader offering of the destination and increase its consumer appeal to a wider audience, increase knowledge and awareness, and improve the 'navigability' of the region, alongside establishing iconic and signature visitor experiences and strong destination towns that have the potential to become key regional attractors to drive and disperse targeted domestic and overseas visitors.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.34.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.34.

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**Proposed Material Alteration No. 4.35**

(A) Amend Section 4.21.1 (last sentence of the third paragraph) as follows:

The rich architectural and archaeological heritage of the county is also acknowledged with many renowned structures and houses including Castletown House, Carton House, Barberstown Castle, the Wonderful Barn, Moone High Cross and Castledermot Round Tower.

(B) Amend Section 4.21.1 (last sentence of the fourth paragraph) as follows:

There is also a wide range of tourist attractions in the North Kildare Area including, Castletown House and Demesne, Carton House, Maynooth Castle, Conolly's Folly, Leixlip Castle, Lyons Estate, Arthur's Way, the Wonderful Barn and St Patrick's College Maynooth and also in the south of the county including the Shackleton Museum, and Barrow Blueway and Columbian Way.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.35.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.35.

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**Proposed Material Alteration No. 4.36**

Amend objective RE O93 as follows:

Support and facilitate the erection of standardised signage for tourism facilities and tourist attractions in Irish and English as part of national and regional initiatives. Consideration should also be given to gateway signage at county boundaries in consultation with relevant agencies.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.36.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.36.

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**Proposed Material Alteration No. 4.37**

Amend objective RE O95 as follows:

Support the expansion and development of tourism in Kildare, investigating the feasibility of key opportunities such as those centred on the racing industry, motorsports, retail, heritage, historical heritage (both persons and places), geology, peatlands, golf and eco-tourism to include: Arthur’s Way, the Dublin – Galway Greenway, the Barrow Blueway, the Shackleton Trail, Shackleton Museum, Mondello the Gordon Bennett Route, the Grand Canal Greenway, Brigid 1500, a Fitzgerald Family Trail, the Made of Athy Trail, Castledermot Town Wall, the Columbian Way and other opportunities. Such developments shall be subject to AA screening and where applicable, Stage 2 AA.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.37.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.37.

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**Proposed Material Alteration No. 4.38**

Replace RE O96 with the following objective:

~~Support additional tourist accommodation and other types of tourism infrastructure such as motorhome parking and toilet facilities at appropriate, sustainable locations, where the vitality and vibrancy of nearby serviced centres is not compromised.~~

Support the diversification of the county’s tourist accommodation offer, including the development of appropriately scaled camping/glamping and campervan accommodation and their associated infrastructure (including parking and toilet facilities) within/or proximate to existing settlements, established tourism assets and at an appropriate scale, subject to planning and environmental considerations, particularly where they support nearby settlements.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.38.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.38.

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**Proposed Material Alteration No. 4.39**

Amend RE O100 as follows:

Direct the provision of tourist related facilities such as information offices Tourist Information Centres, self-service brochure units, kiosks, and cultural centres, into town and village locations to support and strengthen the existing economic infrastructure of such centres. Consider the potential for co-locating such facilities with existing facilities such as libraries and citizen information centres.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.39.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.39.

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**Proposed Material Alteration No. 4.40**

Amend RE O105 as follows:

Support the development of sustainable forest-based tourism facilities and accommodation at appropriate locations within the Coillte estate. Such developments shall be subject to AA screening and where applicable, Stage 2 AA.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.40.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.40.

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**Proposed Material Alteration No. 4.41**

Amend RE O108 as follows:

Support the provision of accessible tourism and to provide appropriate access for the dDisabled and appropriate cChanging pPlaces at all key tourist centres within the County.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.41.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.41.

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**Proposed Material Alteration No. 4.42**

Add new objective into Section 4.21.1 as follows and renumber objectives accordingly:

Protect all landscape types from inappropriate tourism development by ensuring that developments and other activities associated with tourism or recreational activity are sensitively located so that they do not cause damage, are not detrimental to or detract from the traditional character or appearance of areas of scenic or visual amenities and ensure that the layout, design, and associated infrastructure are of the highest quality.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.42.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.42.

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**Proposed Material Alteration No. 4.43**

Add new objective into Section 4.21.1 as follows and renumber objectives accordingly:

Ensure the highest standards of design are used in the development of tourism related facilities to ensure that there are no significant adverse impacts on the landscape, including Natura 2000 sites and historic archaeological sites. Such facilities must be integrated into the landscape to take advantage of natural screening and topography.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.43.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.43.

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**Proposed Material Alteration No. 4.44**

Add text to the end of the first paragraph of Section 4.22 as follows:

Tourism and recreational development shall be assessed against the nature and scale appropriate to the character of the area and shall be located to be visually sympathetic to its surroundings.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.44.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.44.

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**Proposed Material Alteration No. 4.45**

Amend RE O115 as follows:

Require the preparation of 'Attraction Management Plans' for new developments/projects which may impact on areas of ecological or heritage sensitivity in County Kildare. These plans should consider (but not limited to) potential for loss of habitat and disturbance by increased visitor numbers.

Applications or proposals will be accompanied by a management plan indicating projected numbers of users, hours of operation, seasons of operation, and an undertaking to protect the natural environment in the form of a risk assessment with proposed amelioration measures in respect of flora, fauna, hydrology, geology and soils. The Attraction Management Plans should have regard to any mitigation as detailed within a Stage 2 AA or EclA.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.45.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.45.

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**Proposed Material Alteration No. 4.46**

Amend RE O116 as follows:

Ensure the potential environmental effects of a likely increase in tourists/tourism-related traffic volumes in particular locations/along particular routes shall be considered and mitigated as appropriate. Such a consideration should include potential impacts on existing infrastructure (including drinking water, wastewater, waste, and transport) resulting from tourism proposals and should have regard to any mitigation as detailed within a Stage 2 AA or EclA.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.46.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.46.

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**Proposed Material Alteration No. 4.47**

Add the following new objective to Section 4.22 and renumber objectives accordingly:

Consider the following criteria in assessing tourism development proposals:

- The need for the development and facility to be provided.
- Justification for the proposed site location.
- Details in relation to accessibility including pedestrian and cycle provisions and linkages to the proposed development.
- Proposed developments should be modest in scale, sensitively located and designed having regard to existing buildings and topography.
- Proposed developments must be adequately landscaped, serviced and suitably managed.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.47.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.47.

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**Proposed Material Alteration No. 4.48**

Add the following new objective to Section 4.22 and renumber objectives accordingly:

Facilitate tourist-based developments such as information centres and cultural centres into existing settlements where there is adequate infrastructure to service these activities.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.48.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.48.

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**Proposed Material Alteration No. 4.49**

Amend paragraph five of Section 4.23 as follows:

~~Ireland's Ancient East (IAE) has been developed by Fáilte Ireland~~ County Kildare Fáilte collaborates with Fáilte Ireland to promote County Kildare as a destination within Ireland's Ancient East which has been developed as a branded visitor experience encompassing the rich heritage and cultural assets that Ireland has to offer in the eastern and southern half of the country.



**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.49.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.49.

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**Proposed Material Alteration No. 4.50**

Add a new objective before RE O118 and renumber objectives accordingly:

Support the preparation and implementation of a Regional Tourism Strategy and to support the continued collaboration with Fáilte Ireland and all relevant tourism stakeholders.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.50.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.50.

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**Proposed Material Alteration No. 4.51**

Replace RE O118 with the following objective and renumber objectives accordingly: Continue to work with Fáilte Ireland on the development of Ireland's Ancient East, as well as the Destination Experience Development Plans and any smaller scale plans or programmes that have been prepared.

Support the preparation of Destination Experience Development Plans (DEDP) and other tourism masterplans both within County Kildare and also those which cross from County Kildare into neighbouring counties in collaboration with Fáilte Ireland and other tourism stakeholders.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.51.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.51.

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**Proposed Material Alteration No. 4.52**

Add a new objective after RE O118 and renumber objectives accordingly:

Continue to work with Fáilte Ireland and tourism stakeholders to implement the Thoroughbred Country Destination Development Plan and its key catalyst projects including, ‘The New International Thoroughbred Trail’ and ‘The Thoroughbred County’.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.52.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.52.

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**Proposed Material Alteration No. 4.53**

Amend objective RE O119 as follows:

Continue to collaborate with Fáilte Ireland, the Transport Infrastructure Ireland (TII) and other key stakeholders in the development and implementation of a signage programme associated with Ireland’s Ancient East to include branded orientation signage and roadside signage in Irish and English.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.53.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.53.

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**Proposed Material Alteration No. 4.54**

Amend RE O122 as follows:

Facilitate and promote Kildare Town’s development as a National Tourism Hub, in conjunction with Fáilte Ireland and County Kildare Fáilte.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.54.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.54.

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**Proposed Material Alteration No. 4.55**

Amend RE O123 as follows:

Investigate the feasibility of developing a Tourism Destination Centre within the Curragh which would focus on the equine and military history of the area, in conjunction with Fáilte Ireland Into Kildare and other tourism stakeholders.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.55.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.55.

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**Proposed Material Alteration No. 4.56**

Amend RE P19 as follows:

Promote the tourist development potential of ‘after use’ peatlands, subject to proper planning, environmental protection and sustainable development whilst having regard to any mitigation as detailed within a Stage 2 AA or EclA.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.56.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.56.

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**Proposed Material Alteration No. 4.57**

Amend objective RE O125 as follows:

- (a) Support and facilitate the development of Umeras Bog into a Peatlands Park.
- (b) Develop the tourism potential of peatlands and in particular support the proposed Umeras Peatlands Park and existing Lullymore Heritage and Discovery Park as tourist and ecological amenities subject to proper planning, environmental protection and sustainable development.
- (c) Explore what linkages could be created between raised boglands and fens and nearby blueways and greenways, whilst ensuring that the environment and nearby properties would not be negatively affected or where there will be no potential for likely significant effects on a European Site or on a site that shares a hydrological connection with a European Site.
- (d) Look at the feasibility of creating linkages between the proposed Umeras Peatlands Park and Monasterevin train station.
- (e) Look at the feasibility of creating linkages between Mouds Bog and the nearby town of Newbridge.

Such developments shall be subject to AA screening and where applicable, Stage 2 AA, and should have regard to any mitigation as detailed within a Stage 2 AA or EclA.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.57.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.57.

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**Proposed Material Alteration No. 4.58**

Amend objective RE O126 as follows:

Facilitate the development of a tourism resource using cutaway peatlands in conjunction with Bord na Móna and Fáilte Ireland, subject to environmental considerations and nature designations, for example, recreational forestry, outdoor pursuits, peatways on the network of bogs and industrial railways and a designation of a National Peatlands Heritage Park. Such developments shall be subject to AA screening and where applicable, Stage 2 AA.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.58.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.58.

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**Proposed Material Alteration No. 4.59**

Amend objective RE O127 as follows:

Support in conjunction with Offaly County Council, Laois County Council, and all other relevant stakeholders such as Bord na Mona, Coillte and the NPWS, and other relevant stakeholders such as environmental Non-Governmental Organisations, any proposal for a new National Peatlands Heritage Park centred in Kildare on Bord Na Mona state-owned cutaway bogs in Kildare, Laois and Offaly.

**Submissions/Observations**

Submission No. 231 refers:

The submission refers to its earlier submission dated 24<sup>th</sup> May 2022 in relation to a number of queries and concerns with respect to some of the policies and objectives included in the Draft CDP. It states that the publication of the material alterations does not provide clarity on certain items and so the current consultation presents an opportunity to raise concerns again and to highlight any impacts on the ability of Bord na Mona to deliver on its mandate as a commercial semi-state body. The

submission states that Bord na Mona’s mandate is to strengthen Ireland’s security of energy supply and deliver on the Government’s climate action objectives in the areas of Renewable Energy, Rehabilitation and Recycling.

The submission notes the amendments proposed to Objective RE O127 with respect to proposals for a new National Peatlands Park on state owned cutaway bogs in Kildare, Laois and Offaly. As outlined in their previous submission, Bord na Mona are happy to support the development of a peatlands park and to engage with the relevant stakeholders as required. However, given its mandate, as outlined above, any proposal for a Peatland Park must be compatible with Bord na Mona’s integrated land-use strategy and in every instance, future climate action projects and renewable energy developments are considered a precursor to the development of amenity and other land use plans.

The submission proposes the following text amendment to PMA No. 4.59. The additional text proposed is highlighted in red below.

“Support in conjunction with Offaly County Council, Laois County Council, and all other relevant stakeholders such as Bord na Mona, Coillte and the NPWS, and other relevant stakeholders such as environmental Non-Governmental Organisations, taking into consideration future land use plans, any proposal for a new National Peatland Heritage Park centred in Kildare on state-owned cutaway bogs in Kildare, Laois and Offaly.”

#### **Chief Executives Response**

The submission is noted and agreed. It is considered appropriate to amend objective RE O127 to state that regard shall be had to other relevant land use plans where appropriate.

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.59, except for the following changes:  
Amend objective RE O127 as follows:

Support in conjunction with Offaly County Council, Laois County Council and all other relevant stakeholders such as Bord na Mona, Coillte and the NPWS, and other relevant stakeholders such as environmental Non-Governmental Organisations any proposal for a new National Peatland Heritage Park centred in Kildare on ~~Bord Na Mona~~ state-owned cutaway bogs in Kildare, Laois and Offaly having regard to other relevant land use plans where appropriate.

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#### **Proposed Material Alteration No. 4.60**

Add the following new objective after RE O127:

To acknowledge the special status of Kilberry as an Industrial Village and to facilitate its tourism economic potential in conjunction with Bord na Móna, Fáilte Ireland and other relevant agencies.

#### **Submissions/Observations**

Submission No. 231 states that amenity and engaging with local authorities and groups regarding walks and cycleways on Bord na Mona lands is part of Bord na Mona’s vision for the future. States that in many cases the diversification of

peatlands can mean that future uses of the land can be co-located thereby providing enhanced benefits to the areas in which such developments are located through direct and indirect employment opportunities. Central to this sustainable transition is the use of the Bord na Mona land bank which extends to a range of beneficial commercial, environmental and social uses such as renewable energy, industrial uses, ecosystem services and biodiversity as well as recreation and tourism.

The submission proposes the following text amendment to PMA No. 4.60. The additional text proposed is highlighted in red below.

“To acknowledge the special status of Kilberry as an Industrial Village and to facilitate its tourism economic potential together with other future land uses such as renewable energy, recycling, sustainable commercial enterprises, and a source of carbon sequestration in conjunction with Bord na Móna, Fáilte Ireland and other relevant agencies.”

### **Chief Executives Response**

The amendments proposed to the objective with respect to Kilberry’s special status as an industrial village are noted, however, the objective specifically addresses facilitating tourism economic potential and it is not considered appropriate to identify the series of uses such as those proposed. The Council will, through the development management process, engage with Bord na Mona to determine the most appropriate types of facilities and land use that would be suitable at Kilberry, in recognition of its special status as an Industrial Village.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.60.

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### **Proposed Material Alteration No. 4.61**

Add the following new objective to Section 4.24 and renumber objectives accordingly:

When developing project proposals for development on peatlands, to require applicants to prepare a peatland stability assessment, carbon emissions balance assessment and hydrological and ecological impact assessments, as required.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.61.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.61.

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### **Proposed Material Alteration No. 4.62**

Amend policy RE P20 as follows:

Continue to work closely with key stakeholders in the tourism industry including Kildare Fáilte, Fáilte Ireland INTO Kildare, Waterways Ireland, County Kildare Leader

Partnership and the National Parks and Wildlife Services, in order to develop the Barrow Blueway for tourism and recreation and ensure ease of access to this amenity and that the Council works with Wicklow County Council, INTO Kildare, Fáilte Ireland and business stakeholders to promote the area both nationally and internationally as an area with a considerable number of tourist attractions and marketing potential.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.62.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.62.

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**Proposed Material Alteration No. 4.63**

Amend objective RE O128 as follows:

Support the development and marketing of the Barrow Blueway, including the Barrow Blueway Economic Plan, and facilitate related commercial opportunities throughout the county, subject to compliance with the Habitats Directive.

Considering the River Barrow is a designated European Site, all developments within and adjacent to the Barrow Blueway should be subject to AA screening and where applicable Stage 2 AA.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.63.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.63.

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**Proposed Material Alteration No. 4.64**

Add the following new objective after objective RE O131 and renumber objectives accordingly:

Support and facilitate the development of Rathangan and Robertstown as Blueway destination locations having regard to their natural and built heritage assets.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.64.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.64.

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**Proposed Material Alteration No. 4.65**

Amend RE P21 as follows:

Work with the National Transport Authority (in conjunction with relevant objectives in Chapter 6), Kildare Fáilte, Fáilte Ireland, Waterways Ireland and all stakeholders to develop a co-ordinated approach to the selection, delivery and servicing of future greenways, blueways, trails and routes throughout the county and region, subject to all relevant and cumulative environmental assessments and planning conditions. New trails and routes should first be subject to the undertaking of feasibility assessment. Where feasibility is established, a Corridor and Route Selection Process will be undertaken where appropriate, for relevant new infrastructure in two stages”, Stage 1 – Route Corridor Identification, Evaluation and Selection and Stage 2 – Route Identification, Evaluation and Selection.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.65.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.65.

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**Proposed Material Alteration No. 4.66**

Amend objective RE O132 as follows:

Promote the development of existing and new walking and cycling routes throughout the county as an activity for both international visitors and local tourists, in a manner that is compatible with road safety, nature conservation and other environmental policies. Where developments of new and existing walking and cycling routes exist within 15km of a European Site, the project should be subject to AA screening and where applicable, Stage 2 AA.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.66.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.66.

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**Proposed Material Alteration No. 4.67**

Amend objective RE O134 as follows:

Investigate the feasibility of developing a walkway/cycleway along the former Tullow /Harristown railway line/ Naas-Baltinglass Greenway and, where considered feasible,



to initiate the delivery of this project within the lifetime of the Plan in conjunction with all relevant landowners.

### **Submissions/Observations**

The following relates to Submission Nos. 106 and 119.

The completion of the Greenway must be committed to within the Plan. The proposed alterations suggested by Kildare County Council must guarantee that the Plan covers the protection of the neighbouring landscape which includes Harristown Commons, NHA and Harristown Commons South cNHA.

The submission states that Kildare County Council should ensure that the Plan, as amended above should include the protection of the adjacent landscape and visual amenity of this proposed walkway/cycleway along the former Tullow/Harristown railway line such that they are not adversely impacted by large scale industrial developments which are not in character with the area. In addition, the aforementioned route should be classed as Class 4 - Special Landscape Sensitivity Areas and accorded similar status as 'Scenic Routes' and 'Scenic Views' thus ensuring that the area is protected from developments that would erode its present character, charm and scenic appeal for walkers and cyclists.

The following relates to Submission No. 118.

It is recommended to ensure that the objectives relating to cycle network development, and the cycle network contained in the maps, reflect the final GDA Cycle Network to be published alongside the Transport Strategy for the Greater Dublin Area 2022-2042 and the TII National Cycle Network.

### **Chief Executives Response**

The following relates to Submission No. 106 and 119.

In relation to the protection of adjacent landscapes to the Tullow/ Harristown railway line which includes Harristown Commons NHA and Harristown Commons cNHA, proposed material alterations 12.20 and 13.31 should be noted which read as follows;

Proposed Material Alteration No. 12.20; Amend objective BI O8 as follows:

Require the preparation of an Ecological Impact Assessment (EclA) by a suitably qualified professional for proposals for development within or adjacent to a Natural Heritage Area (NHA)/proposed Natural Heritage Areas (pNHA), to ensure the development is designed and sited to minimise its impact on the biodiversity, ecological, geological and landscape value of the site, particularly plant and animal species listed under the Wildlife Acts.

Proposed Material Alteration No. 13.31; Amend objective LR O38 as follows:

Ensure the biodiversity value of all sites are considered and protected in the development of outdoor recreational facilities including greenways through the preparation of an Ecological Impact Assessment, to include the impacts of recreational disturbance to ground-nesting birds, particularly within cutover and cutaway bogs which shall guide the location and design of such facilities.

The Green Infrastructure Concept Map (Map Ref; V1-12.3) in the Draft Plan identifies the 'Great Southern and Western Railway – Tullow Line' as a Green Corridor.

Objective BI O39 of the Draft Plan states that it is an objective of the Council to 'Ensure the protection, enhancement and maintenance of Green Infrastructure in Kildare'.

It is considered the above amended objectives and the former Tullow /Harristown 'railway lines designation as a 'Green Corridor' will protect this 'Green Corridor' from adverse development.

In relation to the designation of the former Tullow /Harristown 'railway line as a Class 4 - Special Landscape Sensitivity Area and accorded similar status as 'Scenic Routes' and 'Scenic Views', the merits of same shall be considered as part of the review of the County Landscape Character Assessment (see Action LR A1 of the Draft Plan and associated Proposed Material Alteration 13.6).

The following relates to Submission No. 118.

It is considered beneficial to investigate the feasibility of developing County Kildare's cycle network that could potentially be delivered at a local/regional level.

Regarding the content of the submission, it is considered appropriate to amend TM O20 of the Draft Plan to reference the TII National Cycle Network and to omit the maps attached at the end of Chapter 5 that are subject to change until such time as the final Transport Strategy for the Greater Dublin Area 2022-2042 and the TII National Cycle Network becomes available.

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration 4.67 and amend TM O20 of the Draft Plan as follows:

Secure the development and delivery of the cycle network identified in the Draft Greater Dublin Area Cycle Network Plan (2021) ~~as shown in the maps attached at the end of Chapter 5 (and any subsequent revisions)~~ and any subsequent updates to same to be published alongside the Transport Strategy for the Greater Dublin Area 2022-2042 and the TII National Cycle Network, subject to funding from the NTA.

Omit the maps at the end of Chapter 5, referenced in TM O20 [which will be superseded when the final maps are published].

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#### **Proposed Material Alteration No. 4.68**

Amend objective RE O137 as follows:

Work with Waterways Ireland to progress the delivery of the (i) Naas to Sallins Greenway and (ii) Naas to Corbally Harbour Greenway and to develop the Naas Harbour and the Corbally Harbour itself for amenity purposes.

#### **Submissions/Observations**

The following relates to Submission No. 118.

Please refer to the submissions/observations that relates to Submission No. 118 with respect to Proposed Material Alteration No. 4.67.

The following relates to Submission No. 221.

The submission states that Kildare County Council are soon to undertake a Masterplan for the entire northwest quadrant, including the harbour lands, in accordance with action UD A2 of the Draft Plan. It is considered that PMA 4.68 should reference this masterplan and indicate that the delivery of the Greenway and Harbour are subject to detailed assessment as part of this plan making process.

### **Chief Executives Response**

The following relates to Submission No. 118.

It is considered appropriate to progress the delivery of the (i) Naas to Sallins Greenway and the Naas to Corbally Harbour Greenway.

Please refer to the Chief Executives Response & Recommendation (submission No. 118) of Proposed Material Alteration No. 4.67 that relates to TM O20.

Submission No. 221 is noted, however it is not considered necessary to reference the North West Quadrant at Naas in the context of PMA 4.68.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.68.

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### **Proposed Material Alteration No. 4.69**

Add new objective to Section 4.26 as follows and renumber objectives accordingly:

Support both the enhancement of existing and development of new access routes to water locations in the County for recreation purposes at appropriate locations and subject to all relevant planning and environmental considerations.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.69.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.69.

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### **Proposed Material Alteration No. 4.70**

Add new objective after objective RE O141 as follows and renumber objectives accordingly:

Support and promote the adoption of the Government's 'Code of Best Practice for National and Regional Greenways (published in December 2021)' for all Greenway developments within the county.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.70.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.70.

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**Proposed Material Alteration No. 4.71**

Amend RE O145 as follows:

Protect and promote key sites and tourist facilities in the north of the county such as the Wonderful Barn, Obelisk, Arthur’s Way, and other key sites linked to the estates of Carton, Lyons and Castletown. Encourage the development of Leixlip and Celbridge as tourism gateways to these significant tourism sites and facilities.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.71.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.71.

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**Proposed Material Alteration No. 4.72**

Amend Section 4.29 as follows:

Festivals can be a key driver of local economies and a means of revitalising and maintaining local culture. Festivals are important in terms of attracting visitors to the county during the off-peak season. County Kildare hosts a wide range of festivals and annual events including the internationally renowned Punchestown and The Curragh racing festivals and a number of racing events at Mondello Park which provide a significant boost to the County’s tourism industry.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.72.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.72.

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**Proposed Material Alteration No. 4.73**

Add the following new objective in Section 4.29 and renumber objectives accordingly:

Support Mondello Park as a tourism, leisure, and education centre and to support its development as a nationally significant automotive innovation centre subject to the proper planning and sustainable development of the area.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 4.73.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.73.

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**Proposed Material Alteration No. 4.74**

Add the following new objective in Section 4.29 and renumber objectives accordingly:

Support and encourage the 'greening' of all festivals and events within the county.

**Submissions/Observations**

Submission No. 247 submits that it is not clear what this objective would mean in practice. The Environmental Health Service recommends reference is made to Guidance in this area, for example the Green Hospitality and Events Organisation to support the objective: <https://greenhospitality.ie/about/>

**Chief Executives Response**

The comments are note and it is considered appropriate to strengthen this objective by referencing guidance in this area as proposed by Submission No. 247.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 4.74, except for the following changes:

Add the following new objective in Section 4.29 and renumber objectives accordingly:

Support and encourage the 'greening' of all festivals and events within the county.

Guidance in this regard could be sourced from 'Green Hospitality', an Irish Hospitality, Travel & Tourism Resource for Sustainable and Responsible Tourism (<https://greenhospitality.ie>).

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## Chapter 5: Sustainable Mobility & Transport

### **Proposed Material Alteration No. 5.1**

Amend the first paragraph after the 'Aim' in Section 5.1 as follows:

The transportation system caters for the movement of communities and businesses across County Kildare. Inequalities in job opportunities between the north and south of the county are an outcome of an uneven development paradigm centred on large urban centres. Good public transport could ameliorate this by improving access to employment. See the Road and Rail Network of County Kildare on Map 5.1 below. National and regional transport policy recognises that current transport trends in Ireland and the Greater Dublin Area, in particular, in relation to current levels of car use, are unsustainable and that a transition towards more sustainable modes of transport, such as walking, cycling and public transport is required.

### **Submissions/Observations**

Submission no. 138 welcomes the amendments to section 5.1 of the draft Plan. The Chamber will continue to work with the Council to develop the employment paradigm throughout Kildare.

### **Chief Executives Response**

The contents of the submission are noted.

### **Chief Executives Recommendation**

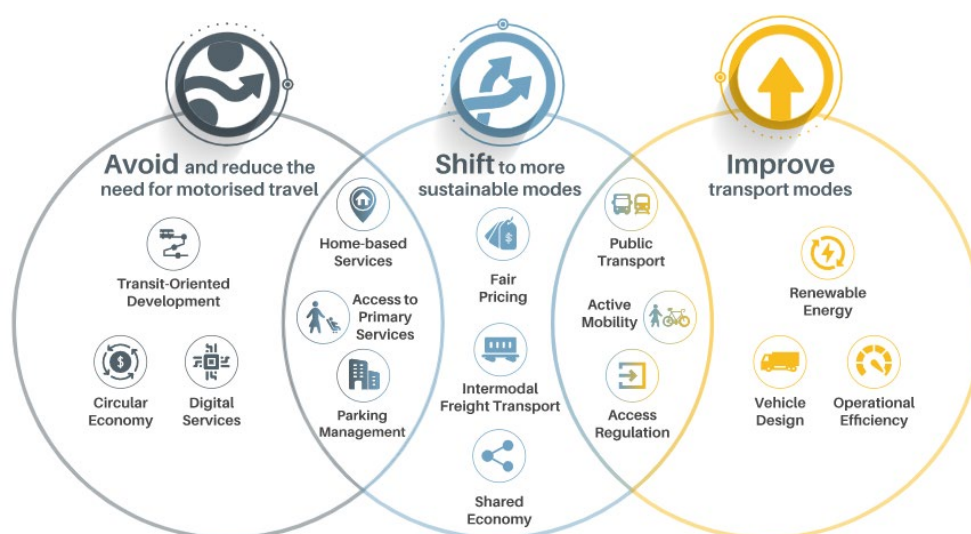
Accept Proposed Material Alteration 5.1.

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### **Proposed Material Alteration No. 5.2**

Add the following two paragraphs before the last paragraph of Section 5.1:

The overall policy direction of this chapter is to adopt the 'Avoid-Shift-Improve' measures which is outlined in Figure 5-1 below. This approach is based on avoiding or reducing the need to travel, shifting to more environmentally friendly modes and improving the energy efficiency of motorised transport modes.



\*The A-S-I diagramme presents a non-exhaustive list of measures for illustrative purposes only.

**Figure 5.1 – Avoid-Shift-Improve** footnote

In addition, this chapter adopts the ‘Decide and Provide’ approach to plan for the travel demand deemed necessary. This approach involves deciding on a preferred future that is desirable and achievable and providing a development path best suited to achieving it.

Footnote: SLOCAT. 2020. Avoid-Shift-Improve Refocusing Strategy, <https://slocat.net/asi/>.

### **Submissions/Observations**

Submission no. 138 welcomes the significant moves towards sustainable towns and cities within the amended plan and also the plans to increase multi transport options to reduce traffic congestion in large towns and villages.

### **Chief Executives Response**

Noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration 5.2.

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### **Proposed Material Alteration No. 5.3**

Amend Section 5.2.4 as follows:

~~It is anticipated that a detailed plan on how Ireland will achieve its emissions targets will be published in late 2021.~~ This plan sets a roadmap for taking actions that would halve emissions by 2030 and reach net zero no later than 2050. The plan calls for a significant cut in transport emissions by 2030 through measures including:

- 500,000 extra walking, cycling and public transport journeys per day by 2030.
- Increasing the proportion of kilometres driven by passenger electric cars to between 40 and 45% by 2030, in addition to a reduction of 10% in kilometres driven by the remaining internal combustion engine cars.
- All replacements for bus and commuter rail vehicles and carriages to be low or zero carbon by 2030.
- Increased rollout of rural public transport through Connecting Ireland. [42-50% reduction in emissions by 2030]

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.3.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.3.

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#### **Proposed Material Alteration No. 5.4**

**(A)** Delete Sections 5.2.5 and 5.2.6

~~5.2.5 National Cycle Policy Framework, 2009-2020 (Update pending)~~

~~The National Cycle Policy Framework (as part of Smarter Travel – A Sustainable Transport Future, 2009) sets out a national policy for cycling, in order to create a stronger cycling culture, a more friendly environment for cycling and improved quality of life. The vision in this framework is that all cities, towns and rural areas will be bicycle friendly. The policy document sets a target of 10% of all commuter trips by bicycle by 2020 and places an emphasis on promoting and integrating cycle networks.~~

~~5.2.6 Smarter Travel – A Sustainable Transport Future – A New Transport Policy for Ireland, 2009-2020~~

~~This document is currently under review by the Department of Transport. It recognises the vital importance of continued investment in transport to ensure an efficient economy and continued social development, while also promoting more sustainable modes of transport.~~

#### **Submissions/Observations**

Submission No. 55 submits that section 5.2.5 of the Plan should not be deleted and that by doing so it removes the responsibility for Kildare County Council to plan for cyclists.

#### **Chief Executives Response**

The new National Sustainable Mobility Policy was published on the 7th of April 2022, which builds upon and replaces Smarter Travel, A Sustainable Transport Future 2009-2020 and the National Cycle Policy Framework. It was therefore considered appropriate to delete all references to the superseded documents and to add a new National Sustainable Mobility Policy (2022) sub-section to section 5.2 'Policy Context'. Please note the new sub-section as per Proposed Material Alteration No. 5.5 below.

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.4.

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#### **Proposed Material Alteration No. 5.5**

Add new sub-section

##### **5.2.5 National Sustainable Mobility Policy (2022)**

The Sustainable Mobility Policy sets out a strategic framework for active travel and public transport in Ireland to 2030. This Policy is primarily focused on measures to promote and facilitate active travel and public transport for all and, in doing so, encourage less private car usage.

The Policy is guided by three key principles which are underpinned by 10 high-level goals. The key principles are:

- Safe and Green Mobility
- People Focused Mobility
- Better Integrated Mobility.



An action plan (2022 -2025) accompanies the policy and includes a comprehensive range of new and expanded measures across the 10 high-level goals. The plan will be reviewed and updated in 2025 and a new action plan will be put in place for 2026 to 2030.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.5.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.5.

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**Proposed Material Alteration No. 5.6**

Amend TM O2 as follows:

Promote and drive a human-centred, whole journey approach to improving transport infrastructure and accessibility in County Kildare to ensure a seamless user experience. The use of kissing gates in active travel projects will not be permitted in cases where they would deny access to those using mobility aids and non-standard bicycles.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.6.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.6.

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**Proposed Material Alteration No. 5.7**

Amend TM O7 as follows:

Introduce measures to reduce traffic congestion in town centres such as pedestrianisation, pedestrian priority and/or improved pedestrian/cycling facilities, in particular, increasing the number of safe crossings.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.7.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.7.

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### **Proposed Material Alteration No. 5.8**

Add the following new objective after TM O8:

Support and encourage the transition from fossil fuel use and consider the preparation of guidance for decommissioning or changing infrastructure to more sustainable uses, through the preparation of the Local Climate Action Plan.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.8.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.8.

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### **Proposed Material Alteration No. 5.9**

Amend TM A1 as follows:

Prepare a County Kildare Sustainable Mobility Plan that addresses the long-term mobility needs of communities and businesses in the county, in co-operation with the National Transport Authority that is aligned with the National Sustainable Mobility Policy (2022), the National Investment Framework for Transport in Ireland and the Draft Transport Strategy for the Greater Dublin Area 2022-2042. The plan should address urban and rural transport issues, the integration of transport modes and public transport connections between the towns and villages of the county.

### **Submissions/Observations**

Submission No. 118 welcomes and supports Proposed Material Alteration No. 5.9.

### **Chief Executives Response**

Noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.9.

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### **Proposed Material Alteration No. 5.10**

Amend TM A2 as follows:

Prepare, implement and review (where appropriate) Local Transport Plans (LTPs)/Area Based Transport Assessments (ABTAs) ~~Transport Strategies (TSs)~~ for each of the statutory LAP settlements<sup>4</sup> in County Kildare in consultation with the TII and the NTA, based on the following ABTA guidelines published by the TII/NTA – ABTA 'How To Guide', Pilot Methodology (September, 2021) and the Area Based Transport Assessment Advice Note (December, 2018) ~~TII's Area Based Transport Assessment Guidance Notes (2018)~~. LTP/ABTAs will include the transport priorities for each settlement in terms of public transport infrastructure and services; cycle investment; improvements to the pedestrian environment; parking measures and road enhancements. LTP/ABTAs must be developed to provide a framework to cater for the movement of pedestrians, cyclists, public transport services and private vehicles which are aligned with the hierarchy of users and modal shift targets set out

in this Plan. The Accessibility and Movement Objectives of Local Area Plans should be based on relevant LTP/ABTAs.

### **Submissions/Observations**

The following relates to Submission No. 118.

The submission welcomes the amendment of TM A2 to include references to Area Based Transport Assessments (ABTA's) and to include 'parking measures' as a consideration.

The submission recommends the preparation of LTP's as part of Local Area Plans, Masterplans and Framework Plans as well as, potentially, for significant development sites. It recommends the amendment of PMA No. 5.10 to clearly reflect the distinction between an ABTA as the plan preparation methodology, and the Local Transport Plan (LTP).

The following relates to Submission No. 133.

It is noted that the TII Draft Plan submission recommendation no. 3 for a restatement of Draft Plan Action TM A2 to reflect the ABTA Guidance is reflected at Proposed Material Alteration No. 5.10.

TII welcomes this clarification and remains available to assist the Council to address development proposals in the proximity of national roads where such proposals are demonstrated as being in accordance with the provisions of official policy in the first instance as part of the development planning process.

Submission No. 230 welcomes this proposed material alterations and look forward to working with KCC in the delivery thereof, wherever appropriate.

### **Chief Executives Response**

The comments in relation to Submission Nos. 133, 118 and 230 are noted.

The following relates to Submission No. 118.

It is considered appropriate to amend PMA No. 5.10 to include the preparation of LTP's as part of Master Plans and Framework Plans.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.10, with the following minor amendment:  
Amend TM A2 as follows:

Prepare, implement and review (where appropriate) Local Transport Plans (LTPs)/Area Based Transport Assessments (ABTAs)<sup>footnote</sup> ~~Transport Strategies (TSs)~~ for each of the statutory LAP settlements<sup>4</sup> in County Kildare in consultation with the TII and the NTA, based on the following ABTA guidelines published by the TII/NTA – ABTA 'How To Guide', Pilot Methodology (September, 2021) and the Area Based Transport Assessment Advice Note (December, 2018) ~~TII's Area Based Transport Assessment Guidance Notes (2018)~~. LTP/ABTAs will include the transport priorities for each settlement in terms of public transport infrastructure and services; cycle investment; improvements to the pedestrian environment; parking measures and road enhancements. LTP/ABTAs must be developed to provide a framework to cater for the movement of pedestrians, cyclists, public transport services and private vehicles which are aligned with the hierarchy of users and modal shift targets set out

38 in this Plan. The Accessibility and Movement Objectives of Local Area Plans should be based on relevant LTP/ABTAs.

Footnote: Note: Area Based Transport Assessment (ABTA) sets out the methodology for the preparation of Local Transport Plans.

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### **Proposed Material Alteration No. 5.11**

Amend TM O9 as follows:

Facilitate and secure the delivery/implementation of the public transport projects that relate to County Kildare as identified within the Integrated Implementation Plan (2019-2024), (or any superseding document), including the DART+ programme (Including DART+ West and DART+ Southwest), BusConnects and the light rail investments. The DART+ projects present an opportunity to improve journey time, reliability, and train frequency.

### **Submissions/Observations**

The following relates to Submission No. 230 and 138.

MCC welcomes this proposed material alterations and look forward to working with KCC in the delivery thereof, wherever appropriate.

The County Kildare Chamber reiterates its support for the electrification of the train line / Dart+.

### **Chief Executives Response**

The contents of the submissions are noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.11.

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### **Proposed Material Alteration No. 5.12**

Amend TM O10 as follows:

Facilitate and secure the delivery/implementation of the public transport regional corridor proposals that relate to County Kildare and the County Kildare local route proposals as identified within the NTA's 'The Connecting Ireland Rural Mobility Plan' (November 2021), specifically prioritising the proposed new local route from Naas to Newbridge. Such developments shall be subject to AA screening and where applicable, Stage 2 AA.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.12.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.12.

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### **Proposed Material Alteration No. 5.13**

Amend TM O11 as follows:

Investigate the feasibility of developing high-quality, suitable, safe and sustainable cycling pathways:

- i) from Leixlip, Maynooth and Naas into Dublin; and
- ii) between Naas and Newbridge,
- iii) Kildare town to Newbridge and westwards towards Portlaoise as far as the Kildare County boundary, and
- iv) Kildare Town to Monasterevin

Where feasibility is established, a Corridor and Route Selection Process will be undertaken where appropriate, for relevant new road infrastructure in two stages”, Stage 1 – Route Corridor Identification, Evaluation and Selection and Stage 2 – Route Identification, Evaluation and Selection.

### **Submissions/Observations**

Submission No. 230 (Meath County Council) welcomes this proposed material alterations and look forward to working with KCC in the delivery thereof, wherever appropriate.

The following relates to Submission No. 221.

The submission states that as part of the previous submission by the Westar Group (Sub No. 429) it was requested that provisions be made within the Development Plan for a cycle-way connecting the towns of Clane and Sallins, which would facilitate additional sustainable travel options between Clane and the Sallins / Naas Train Station. The response in the Chief Executive report was that objective TMO20 of the Draft Plan, seeks to secure the delivery of the cycle network identified in the Draft Greater Dublin Area Cycle Network Plan (2021). The above response is noted; however, it is still considered a specific reference to a cycle link connecting both towns should be included as part of the plan. The inclusion would have the effect of reducing car dependency in Clane in line with the key goals of the NPF and RSES. Also, the more recent extension of infrastructure from Sallins to the new roundabout at the M9/Sallins bypass means that the extent of the new path/cycle track would be reduced to less than 2.5km.

### **Chief Executives Response**

The contents of Submission No. 230 are noted.

The following relates to Submission No. 221.

TM O20 sets out that it is an objective of the Council to “Secure the development and delivery of the cycle network identified in the Draft Greater Dublin Area Cycle Network Plan (2021) as shown in the maps attached at the end of Chapter 5 (and any subsequent revisions), subject to funding from the NTA”.

Furthermore, TM A 5 of the plan sets out that it is an action of this County Development Plan to “Prepare a walking and cycling strategy to identify and invest in new high-quality, suitable, safe, and sustainable walking and cycling routes, in consultation with stakeholders with links from towns and villages to public transport services, amenities, services, schools, and existing and proposed developments. These walking and cycling routes should be segregated and the cycling routes should accommodate two-

way access, *whenever possible*". This strategy will consider the feasibility of a series of inter-settlement cycleways across County Kildare and deliver same where appropriate.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.13

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### **Proposed Material Alteration No. 5.14**

Amend TM O12 as follows:

Promote and facilitate the implementation of public transport projects (bus and rail) and encourage transport providers and other agencies (e.g. NTA, developers etc.) to improve public transport (bus and rail) and to have regard to and support recently implemented and/or planned routes under NTA's Bus Connects and proposed / planned routes under NTA's Connecting Ireland Rural Mobility Plan; Including:

1. Kilcock, Maynooth and Leixlip into Dublin;
2. Celbridge into Dublin;
3. Maynooth to Naas;
4. Leixlip to Naas
5. Celbridge to Naas;
6. Naas to Caragh.

In addition to a range of rural transport routes. Such developments shall be subject to AA screening and where applicable, Stage 2 AA.

### **Submissions/Observations**

Submission No. 3 submits that north Kildare needs better public transport services.

### **Chief Executives Response**

The contention of submission no. 3 is noted. It is considered that Objectives TM O46 (as per Proposed Material Alteration 5.44), TM O97, TM O35 (as per Proposed Material Alteration 5.38), TM O12 (as per Proposed Material Alteration 5.14) and TM O81 adequately address the issue raised in the submission.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.14.

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### **Proposed Material Alteration No. 5.15**

Add new objective after TM O13 as follows and renumber objectives accordingly:

Ensure the delivery of the transport proposals of the Strategic Land Use, Employment and Transportation Study of North East Kildare, when prepared, in co-operation with all relevant stakeholders. (Refer to Objective RE O14)

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.15.

### **Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.15.

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**Proposed Material Alteration No. 5.16**

Add new objective after TM O15 as follows and renumber objectives accordingly: Support action 87 of the National Sustainable Mobility Policy | Action Plan 2022-2025. In this regard, the Council will support the NTA to expand shared car, bike and powered personal transporters (PPT) services at transport hubs and interchanges.

**Submissions/Observations**

Submission No. 118 welcomes and supports Proposed Material Alteration No. 5.16.

**Chief Executives Response**

Noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.16.

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**Proposed Material Alteration No. 5.17**

Amend TM P2 as follows:

Prioritise and promote the development of high-quality, suitable, safe and sustainable walking and cycling pathways and facilities, both intercounty, intra-county (in consultation with all relevant stakeholders including neighbouring local authorities) and within the towns and settlements of County Kildare within a safe road/street environment that will encourage a shift to active travel that is accessible for all, regardless of age, physical mobility, or social disadvantage, subject to all relevant and cumulative environmental assessments and planning conditions. New projects (including greenways, blueways and cycleways) should first be subject to the undertaking of feasibility assessment. Where feasibility is established, a Corridor and Route Selection Process will be undertaken where appropriate, for relevant new road infrastructure in two stages”, Stage 1 – Route Corridor Identification, Evaluation and Selection and Stage 2 – Route Identification, Evaluation and Selection.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.17.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.17.

### **Proposed Material Alteration No. 5.18**

Add an additional bullet point to the end of TM O21 as follows:

Implement the greenway and blueway projects that promote walking and cycling in conjunction with the relevant organisations and bodies including:

- Investigate the feasibility of re-opening/upgrading and re-developing the historic Barrow Drainage Scheme access routes and trail along the eastern bank of the river Barrow between Monasterevin and Athy.

### **Submissions/Observations**

The following relates to Submission No. 118.

This Proposed Material Alteration relates to the development of Greenways, trails and routes. The Plan should ensure that the Objectives relating to cycle network development, and the cycle network contained in the maps, reflect the latest GDA cycle network that will be published in the final Transport Strategy for the Greater Dublin Area 2022-2042 and the TII National Cycle Network.

Please refer to the submissions/observations that relate to Submission No. 118 with respect to Proposed Material Alteration No. 4.67.

### **Chief Executives Response**

With regard to Submission No. 118, please refer to the Chief Executives Response and Recommendation for Proposed Material Alteration No. 4.67.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.18.

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### **Proposed Material Alteration No. 5.19**

Add new objective after TM O21 as follows and renumber objectives accordingly:

Investigate the feasibility of connecting the Naas to Corbally Harbour Greenway with the proposed Greenway along the former Tullow/Harristown railway line/ Naas-Baltinglass Greenway and, where considered feasible, to initiate the delivery of this project within the lifetime of the Plan in conjunction with all relevant landowners.

### **Submissions/Observations**

The following relates to Submission No. 118.

This Proposed Material Alteration relates to the development of Greenways, trails and routes. The Plan should ensure that the Objectives relating to cycle network development, and the cycle network contained in the maps, reflect the latest GDA cycle network that will be published in the final Transport Strategy for the Greater Dublin Area 2022-2042 and the TII National Cycle Network.

### **Chief Executives Response**

With regard to Submission No. 118, please refer to the Chief Executives Response and Recommendation of Proposed Material Alteration No. 4.67.

### **Chief Executives Recommendation**



Accept Proposed Material Alteration No. 5.19.

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### **Proposed Material Alteration No. 5.20**

Add new objective after TM O21 as follows and renumber objectives accordingly:

**Investigate the feasibility of developing a cycle connection between the Royal Canal and Grand Canal Greenways between Leixlip, Louisa Bridge and Hazelhatch.**

### **Submissions/Observations**

The following relates to Submission No. 118.

This Proposed Material Alteration relates to the development of Greenways, trails and routes. The Plan should ensure that the Objectives relating to cycle network development, and the cycle network contained in the maps, reflect the latest GDA cycle network that will be published in the final Transport Strategy for the Greater Dublin Area 2022-2042 and the TII National Cycle Network.

Submission No. 213 welcomes Proposed Material Alteration No. 5.20.

### **Chief Executives Response**

The comments made by Submission No. 213 are noted.

With regard to Submission No. 118, please refer to the Chief Executives Response and Recommendation of Proposed Material Alteration No. 4.67.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.20.

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### **Proposed Material Alteration No. 5.21**

Add new objective after TM O21 as follows and renumber objectives accordingly:

**Support the development of the Grand Canal Greenway and all associated infrastructure, from Aylmer Bridge to Clonkeen.**

### **Submissions/Observations**

The following relates to Submission No. 118.

This Proposed Material Alteration relates to the development of Greenways, trails and routes. The Plan should ensure that the Objectives relating to cycle network development, and the cycle network contained in the maps, reflect the latest GDA cycle network that will be published in the final Transport Strategy for the Greater Dublin Area 2022-2042 and the TII National Cycle Network.

### **Chief Executives Response**

With regard to Submission No. 118, please refer to the Chief Executives Response and Recommendation of Proposed Material Alteration No. 4.67.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.21.

### **Proposed Material Alteration No. 5.22**

Amend TM O22 as follows:

Investigate the feasibility of developing a greenway/cycle way connecting the Corbally Line through Dowdingstown Wood and Two Mile House to Kilcullen.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.22.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.22.

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### **Proposed Material Alteration No. 5.23**

Add new objective after TM O23 as follows and renumber objectives accordingly:

Support action 27 of the National Sustainable Mobility Policy | Action Plan 2022-2025. In this regard, the Council will support the NTA and TII to develop and implement an active travel infrastructure programme for Naas.

### **Submissions/Observations**

Submission No. 118 welcomes and supports Proposed Material Alteration No. 5.23.

### **Chief Executives Response**

Noted

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.23.

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### **Proposed Material Alteration No. 5.24**

Amend TM O25 as follows:

Ensure the provision of improved cycle and walking infrastructure linking Maynooth Town Centre, the Royal Canal Greenway, the train station, the proposed Maynooth Outer Orbital Route and to Kilcock, Celbridge and Leixlip.

### **Submissions/Observations**

Submission No. 230 (Meath County Council) welcomes this proposed material alteration and look forward to working with KCC in the delivery thereof, wherever appropriate.

The following relates to Submission No. 1.

It is submitted that the route between Maxol and the school in Maynooth is hazardous; and the following is suggests:

- widening the footpath along the Celbridge Road, next to Lawrence's Avenue;

- providing a cycle lane to beyond the schools; and
- the extension of the cycle lane & footpath to connect to Celbridge.

Image attached to the submission showing a busy footpath with children cycling and dog walkers.

Submission No. 59 contends that the Greenway should be extended between Leixlip and Maynooth.

### **Chief Executives Response**

The contents of Submission 230 in relation to Proposed Material Alteration No. 5.24 are noted.

With respect to Submission No. 1, the comments are noted however the specific issues are of a more detailed nature, which it is considered would be more appropriately addressed through the Maynooth and Environs Joint Local Area Plan (LAP) process which is currently underway. The Maynooth and Environs Joint Local Area Plan (2024-2030) will be informed by an Area Based Transport Assessment for Maynooth which will be the subject of a series of public consultations.

On a county level, it is considered that TM A15 and the proposed new action set out under Proposed Material Alteration No. 5.30 adequately addresses the submission.

*TM A15 Carry out local traffic management improvements to provide safer routes to schools in order to support the Green-Schools Travel Programme, including the ‘School Street’ initiative and the ‘Safe Routes to School’ Programme, in consultation with all the relevant stakeholders and agencies.*

*PMA No 5.30 Add a new action below TM A7 as follows: Investigate the feasibility of providing a footpath and cycle lane along the R405 between Maynooth and Celbridge.*

The following relates to Submission No. 59.

In relation to the suggestion that the Greenway should be extended between Leixlip and Maynooth, it is considered that TM O25 as set out above, addresses same.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.24.

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### **Proposed Material Alteration No. 5.25**

Amend TM O26 as follows:

Liaise with Irish Rail with respect to identifying and developing a new pedestrian crossing over the Rail line (separate to DART +) retaining access from Kilmacreddock to Intel/Greenway at Blakestown Cross over the Rail Line in order to promote “Active Travel” permeability links to the Strategic Employment Lands at Collinstown.

### **Submissions/Observations**

Submission No. 229 submits that the provision of a pedestrian crossing over the railway to replace the one removed by DART + at Blakestown is an important issue as closing Blakestown cuts off the access to the bus stops at Intel and will lead to further car journeys.

### **Chief Executives Response**

The comments are noted, and the importance of an “Active Travel” permeability link from Kilmacreddock to Intel is acknowledged.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.25.

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### **Proposed Material Alteration No. 5.26**

Amend the fourth point of TM O27 as follows:

Investigate the feasibility of developing a cycle-way at the following locations;

- from Athy along the N78 to the east as far as the M9 Motorway, subject to the requirements of TII publication.

### **Submissions/Observations**

The following relates to Submission No. 133.

At Draft Plan submission stage, TII recommended that TM O27 reflect the requirements of the Spatial Planning and National Roads Guidelines for Planning Authorities (DoECLG, 2012) and the maintenance of the strategic function and safety of the national road network for all road users in consultation with TII and in compliance with standards in TII publications.

In this regard, the submission notes and welcomes Proposed Material Alteration No. 5.26.

### **Chief Executives Response**

Noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.26.

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### **Proposed Material Alteration No. 5.27**

Insert new action after TM A5 as follows and renumber objectives accordingly:

Support action 26 of the National Sustainable Mobility Policy | Action Plan 2022-2025, to develop pedestrian enhancement plans for Naas and Maynooth in co-operation with the NTA.

### **Submissions/Observations**

Submission No. 230 (Meath County Council) welcomes this proposed material alteration and looks forward to working with KCC in the delivery of TM A5, wherever appropriate.

Submission Nos. 118 and 229 welcome and support Proposed Material Alteration No. 5.27.

**Chief Executives Response**

Noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.27.

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**Proposed Material Alteration No. 5.28**

Amend TM A6 as follows:

Develop a new pedestrian and cycle link from Celbridge/Backweston to Leixlip, via Castletown House, through Kildare Innovation Campus ~~the~~ (former Hewlett Packard site), across the M4 to the Wonderful Barn and onto Leixlip Town Centre and Leixlip Louisa Bridge Station, in accordance with the requirements of TII publications.

**Submissions/Observations**

Submission No. 213 welcomes Proposed Material Alteration No. 5.28.

The following relates to Submission No. 133.

At Draft Plan submission stage, TII recommended that TM A6 reflect the requirements of the Spatial Planning and National Roads Guidelines for Planning Authorities (DoECLG, 2012) and the maintenance of the strategic function and safety of the national road network for all road users in consultation with TII and in compliance with standards in TII publications. In this regard, the submission notes and welcomes Proposed Material Alteration No. 5.28.

**Chief Executives Response**

Noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.28.

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**Proposed Material Alteration No. 5.29**

Amend TM A7 as follows:

Investigate the feasibility of providing a ~~footpath~~ dedicated shared path connection between the settlements in the MASP area to align with the proposed routes identified in the National Transport Authority's Draft Greater Dublin Area Cycle Network (2021) or any subsequent updates to same. ~~from Maynooth to Celbridge.~~

**Submissions/Observations**

Submission No. 229 welcomes Proposed Material Alteration No. 5.29.

Submission No. 230 (Meath County Council) welcomes PMA 5.29 and looks forward to working with KCC in the delivery of TM A7.

**Chief Executives Response**

Noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.29.

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**Proposed Material Alteration No. 5.30**

Add a new action below TM A7 as follows:

Investigate the feasibility of providing a footpath and cycle lane along the R405 between Maynooth and Celbridge.

**Submissions/Observations**

Submission No. 229 welcomes Proposed Material Alteration No. 5.30.

Submission No. 230 (Meath County Council) welcomes PMA 5.30 and looks forward to working with KCC in the delivery of TM A7, wherever appropriate.

**Chief Executives Response**

Noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.30.

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**Proposed Material Alteration No. 5.31**

Delete TM A8:

~~Liaise with Irish Rail/CIE to investigate the feasibility of the development of segregated walking and cycle tracks parallel to railway lines to provide easy access to public transport hubs, subject to public safety.~~

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.31.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.31.

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**Proposed Material Alteration No. 5.32**

Amend TM A10 as follows:

Support the development of a model for bike share schemes, the extension of the Dublin Bike Scheme and/or other bike sharing schemes to key settlements and towns within County Kildare and encourage the inclusion of a hybrid electric bike fleet in order to promote the use of the scheme for long-distance commuting.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.32.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.32.

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**Proposed Material Alteration No. 5.33**

Amend TM A13 as follows:

Prepare a Cycle Network Study for each of the key towns in County Kildare consisting of the primary links identified in both the TII's National Cycle Network (2022) and the NTA's Draft Greater Dublin Area Cycle Network Plan (2021), connections between the major towns and surrounding settlements, key strategic cycle routes, greenways and local links, all in accordance with the National Cycle Manual. The study will include draft widths, levels of services and identify local targets.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.33.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.33.

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**Proposed Material Alteration No. 5.34**

Add new action after TM A13 as follows and renumber actions accordingly:

Investigate the feasibility of providing a cycling route linking Donadea Forest to Killinthomas Woods.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.34.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.34.

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**Proposed Material Alteration No. 5.35**

Add new action after TM A13 as follows and renumber actions accordingly:

Progress the delivery of key measures outlined in the Naas/Sallins Transport Strategy 2020 on a phased basis as funding is secured.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.35.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.35.

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**Proposed Material Alteration No. 5.36**

Amend TM A16 as follows:

Provide new or upgraded lighting for all footpath and cycle track schemes subject to the consideration of ecology and impacts on wildlife. Appropriate environmental assessments will be required and may result in unlit sections which may include some parts of the county's Greenways. Where applicable, all species-specific mitigation will be included within the relevant sections of the Appropriate Assessment.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.36.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.36.

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**Proposed Material Alteration No. 5.37**

Insert new action after TM A17 as follows and renumber actions accordingly:

Collaborate with Waterways Ireland and other relevant stakeholders to ensure that recreation, amenity and heritage sites in County Kildare are accessible to all, and that design solutions retain existing man-made, local features of interest such as 'kissing gates'. The retention of existing kissing gates will be assessed in the context of delivering a balanced approach to the protection of heritage and universal access where they would not deny access to those using mobility aids and non-standard bicycles.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.37.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.37.

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### **Proposed Material Alteration No. 5.38**

Amend TM O35 as follows:

Seek to address urban congestion with particular emphasis on facilitating the development of ~~town~~ local bus services for the Key Towns along with associated identified economic clusters within the County ensuring connectivity to and from residential areas, key employers, and public transport hubs such as train stations, along with retail and amenity sites.

### **Submissions/Observations**

Submission No. 230 (Meath County Council) welcomes PMA 5.38 and looks forward to working with KCC in the delivery of TM O35.

### **Chief Executives Response**

Noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.38.

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### **Proposed Material Alteration No. 5.39**

Amend TM O38 as follows:

Work with statutory agencies and stakeholders to promote and facilitate the development of a public transport hub in proximity to Naas and Sallins with new and enhanced public transport infrastructure to which will connect road, rail and public bus transport, including Park and Ride and interchange facilities. Ensure the bus network in Naas improves linkages between Naas Town Centre, surrounding residential and employment areas, Sallins Railway Station and the Northwest Quadrant.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.39.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.39.

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### **Proposed Material Alteration No. 5.40**

Amend TM O39 as follows:

Support the delivery and facilitate investigations into the feasibility of a bus-only link priority route to the Sallins bypass through the Northwest Quadrant in Naas which will provide a direct bus service to the Sallins Railway Station from the town centre of Naas. to Sallins Bypass Junction 9A on the M7. This route will provide a new higher density central spine corridor leading into Naas., with a priority bus corridor that will provide a direct service to Sallins Railway Station from the town centre.

### **Submissions/Observations**

Submission No. 221 notes that Kildare County Council are soon to undertake a Masterplan for the entire northwest quadrant, including the harbour lands, in accordance with Action UD A2 of the Draft Plan. The upcoming northwest quadrant masterplan will include a review of the necessity for a ‘bus-only’ or shared route to the Sallins bypass. If the masterplan exercise finds in favour of the shared route option, then the wording of the above objective will become redundant. It is considered premature at this stage to refer to a bus-only route, removing any degree of flexibility on the preferred route type, in advance of the preparation of the associated masterplan.

### **Chief Executives Response**

The submission is noted, however, to provide for the necessary modal shift to meet Ireland’s climate targets it is imperative that public transport is integrated within the built-up environment making it more convenient for people to use. Therefore, a key element of the development of the Northwest Quadrant is the provision of a bus-only link. The reference to a bus-only link is therefore appropriate in this instance. It should also be noted that the Naas Local Area Plan includes a number of specific policies and objectives in relation to same.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.40.

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### **Proposed Material Alteration No. 5.41**

Amend TM O42 as follows:

Support the implementation of the Irish Rail Multi-Modal Interchange Strategy Sustainable Interchange Programme to provide for ease of interchange between rail and all other modes, prioritising those that are sustainable – cycling, electric charging, wayfinding and shared mobility.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.41.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.41.

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### **Proposed Material Alteration No. 5.42**

Amend TM O43 as follows:

Facilitate and support the extension of the DART+ line to Kilcock, the extension of the DART+ Southwest line to Naas/Sallins and Newbridge (and promote a future extension to Newbridge and Kildare Town in the next DART + programme / GDA Transport Strategy Review) and the extension of the LUAS network, in co-operation with Irish Rail, the Department of Transport and the National Transport Authority.

### **Submissions/Observations**

Submission No. 230 (Meath County Council) welcomes PMA 5.42 and looks forward to working with KCC in the delivery of TM O43.

### **Chief Executives Response**

Noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.42.

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### **Proposed Material Alteration No. 5.43**

Add a new objective after TM O45:

Investigate the feasibility of a new train station at the Curragh in consultation with Irish Rail.

### **Submissions/Observations**

Submission No. 118 highlights that Section 9(6A) of the Planning and Development Act 2000 (as amended) requires that all Development Plans in the Greater Dublin Area be consistent with the GDA Transport Strategy. It is stated that while the NTA has no objections to the carrying out of feasibility studies, the NTA also notes that there are no plans in the current Transport Strategy for the GDA or in the Draft Transport Strategy for the development of a rail station at the Curragh. Measure RAIL6 of the Draft Transport Strategy states the new rail stations planned to be developed by the NTA, in conjunction with Irish Rail and states that other stations will be considered where development patterns support such provision. Any decisions regarding the development of new rail stations will be progressed by the NTA in conjunction with Irish Rail.

### **Chief Executives Response**

The comments with are noted. It is considered appropriate to investigate the feasibility of a new train station at the Curragh, in conjunction with the NTA.

Refer also to CE response to OPR observation 2.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.43, with the following minor amendment:

Add a new objective after TM O45:

Investigate the feasibility of a new train station at the Curragh in consultation with Irish Rail and the NTA.

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### **Proposed Material Alteration No. 5.44**

Amend TM O46 as follows:

Support and facilitate, in co-operation with Irish Rail and the National Transport Authority the delivery of the following proposed new facilities to connect to the existing and proposed rail network including DART+:

- A second New Sallins & Naas railway station sited to the west of the existing station in Sallins, including a park and ride facility (1 000 spaces).

- Collinstown or Maynooth railway Sstation/Ddepot sited to the west of Maynooth including a park and ride facility (1 000 spaces – 500 initially); and
- a Kill park and ride facility - bus based (500 spaces).

### **Submissions/Observations**

Submission No. 72 welcomes and supports the Proposed Material Alteration No. 5.44.

Submission No. 230 (Meath County Council) welcomes PMA 5.44 and looks forward to working with KCC in the delivery of TM O46.

The following relates to Submission No. 93.

Submission contends that Proposed material alteration to TM O46 does not fully reflect the intention of the Chief Executive, and the reference to 'Collinstown' and 'depot' in the same sentence as station, park and ride, west of Maynooth may cause confusion.

It is recommended that PMA No. 5.44 be amended accordingly. The amended text is in red.

Support and facilitate, in co-operation with Irish Rail and the National Transport Authority the delivery of the following proposed new facilities to connect to the existing and proposed rail network including DART+:

- A second New Sallins & Naas railway station sited to the west of the existing station in Sallins, including a park and ride facility (1 000 spaces).
- ~~Collinstown or~~ A second Maynooth railway Sstation/Ddepot sited to the west of Maynooth including a park and ride facility (1 000 spaces – 500 initially);
  - A railway station at Collinstown; and
- a Kill park and ride facility - bus based (500 spaces).

### **Chief Executives Response**

Under the Park and Ride Strategy (April 2021) a new train station is proposed at Collinstown to service a new rail-based park and ride. Measure RAIL6 of the Draft Greater Dublin Area Transport Strategy 2022-2042 includes the development of a new railway station west of Maynooth and a new railway station west of Sallins. In the interests of clarity and having regard to the contents of Submission No. 93 it is considered appropriate to amend the wording of Objective TM O46.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.4, with the following minor amendment: Amend TM O46 as follows:

Support and facilitate, in co-operation with Irish Rail and the National Transport Authority the delivery of the following proposed new facilities to connect to the existing and proposed rail network including DART+:

- A second New Sallins & Naas railway station sited to the west of the existing station in Sallins, including a park and ride facility (1 000 spaces).
- ~~Collinstown or~~ A second Maynooth railway Sstation/Ddepot sited to the west of Maynooth including a park and ride facility (1 000 spaces – 500 initially);

- A railway station at Collinstown including a Park and Ride facility (Ca.1,000 spaces – 500 initially);and
  - a Kill Park and Ride facility - bus based (500 spaces).
- 

#### **Proposed Material Alteration No. 5.45**

Amend TM P4 as follows:

Ensure ongoing competitiveness and the efficient movement of people and goods in the county through the improvement and expansion of the road and street network within the county to support economic development and provide access to new and existing communities, employment areas and development, all while prioritising sustainable modes of transport. New roads and other transport infrastructure projects should first be subject to the undertaking of feasibility assessment. Where feasibility is established, a Corridor and Route Selection Process will be undertaken where appropriate, for relevant new road infrastructure in two stages”, Stage 1 – Route Corridor Identification, Evaluation and Selection and Stage 2 – Route Identification, Evaluation and Selection.

#### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.45.

#### **Chief Executives Response**

N/A

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.45.

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#### **Proposed Material Alteration No. 5.46**

Amend TM O58 as follows:

Secure the implementation of the Priority Road and Bridge Projects and the Regional Roads Identified for Improvement (Table 5.4 and 5.5, refer) and maintain corridors free from development to facilitate future roads, cycle facilities and other transport infrastructure improvement identified within this Plan (Tables 5.4 & 5.5) and Local Area Plans. The further progression of the road projects is subject to assessment against the ‘Principles of Road Development’ criteria set out in Section 13.2 of the Draft Transport Strategy for the Greater Dublin Area 2022-2042. Where the road project is an orbital road around a town centre, the development must be accompanied by enhanced public transport, cycling and pedestrian facilities in the relevant centre, as required by Section 13.5 of the Draft Transport Strategy for the Greater Dublin Area 2022-2042.

#### **Submissions/Observations**

Submission No. 72 welcomes and supports PMA No. 5.46 in relation to the proposed Maynooth Outer Orbital Road at the subject lands in Newtown, Maynooth. Map of subject site provided.

#### **Chief Executives Response**

Noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.46.

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### **Proposed Material Alteration No. 5.47**

Amend TM O59 as follows:

Support and facilitate in conjunction with Meath County Council, private developers and landowners, the construction of the Maynooth Relief Road ~~Relief Road~~ Outer Orbital Route.

### **Submissions/Observations**

Submission No. 251 supports Proposed Material Alteration No. 5.47.

Submission No. 72 welcomes and supports the Proposed Material Alteration No. 5.47 in relation to the proposed Maynooth Outer Orbital Road at the subject lands in Newtown, Maynooth. Map of subject site provided.

#### The following relates to Submission No. 229.

The submission states that planning applications have been submitted to Meath County Council for a new development at Moygaddy and submits that it strongly objects to such a development just outside Maynooth. It is requested that KCC work on a new plan for the Maynooth Outer Orbital Road that does not involve the extra loop and excessive ill-planned development.

#### The following relates to Submission No. 230.

It is highlighted that an indicative route for the MOOR in County Meath has been detailed in the Meath County Development Plan 2021 - 2027 and has been subject to the Strategic Environmental Assessment process. The development of the road shall be subject to further environmental assessment, and this will be addressed through the legislative planning process. In this regard it is submitted that Proposed Material Alteration No. 5.47 is welcome.

#### The following relates to Submission No. 93

The submission welcomes the provision of a future outer orbital route in western Maynooth. It is suggested that reference be made to integrating this proposed Outer Orbital Route with Irish Rail's plans for a new access road to the proposed new DART depot to the west of the town.

### **Chief Executives Response**

The contents of Submission Nos. 251 and 72 are noted.

#### The following relates to Submission No. 229.

The issues raised by the submission are of a more detailed nature and would be more appropriately addressed through the statutory Local Area Plan (LAP) process with respect to Maynooth. As per Action TM A2 set out under Proposed Material Alteration No. 5.10, Local Transport Plans (LTPs)/Area Based Transport Assessments (ABTAs) will be prepared for each of the statutory LAP settlements, including Maynooth which will inform the LAPs. The Maynooth and Environs Joint Local Area Plan (2024-2030) process is currently underway and will be informed by the Area Based Transport Assessment of Maynooth which is currently underway.

The following relates to Submission No. 230.

The contents of the submission relating to the Maynooth Outer Orbital Route are noted. As highlighted in the submission, RE O16 (as per Proposed Material Alteration No.4.7) states that infrastructure delivery, including the Maynooth Outer Orbital Route, will be “subject to appropriate route option selection processes and environmental assessments”.

The following relates to Submission No. 93

The issues raised by the submission would be more appropriately addressed through the statutory Local Area Plan (LAP) process with respect to Maynooth. As per Action TM A2 set out under Proposed Material Alteration No. 5.10, Local Transport Plans (LTPs)/Area Based Transport Assessments (ABTAs) will be prepared for each of the statutory LAP settlements, including Maynooth which will inform the LAPs. The Maynooth and Environs Joint Local Area Plan (2024-2030) process is currently underway and will be informed by an Area Based Transport Assessment of Maynooth.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.47.

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**Proposed Material Alteration No. 5.48**

Amend TM O66 as follows:

Mitigating the negative impacts of infrastructure by incorporating wildlife crossings/underpasses and fish culverts in the instance of freshwater European Sites into the designs for new road infrastructure and where possible, by incorporating such measures into the existing road network, where (as appropriate).

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.48.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.48.

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**Proposed Material Alteration No. 5.49**

Amend Table 5.4 as follows and include updates to the numbering of all Priority Road and Bridge Projects as listed in Table 5.4 of the Draft Kildare County Development Plan 2023-2029:

**Table 5.4 - Priority Road and Bridge Projects<sup>1</sup>**

<b>Nr.</b>	<b>Name</b>	<b>Route</b>
<b>A</b>	<b>Maynooth Eastern Ring Road (MERR)</b>	<b>R148 to R405 – Leixlip Road to Celbridge Road.</b>

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<sup>1</sup> Extract of Table 5.4 only; all other projects listed in dCDP will be included in final Table.

B	Maynooth Outer Relief Road, Maynooth Orbital Route (Northwest)	L1012 Moyglare Road and Dunboyne Road (County Meath) to be delivered by Meath County Council under Section 85 agreement.
C	Maynooth Outer Orbital Route (West/Southwest)	R148 to L1012 c. 3km – Kilcock Road to Moyglare Road; and from the Kilcock Road south to Rathcoffey/Straffan Road.
D	Examine options in consultation with South Dublin County Council, Fingal County Council, Meath County Council, TII and other statutory agencies for the delivery of an orbital link road M50 resilient outer orbital link road connecting the M3 to the M4.	M4 (at Lucan / Leixlip) to the M3 (Junction 4 Clonee / R157 Dunboyne-Maynooth Road) in Meath County Council. Preferred Route to be examined and determined.
E	The Gallops Avenue <sup>footnote</sup> , Naas	Blessington Road to Dublin Road
F	Upgrading the existing bridge in Celbridge with enhanced Vulnerable Road User (VDU) infrastructure.	Existing River Liffey Bridge, Celbridge
G	Celbridge to Hazelhatch Link Road scheme, including a second bridge crossing over the River Liffey and a link road connecting Celbridge to Hazelhatch train station. New pedestrian and cycling infrastructure will be incorporated into the route to encourage alternative more sustainable transport modes. Second River Crossing - Celbridge	From R403 Clane Road to Hazelhatch Train Station
H	Second bridge River Crossing - Newbridge	From Old Connell Road to R416 Athgarvan Road.

Footnote: Table 5.4 is a list of priority projects for County Kildare; however, these projects are not listed in order of priority.

Footnote: [in relation to The Gallops Avenue, Naas] – ‘in accordance with Objective MTO3.3 of the Naas Local Area Plan 2021-2027’

### **Submissions/Observations**

The following relates to Submission No. 3.

It is submitted that one narrow bridge over the Liffey in Celbridge is not enough. The present Liffey Bridge needs to double in width. A new pedestrian bridge is required from the bank to the pub on the Lucan Road. A new complete ring road for Celbridge is required, starting at Salesians roundabout to Hazelhatch train station to Lucan Road, through the proposed new estates, running parallel to the existing Loughlinstown Road. The ring road needs to be 200 metres away from St. Wolstan’s along the Clane Road and not beside the schools or athletic club. The Maynooth ring



roads (both sides of the town) need to be completed as soon as possible. The submission highlights the high traffic volumes along the Moyglare Road.

The following relates to Submission No. 72.

The submission welcomes and supports the Proposed Material Alteration No. 5.49 in relation to the proposed Maynooth Outer Orbital Road at the subject lands in Newtown, Maynooth. Map of subject site provided. The submission reinforces willingness to work with the relevant stakeholders in order to deliver the southwestern section of the MOOR and to also accommodate a future railway station (as per the Draft LAP Issues Paper 2024-2030) and to also accommodate the Dart+ West Draft Railway Order works.

The following relates to Submission Nos. 78, 80, 146, 265, 266 & 267

Objecting to the inclusion of the Gallops Avenue in the Development Plan.

The following relates to Submission No. 118.

The submission proposes the following changes to Table 5.4:

- Amend point F as follows: 'A new bridge for pedestrians and cyclists will be constructed parallel to the existing bridge at Celbridge providing enhanced Vulnerable Road User (VRU) Infrastructure.'
- Addition of text to Point H referring to the preparation of a Local Transport Plan for Newbridge that will set out transport objectives and measures for the town.

The following relates to Submission No. 133

The submission notes the inclusion of projects related to national roads in Table 5.4. TII emphasises that while such additional improvements relating to national roads identified at a local level should be undertaken in consultation with and subject to the agreement of TII, in accordance with adopted procedures and design standards, the Council will be aware that TII may not be responsible for the funding of any such schemes or improvements and their implementation may be subject to budgetary constraints and the prioritisation and the adequacy of the funding resource available to the Authority.

The following relates to Submission No. 229

The submission welcomes the clarifications in Table 5.4 and stated that the ring roads around Maynooth are of critical importance.

Submission No. 251 supports Proposed Material Alteration No. 5.49.

The following submission numbers relate to PMA 4.59D (see Chief Executive's Recommendation below);

14, 19, 23, 28, 29, 30,31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 46, 47, 50, 51, 52, 54, 61, 64, 66, 67, 68, 73, 75, 81, 82, 83, 84, 86, 89, 91, 92, 96, 97, 98, 100, 105, 107, 108, 110, 112, 120, 124, 126, 129, 141,142, 144,145, 152, 155, 156, 157, 159, 160, 162, 165, 168,169,171,172,173, 177,179, 184, 199, 202, 204, 211, 227, 237, 241, 248, 257, 258, 259.

**Chief Executives Response**

The comments in relation to submission no. 3 are noted. However, many of the 29/ specific issues are of a more detailed nature and would be more appropriately addressed through the statutory Local Area Plan (LAP) process. As per Action TM A2 set out under Proposed Material Alteration No. 5.10, Local Transport Plans (LTPs)/Area Based Transport Assessments (ABTAs) will be prepared for each of the statutory LAP settlements, including Celbridge and Maynooth which will inform the LAPs. The Maynooth and Environs Joint Local Area Plan (2024-2030) process is currently underway and will be informed by an Area Based Transport Assessment of Maynooth.

It is an objective of the Plan to secure the implementation of the Priority Road and Bridge Projects identified in Table 5.4 and 5.5 of Chapter 5. Table 5.4 (Priority Road and Bridge Projects) as per Proposed Material Alteration No. 5.49 includes the following projects:

- (Row A) 'Maynooth Eastern Ring Road (MERR)'
- (Row B) 'Maynooth Outer Orbital Route (Northwest)'
- (Row C) 'Maynooth Outer Orbital Route (West/Southwest)'
- (Row F) 'Upgrading the existing bridge in Celbridge with enhanced Vulnerable Road User (VDU) infrastructure' and project
- (Row G) 'Second River crossing - Celbridge'.

The 'Second River crossing – Celbridge' project includes a link road from the R403 Clane Road to Hazelhatch train station and will incorporate new pedestrian and cycling infrastructure.

The comments in relation to submission no. 72 are noted.

The following relates to Submission Nos 78 & 80, 146, 265, 266 & 267

While Proposed Material Alteration (PMA) 5.49 references the Gallops Avenue, Naas, this particular PMA only serves to give further clarity to priority road projects in County Kildare.

In this regard a specific footnote is proposed to be inserted to link the Gallops Avenue to the Naas Local Area Plan 2021-2027 with the proposed insertion of the following text;

**...in accordance with Objective MTO3.3 of the Naas Local Area Plan 2021-2027'.**

The following relates to Submission No. 118.

The comments with regards to Proposed Material Alteration No. 5.49 are noted. It is considered appropriate to amend PMA No. 5.49 to reflect the proposed changes.

The following relates to Submission No. 133.

The comments in relation to Table 5.4 are noted and accepted. The footnote at the end of Table 5.4 in the Draft Plan should be noted which states; *'This table is not exhaustive, other projects shall be identified in LAPs. The delivery of any project is subject to approval of funding'.*

The comments of Submission No. 229 in relation to Table 5.4 are noted.

The contents of Submission No. 251 are noted.

The submissions which relate to PMA 5.49D

Please refer to Chief Executives Response and Recommendation under PMA 5.59.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.49, with the following minor amendment:

Nr.	Name	Route
A	Maynooth Eastern Ring Road (MERR)	R148 to R405 – Leixlip Road to Celbridge Road.
B	Maynooth Outer Relief Road, Maynooth Orbital Route (Northwest)	L1012 Moyglare Road and Dunboyne Road (County Meath) to be delivered by Meath County Council under Section 85 agreement.
C	Maynooth Outer Orbital Route (West/Southwest)	R148 to L1012 c. 3km – Kilcock Road to Moyglare Road; and from the Kilcock Road south to Rathcoffey/Straffan Road.
D	Examine options in consultation with South Dublin County Council, Fingal County Council, Meath County Council, TII and other statutory agencies for the delivery of an orbital link road M50 resilient outer orbital link road connecting the M3 to the M4.	M4 (at Lucan / Leixlip) to the M3 (Junction 4 Clonee / R157 Dunboyne-Maynooth Road) in Meath County Council. Preferred Route to be examined and determined.
E	The Gallops Avenue <sup>footnote</sup> , Naas	Blessington Road to Dublin Road
F	Upgrading A new bridge for pedestrians and cyclists will be constructed parallel to the existing bridge in Celbridge providing with enhanced Vulnerable Road User (VDU) infrastructure.	A new bridge parallel to the existing River Liffey Bridge, Celbridge
G	Celbridge to Hazelhatch Link Road scheme, including a second bridge crossing over the River Liffey and a link road connecting Celbridge to Hazelhatch train station. New pedestrian and cycling infrastructure will From R403 Clane Road to Hazelhatch Train Station be incorporated into the route to encourage alternative more sustainable transport modes. Second River Crossing - Celbridge	From R403 Clane Road to Hazelhatch Train Station
H	Second bridge River Crossing – Newbridge <sup>footnote</sup>	From Old Connell Road to R416 Athgarvan Road.

Footnote: Table 5.4 is a list of priority projects for County Kildare; however, these projects are not listed in order of priority.

Footnote: [in relation to The Gallops Avenue, Naas] – ‘in accordance with Objective MTO3.3 of the Naas Local Area Plan 2021-2027’

Footnote: A Local Transport Plan (LTP) is currently being prepared for Newbridge to inform the emerging Newbridge Local Area Plan (LAP). All transport objectives for the Newbridge LAP will be informed by the outcomes of the LTP.

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### **Proposed Material Alteration No. 5.50**

Combine Section 5.6 and Section 5.7 as follows:

#### **5.6 Motorways National Road Network**

The national road network consists of national primary and secondary roads, including motorways and associated junctions, outside the 50-60 kph speed limit zones for cities, towns, and villages.

In addition to the M4, M7 and M9 motorways there are three national roads in County Kildare.

- The N7 linking Naas and Dublin;
- The N81 running along the border between Kildare and Wicklow; and
- The N78 connecting Ballitore (Junction 3 on M9) and Athy and onwards to Ballylynan.

The motorway network primarily serves long and middle-distance traffic originating in or passing through the county including the transportation of freight. These routes have an important role to play in the economic development of the county and the state.

#### **5.7 National Roads**

National roads are defined as arterial routes within DMURS for urban areas. There are three National Routes in County Kildare.

- The N7 linking Naas and Dublin;
- The N81 running along the border between Kildare and Wicklow; and
- The N78 connecting Ballitore (Junction 3 on M9) and Athy and onwards to Ballylynan.

### **Submissions/Observations**

The following relates to Submission No. 133.

It is noted that Draft Plan sections 5.6 and 5.7 are to be amalgamated under Proposed Material Alteration No. 5.50 as section 5.6 under a single heading: National Road Network. This general approach is welcomed in the submission.

The submission however noted that the description of the national road network makes reference to speed limits and reminds the Council that TII as the national road's authority is responsible for the safe and efficient management of the entire of the national road network no matter its speed limit and recommends the removal of reference to speed limits.

### **Chief Executives Response**

The recommendation with regards to Proposed Material Alteration No. 5.50 is noted and accepted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.50, with the following minor amendment:

## **5.6 Motorways National Road Network**

The national road network consists of national primary and secondary roads, including motorways and associated junctions, ~~outside the 50-60 kph speed limit zones for cities, towns, and villages.~~ In addition to the M4, M7 and M9 motorways there are three national roads in County Kildare.

- The N7 linking Naas and Dublin;
- The N81 running along the border between Kildare and Wicklow; and
- The N78 connecting Ballitore (Junction 3 on M9) and Athy and onwards to Ballylynan.

The ~~motorway~~ network primarily serves long and middle-distance traffic originating in or passing through the county including the transportation of freight. These routes have an important role to play in the economic development of the county and the state.

## **5.7 National Roads**

~~National roads are defined as arterial routes within DMURS for urban areas. There are three National Routes in County Kildare.~~

- ~~• The N7 linking Naas and Dublin;~~
- ~~• The N81 running along the border between Kildare and Wicklow; and~~
- ~~• The N78 connecting Ballitore (Junction 3 on M9) and Athy and onwards to Ballylynan.~~

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### **Proposed Material Alteration No. 5.51**

Amend TM P5 as follows:

Work with Transport Infrastructure Ireland in accordance with the Spatial Planning and National Road Guidelines for Planning Authorities (2012) to develop and operate the motorway network through the County and to ensure that the carrying capacity, efficiency and safety of the network and associated junctions is protected, maintained and improved and to prevent development that could hinder the future upgrading of motorway routes and interchanges.

### **Submissions/Observations**

The following relates to Submission No. 133.

It is noted that Proposed Material Alteration No. 5.51 reflects recommendation no. 6 of the TII's submission to the Draft Plan and is welcomed. However, as the Draft Plan now combines the motorway and national roads together as the national road network as per Proposed Material Alteration No. 5.50 above, it is recommended that TM P5 reflect same. Minor amendments are proposed with respect to PMA 5.51 to replace references from 'motorway' to 'national'.

### **Chief Executives Response**

The recommendations with regards to Proposed Material Alteration No. 5.51 are noted and accepted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.51, with the following minor amendment:  
Amend TM P5 as follows:

Work with Transport Infrastructure Ireland in accordance with the Spatial Planning and National Road Guidelines for Planning Authorities (2012) to develop and operate the motorway national road network through the County and to ensure that the carrying capacity, efficiency and safety of the network and associated junctions is protected, maintained and improved and to prevent development that could hinder the future upgrading of motorway national road network routes and interchanges.

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### **Proposed Material Alteration No. 5.52**

Amend TM O72 as follows:

Improve the safety and capacity at the M4 Maynooth Interchange (Junction 7) and investigate the provision of a future improved connection to the M4, either at the current location or elsewhere at Celbridge and Leixlip Interchanges, subject to the necessary studies to be carried out by Kildare County Council in consultation with TII and other relevant agencies.

### **Submissions/Observations**

The following relates to Submission No. 133.

TII's submission to the Draft Plan included recommendation no. 7 which relates to TM O72 (Junction 7 of the M4); TM O75 (Junction 14 of the M7); and TM O76 (Junction 11 of the M7 and junction 1 of the M9).

In this regard, it is submitted that each of the objective's TM O72, TM O75 and TM O76 appear to consist of works to motorways and / or their junctions that have not been identified as a national priority and are therefore not currently resourced under the NDP. The status and funding of these projects need to be reviewed and clarified in accordance with TII publications and relevant Government transport policy.

Having regard to the scope of the local roads and the role of Kildare County Council and thus the Development Plan, it is recommended that Proposed Material Alteration No's. 5.52, 5.54 and 5.55 in relation to the national road network be restated for the purpose of clarity and Development Plan implementation efficacy.

The submission reiterates that roads proposals that may arise at TM O72, TM O75 and TM O76 do not form part of current national roads schemes provision nor Project Ireland 2040. It is acknowledged that it is beneficial to identify road schemes that are proposed to be delivered at a local/regional level, however TII may not be responsible for financing such additional projects. In addition, such projects should be developed by the Council to complement the strategic function of the national road network and should not undermine or compromise this function.

### **Chief Executives Response**

The recommendation with regards to Proposed Material Alteration No. 5.52 is noted and accepted. In relation to the comments regarding funding, the footnote at the end of Table 5.4 in the Draft Plan should be noted which states; *'This table is not exhaustive, other projects shall be identified in LAPs. The delivery of any project is subject to approval of funding'*.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.52, with the following minor amendment:  
Amend TM O72 as follows:

~~Undertake studies in consultation with TII and other relevant agencies to investigate the improvement of the safety and capacity at the M4 Maynooth Interchange (Junction 7) and investigate the provision of a future improved connection to the M4, either at the current location or elsewhere at Celbridge and Leixlip Interchanges, subject to the necessary studies to be carried out by Kildare County Council in consultation with TII and other relevant agencies.~~

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### **Proposed Material Alteration No. 5.53**

Amend TM O73 as follows:

Examine the feasibility of delivering a pedestrian and cycle overpass of the M4 to link the Wonderful Barn at Leixlip to the Kildare Innovation Campus (the former Hewlett Packard site) and Castletown Demesne in Celbridge in consultation with Transport Infrastructure Ireland, while being sensitive to the heritage sensitivities of both sites.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.53.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.53.

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### **Proposed Material Alteration No. 5.54**

Amend TM O75 as follows:

Improve the safety and capacity of the M7 Monasterevin Interchange (Junction 14) through the provision of an upgrade to the interchange, subject to the necessary studies to be carried out by Kildare County Council in consultation with TII and other relevant agencies.

### **Submissions/Observations**

It is proposed to amend Objective TM O75 to omit text 'subject to the necessary studies to be carried out by Kildare County Council in consultation with TII and other relevant agencies' at the end of this objective and to replace with new text at the beginning of TM O75 to read as follows; 'Undertake studies in consultation with TII and other relevant agencies to investigate the improvement of the safety and capacity...'

### **Chief Executives Response**

The recommendation with regards to Proposed Material Alteration No. 5.54 is noted and accepted. In relation to the comments regarding funding, the footnote at the end of Table 5.4 in the Draft Plan should be noted which states; *'This table is not exhaustive, other projects shall be identified in LAPs. The delivery of any project is subject to approval of funding'*.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.54, with the following minor amendment: Amend TM O75 as follows:

Undertake studies in consultation with TII and other relevant agencies to investigate the improvement of the safety and capacity of the M7 Monasterevin Interchange (Junction 14) through the provision of an upgrade to the interchange., ~~subject to the necessary studies to be carried out by Kildare County Council in consultation with TII and other relevant agencies~~

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### **Proposed Material Alteration No. 5.55**

Amend TM O76 as follows:

Provide for all vehicle movements from the west to the south as well as from the south to the west at the M7 (Junction 11) / M9 (Junction 1) Interchange and to investigate the feasibility of providing for a M9/M7 interchange connection along the M7 at Junction 12, ~~subject to the necessary studies to be carried out by Kildare County Council in consultation with TII and other relevant agencies.~~

### **Submissions/Observations**

It is proposed to amend Objective TM O76 to omit text *'subject to the necessary studies to be carried out by Kildare County Council in consultation with TII and other relevant agencies'* at the end of this objective and to replace with new text at the beginning of TM O76 to read as follows; *'Undertake studies in consultation with TII and other relevant agencies to investigate the improvement of for all vehicle movements...'*

### **Chief Executives Response**

The recommendation with regards to Proposed Material Alteration No. 5.55 is noted and accepted with some further minor amendments to the recommended wording. In relation to the comments regarding funding, the footnote at the end of Table 5.4 in the Draft Plan should be noted which states; *'This table is not exhaustive, other projects shall be identified in LAPs. The delivery of any project is subject to approval of funding'*.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.55, with the following minor amendment: Amend TM O76 as follows:

Undertake studies in consultation with TII and other relevant agencies to investigate how vehicle movements could be improved ~~Provide for all vehicle movements from the west to the south as well as from the south to the west at the M7 (Junction 11) / M9 (Junction 1) Interchange and to investigate the feasibility of providing for a M9/M7 interchange connection along the M7 at Junction 12, subject to the necessary studies to be carried out by Kildare County Council in consultation with TII and other relevant agencies.~~



### **Proposed Material Alteration No. 5.56**

Amend TM O77 as follows:

~~Support and facilitate the adequate provision~~ **Ensure proposals for of Motorway Service Stations Areas are developed in accordance with identified in the Spatial Planning and National Roads Guidelines for Planning Authorities, DECLG (2012) and the TII Motorway Service Area Policy guidance document (2014 or as may be amended).** ~~during the life of this Plan).~~

### **Submissions/Observations**

Submission No. 133 welcomes Proposed Material Alteration No. 5.56 with respect to TM O77 - Motorway Service Areas.

### **Chief Executives Response**

Noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.56.

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### **Proposed Material Alteration No. 5.57**

Add new objective after TM O77 as follows and renumber objectives accordingly:

**Support and facilitate the continued operation of existing Motorway Service Areas throughout the county.**

### **Submissions/Observations**

The following relates to Submission No. 133.

The submission requests that reference to official national road policy, of which motorway service areas form part, be included in Proposed Material Alteration No. 5.57 for clarity purposes.

The following relates to Submission No. 183.

The submission supports the recognition of Motorway Service Areas as part of this Proposed Material Alteration, but requests that this recognition be amended further by explicitly mentioning the M9 Kilcullen Motorway Service Area.

The submission highlights that the existing Circle K motorway service area at Kilcullen was subject to a grant of planning permission under An Bord Pleanála Case Reference 09.HA0021 and also lists the policy documents that this grant had regard to, which included among others the provisions of the Kildare County Development Plan 2005 – 2011.

Furthermore, the submission highlights TII's last published update of their Motorway Service Area Policy which acknowledged the role of off-line MSA facilities in providing for the needs of road users on the motorway network, and specifically the role of the M9 Kilcullen MSA.

The submission includes the three submissions made to Kildare County Council during the Draft Kildare County Development Plan 2023 – 2029 public consultation period and the Chief Executive's Response in relation to these submissions.

### **Chief Executives Response**

The following relates to Submission No. 133.

The recommendation with regards to Proposed Material Alteration No. 5.57 is noted and accepted.

The following relates to Submission No. 183.

The submission is noted, it is however considered inappropriate and unnecessary to specifically reference the M9 Kilcullen Motorway Service Area in the Kildare County Development Plan. The proposed new objective (as per Proposed Material Alteration No. 5.57) which states that the Council supports the continued operation of existing Motorway Service Areas is considered sufficient.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.57, with the following minor amendment: Add new objective after TM O77 as follows and renumber objectives accordingly:

**Support and facilitate the continued operation of existing Motorway Service Areas throughout the county in accordance with the Spatial Planning and National Roads Guidelines for Planning Authorities, DECLG (2012) and TII Motorway Service Area Policy guidance document (2014 or as may be amended).**

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### **Proposed Material Alteration No. 5.58**

Amend TM O79 as follows:

**Improve connectivity between the local road network and the national/regional road network. The Council will ensure that any future development in this regard complies with the guidance to safeguard the overall operational function of the national road network as set out in the Spatial Planning and National Roads Guidelines, DECLG (2012). Such developments shall be subject to AA screening and where applicable, Stage 2 AA so as to ensure and protect the favourable status of European sites and their hydrological connections.**

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.58.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.58.

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### **Proposed Material Alteration No. 5.59**

Amend TM O84 as follows:

Support the future development of the N3-N4 Barnhill to Leixlip Interchange in accordance with strategic development objectives and the Spatial Planning and National Roads: Guidelines for Planning Authorities, DECLG (2012).

### **Submissions/Observations**

The following submission numbers relate to PMA 5.59:

8,10,11,12,13,14,15,16,18,19,20,21,22,23,24,25,26,27,28,29,30,31,32,33,34,35,36, 37,38,39,40,41,42,43,44,46,47,49,50,51,52, 54,60,61,62,63,64,65,66,67,68,69, 70, 73,74, 75, 76, 77, 79, 81, 82, 83, 84, 85, 86, 87, 89, 90, 91, 92, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 132, 134,137, 141,142,143,144,145,147,148,151,152,153,154,155,156,157,158,159, 160, 161, 162, 163,164,165,166,167,168,169,171,172,173,175,176,177,179, 180, 184, 186, 188, 194, 196, 197, 198, 199, 200, 202, 203, 204, 205, 206, 207, 208, 209, 211, 212, 214, 216, 218, 223, 227, 232,233, 234, 236, 237, 238, 240, 241, 242, 243, 244, 245, 246, 248, 252, 253, 254, 255, 256, 257, 258, 259.

The submission numbers listed above object to PMA 5.59 which states the following: *'Amend TM084 as follows: to support the future development of the N3-N4 Barnhill to Leixlip interchange in accordance with strategic development objectives and Spatial Planning and National Roads Guidelines for Planning Authorities, DECLG (2012).'*

It is requested that PMA 5.59 is deleted in its entirety and replaced with the following: *'It is the policy of Kildare County Council to preserve intact St. Catherine's Park to develop its amenities and protect it in its entirety from construction unrelated to recreational activity.'*

One submission notes and welcomes Proposed Material Alteration No. 5.59 with respect to official policy reference from TII at TM O84. (Submission No. 133)

Several submissions state that PMA 5.59 contradicts the following policies and objectives contained in the Draft County Development Plan 2023-2029 including, inter alia, the following:

TMO 70 which states that *'It is an objective of the Council to protect the amenity of St. Catherine's Park, no road proposal shall be considered by this Council through the park within the Council's ownership or jurisdiction'*. (Chapter 5)

SC P2 which states that *'It is the policy of the Council to require the delivery of a range of universally accessible and well-connected social, community, cultural and recreational facilities, close to the communities they serve through the designation and safeguarding of specific land uses at appropriate strategic and optimised locations in settlement plans and mandatory Local Area Plans in County Kildare.'* (Chapter 5)

TM P3 which states that *'It is the policy of the Council to promote the sustainable development of the county by supporting and guiding national agencies in delivering major improvements to the public transport network and to encourage a shift from*

*car-based travel to public transport that is accessible for all, regardless of age, physical mobility or social disadvantage*. (Chapter 5)

BI P5 which states that *'It is the policy of the Council to identify and conserve locally important biodiversity sites in the county which contribute to the overall ecological network of County Kildare*'. (Chapter 12)

LR O1 *'Ensure that consideration of landscape sensitivity is an important factor in determining development uses. In areas of high landscape sensitivity, the design, type and the choice of location of the proposed development in the landscape will be a critical consideration*'. (Chapter 13)

LR P5 *'Preserve, manage and maintain to a high standard the existing public parks, open spaces, amenities and recreation facilities throughout the county*'. (Chapter 13)

Several submissions reference Proposed Material Alterations contained in other chapters of the Chief Executive's Report which PMA 5.59 would directly contravene, including PMAs 1.2, 4.35, 10.9, 10.22, 11.6, 12.28, 13.15, 13.40.

In addition, it is submitted that PMA 5.59 is contrary to the following:

- Human Rights and Quality Assessment of KCC as required under S. 42 of the Irish Human Rights and Equality Community Act 2014
- Article 31 of the UN Convention on the Rights of the Child
- UN Sustainable Development Goals
- EU Climate Targets as the road will increase CO2 emissions.
- The National Spatial Strategy which sends out a clear message to ensure that Dublin City does not encroach on the hinterlands and surrounding areas.
- Regional Planning Guidelines published in 2004 which set out the need to protect the Liffey Valley and the associated recreation and open space, landscape and biodiversity.
- Towards a Liffey Valley Park Strategy, 2006 (OPW, South Dublin County Council, Fingal County Council, Kildare County Council)
- The EU Director General for Environment is promoting toxic free environments for all Europeans i.e. good air quality. To place a road through St. Catherine's Park would be contrary to this goal.

### Historical Context

St. Catherine's Park is over 800 years in the making, it can be traced back to the Norman conquest of Ireland during the 12<sup>th</sup> Century, with the remains of St. Catherine's Church located beyond Black Avenue and close to the proposed route. The original house on the lands of the park dates to the 1700's, with a new house (now Leixlip Manor Hotel) built around 1798 designed by architect Francis Johnston.

In more recent times, the park represented the green belt connecting Guinness family-owned lands on the south of the Liffey to Strawberry Beds etc on the North of the Liffey.

The lands were purchased on behalf of the State to be used as a public park and lay undeveloped until 2012. Following grant aid from Fingal County Council, donations from Intel and HP and local fundraising, the park and playground was opened in 2014. Substantial work has been carried out over the past 15 years. The Park is used by locals and the wider area including people from Kildare, Meath and Dublin.

#### Tourism Potential

With such strong heritage links, the 12<sup>th</sup> Century St. Catherine's Church and the Holy Well on Black Avenue, the Park could be developed as a tourist attraction, as a focal point for visitors to the park. There were proposals that a coffee shop and other amenities would be housed in this area when the St Catherine's Park Development Master plan was drawn up. The development of this major transport interchange will severely impact on this built heritage and the ability to deliver on tourism objectives.

#### Proposed Route

It is submitted that implementing PMA No. 5.59 would involve the linking of the N4 at Junction 5, with the N3 by a road traversing St. Catherine's Park. The road will cut through farmland to the south of the Liffey, cross the Liffey Valley near the Leixlip Wastewater Plant, cross over agricultural land near the Black Avenue and will enter KCC's part of St. Catherine's Park. It will proceed over this parkland very close to Glendale Meadows and will effectively cut the park in two, passing over a GAA pitch and town soccer pitches, exiting at the north of the park across the railway line and the canal and into Co. Meath.

It is requested that a detailed plan of the route and design of the road is provided.

#### Residential Amenity

The road would have a significant negative impact on the residents of Glendale Meadows, Leixlip and Confey. The destruction of the park would have major detrimental effects on the residential amenity on the immediate and wider area with a significant increase in noise and air pollution, loss of green space, increased emissions and visual impact as well as increased anti-social behaviour.

This park has been dug up in places on several occasions, most recently for the Lower Liffey Valley Regional Sewerage Scheme during the period 2020-2021. These works gave rise to significant disruption, noise, dust, rodent infestations, damage to homes in Glendale Meadows due to deep excavation and drilling works. Now it is time to let the people enjoy the park again.

If the construction of significant numbers of proposed houses adjacent to Confey goes ahead, the new residents will also need a recreation and amenity space like St. Catherine's Park. This area must be protected at all costs for the growing population and generations to come.

#### Climate Change and Sustainable Transport

At a time when the population is constantly being told to take cars off the road and engage in more active travel options, this road would be contrary to these national

policies. The previous CDP clearly stated under MO 70 that it is the objective of the Council *'to protect St. Catherine's Park, no road proposal shall be considered by the Council through the park within the Councils ownership or jurisdiction'*. It is requested that this commitment is re-introduced into the new CDP.

At this time of climate emergency, the construction of additional roads will perpetuate our over reliance on cars over sustainable transport and would be contrary to the objectives of the CDP. Traffic spreads to fill any road that is provided and the impact of a road such as this would be negative and irreversible. The Council's desire for such a road through the park brings into question its environmental ethics. The road would be a massive polluter in this main green space and would be contrary to national and EU environmental policy.

The current Government is already destroying the environment enough and leaving behind a massive catastrophe for the younger generation to try to solve. Progress is sometimes acknowledging that our green areas should be protected because of their value. In terms of transport, we should be focussed on extending our Greenways and electrifying and extending our rail lines, not building more roads. Building roads will not solve traffic issues or combat climate change and will not serve new emerging communities north of Confey of up to 1,000 new houses.

Proper cycling, walking and public transport infrastructure needs to be provided. The solution to the climate challenge, housing and transportation crisis is not to construct more of what has been done before, this will lead to more cars and less sustainable transport, as set out in the report Transportation for America. If the aim is to reduce traffic and congestion, there should be more investment into public transport. The Council should not be spending public money on facilitating a rat run around the M50 toll.

Government ministers are making laws to cut our carbon footprint and emissions, however KCC are proposing to develop a plan which will increase the carbon footprint and will lead to habitat loss and more vehicles. Have there not been enough planning mistakes in the past for us to learn from. KCC should work towards solving our transport and infrastructure problems together through proper consultation and sound long-term planning.

The development of a road cutting the park in two would represent a step backwards in terms of encouraging active travel and in terms of the irreversible negative impact on general health and wellbeing which cannot be overstated.

#### Amenity, Health and Wellbeing

With the growing population of the Leixlip, North Kildare and Lucan areas, it is more facilities that are needed, not less. It is totally unacceptable and unethical that the Council would consider supporting the destruction of St. Catherine's Park which represents a green lung and calm oasis in a highly urbanised and industrialised area. At the very least this park should be maintained and enhanced for future generations.

All the fundraising undertaken by the people of Leixlip and Lucan amounting to in excess of €60,000 for the development of the park and playground will all have been for nothing if this road goes ahead. The people of Leixlip pay stamp duty, property tax etc and they do not want this road through St. Catherine's Park.

St. Catherine's Park is used by many different people for physical exercise, mental wellbeing and as a car free commuting option on a daily basis. The multipurpose park provides amenities for several activities including general exercise, GAA, football, BMX, cricket, walking trails, cycling, markets, dog walking, mental health and wellbeing, wildlife habitats and biodiversity. Putting a road through this park would negatively impact the environment and the people who use the park for active and passive recreation purposes. In addition, community groups, primary and secondary schools are very involved in the park through various projects and activities.

Liffeybank FC has over 200 members from the Kildare and Fingal sides of the park as well as Confey. The development of a road through the park would negatively affect the ability of the club to provide recreation for the young people of the area.

A road would have significant implications for the park and surrounding environment in terms of noise, air and light pollution, loss of habitats, visual impact, health and safety implications and would deprive both young and old of what little green space is left. A road would destroy the peace and quiet that people seek to get away from with respect to the busy-ness of life and traffic. It should be acknowledged that the park was a godsend during Covid.

It is ironic that part of the CDP has a section entitled 'Scenic Routes' which details the various 'visual amenity values' associated with the places listed, yet there is contemplation of putting a road through a park in another part of the county.

The development of a road through the park would severely impact the area with a loss of three football pitches and would prejudice delivery of the Sensory Garden.

The park enjoys Green Flag Award status and a Sli na Sláinte route goes through the park. The construction of a road would no longer be in keeping with the ethos of Sli na Sláinte developed by the Irish Heart Foundation in providing healthy walking options. It is too dangerous to walk down Captains Hill or on the Main Street. St. Catherine's Park is a safe, quiet and pollution free area for walking.

The adverse effects of building a road through the park as set out in the Spatial Planning and National Road Guidelines, include noise, vibration, emissions, CO2 emissions, light/glare pollution, dust and non-point source pollution, litter and visual impact. Any proposal to construct a road through St. Catherine's Park will lead to significant short and long-term adverse effects on the immediate and wider area.

It is submitted that the World Health Organisation has identified a health epidemic in Ireland, with one-quarter of the adult population classified as obese. The park serves a vital purpose for locals of all ages as an active outlet for accessing different amenities, especially children playing sports. Any plan that destroys the park will

have a severe negative impact on quality of life in Leixlip and the wider area and KCC should recognise this before engaging on this plan any further.

It is questioned how many green areas are being lost to housing and infrastructure, a new world concrete jungle in the middle of St. Catherine's Park, which is part paid for by people through fundraising and which is being defended time and time again against this road.

Confey FC counts St. Catherine's Park as their home. The club caters for players aged 10 up to 42 years. Confey FC works with KCC to maintain the park and strongly objects to the destruction of the park and any playing pitches.

### Biodiversity

St. Catherine's Park is unique in its character and wealth of biodiversity. It is not like many other parks as it has a natural and ancient environment of woodlands and the Liffey running through it.

A recent biodiversity report confirmed the importance of retaining the integrity of the park and protecting our natural heritage.

There is a high heritage value associated with Black Avenue and the Liffey between Leixlip and Lucan which is protected by a Special Area Amenity Order.

Any construction in the park would destroy the ecosystem of St. Catherine's Park and the natural habitats of various plants and animals including a wide variety of native trees, ancient woodland, common and rare plants, shrubs, badgers, foxes, buzzards, jays, egrets, otters, owls, kites, fish, bats, bees, butterflies, moths, insects etc and would also destroy the already challenged air quality and the environment. Furthermore, bats are protected by law in the Republic of Ireland under the Wildlife Act 1976 and subsequent amendments. In addition to domestic legislation, bats are also protected under the EU Habitats Directive (92/43/EEC). A major link road running through this green area would impact on their habitat.

### Environmental Assessment

It is submitted that the development of any road through or near the park would require a Strategic Environmental Assessment and Appropriate Assessment. It is requested that a more comprehensive SEA and AA is carried out to assess the impact on the skyline near the park and surrounding area. The road will be an eyesore in a place that people go to relax and enjoy the views.

### Visual Amenity

There is concern expressed regarding the potential visual impact of the road and bridge for people using the park and residents in the surrounding areas.

### Alternative Solutions Proposed

It is submitted that KCC should consider the reintroduction of the idea of the Leinster Outer Orbital Road which would benefit more people and would alleviate a lot of the



traffic currently using the M50. Leave the park the way it was intended to be, a green space for everyone to enjoy.

KCC should improve existing roads to make them suitable for walking and cycling and upgrade existing junctions to improve safety and traffic flow and facilitate the proposed development north of Confey.

It is submitted that in light of the court's recent decision on the Galway Ring Road, it is inexcusable to spend Council resources on investigating new ring roads such as the road through St. Catherine's Park or the Maynooth Eastern Ring Road. These roads will only serve to increase private car traffic with associated emissions and increased congestion. A bypass may be required but ring roads must become a thing of the past. Upgrading the bridge at Celbridge for VRUs should be a priority with investigations of the M3-M4 link at the bottom of a list of priorities.

It is submitted that it should be considered to build the far side of Kellystown Lane to avoid destroying the park and to ease traffic going to Intel and Collinstown Industrial Estate daily.

It is requested that one of the other seven options be chosen. If this road is needed it should go between Intel and Maynooth and not through the park.

#### Previous Protests/Objections

This issue was addressed by the people of North Kildare and the wider area in 2017 and most people believed that it was gone away, but now it is felt that it is being quietly railroaded on the people of Leixlip again. This road must be taken off the KCC agenda permanently. People are ready to mobilize and are prepared to fight against this road as high as IROPI to protect the park and the green space.

The objective relating to the M3-M4 link states that *'the preferred route is to be examined and determined'*. Some citizens would see this as operating by stealth, if indeed St. Catherine's Park is the *'preferred route'*.

#### Role of Kildare County Council

Kildare County Council, in its many responsibilities regarding the park has been found wanting. There is not sufficient signage or litter bins and there are no changing or toilet facilities for those using the pitches. There are no patrols by park keepers to ensure the safety of users. Unlike KCC, Fingal County Council and South Dublin County Council are continuously enhancing their sections of the park and neither have allowed infrastructural projects to pass through the park.

It is submitted that KCC would never allow a major infrastructural development pass through precious amenities such as Donadea Forest Park or Lullymore Heritage and Discovery Park.

#### Elected Representatives

Submissions reflect the anger, sadness, opposition, disbelief and shock that this road is still being considered. It is submitted that the elected representatives have a duty to uphold the wishes of their electorate and should not support the development of any road or bridge through St. Catherine's Park. The development of such a road

would be contrary to the vision of KCC *‘living, growing, leading and working together towards an inclusive and sustainable county’*.

It is submitted that if the Council allows the destruction of St. Catherine’s Park to facilitate cars over people and communities, the Councillors should hang their heads in shame. It is submitted that Councillors must reject this proposal or face the voter at election time if this folly proceeds.

### **Chief Executives Response**

The concerns and issues raised in the submissions relating to PMA 5.59 are acknowledged. However, while the Council supports the future development of the N3-N4 Barnhill to Leixlip Interchange in accordance with strategic development objectives and the Spatial Planning and National Roads: Guidelines for Planning Authorities, DECLG (2012), it should be noted that no route has been specifically identified. Furthermore, the Council is committed to protecting the amenity of St. Catherine’s Park and shall not consider any road proposal through the section of the park within the ownership of Kildare County Council.

The Council aims to protect the amenity of St. Catherine’s Park and does not support any road proposal on park lands within the Council’s ownership or jurisdiction. As such, the position of the Council has been clearly set out in the Draft Kildare County Development Plan 2023-2029 wherein Objective TM O70 in Section 5.5 of the Draft CDP already reads as follows:

*‘It is an objective of the Council to protect the amenity of St. Catherine’s Park, no road proposal shall be considered by this Council through the park within the Council’s ownership or jurisdiction’.*

For clarity, it is proposed to include a minor amendment to PMA 5.59 to refer to TM O70.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration 5.59, with the following minor amendment; Amend TM O84 as follows:

Support the future development of a connection between the N3-N4 Barnhill to Leixlip Interchange having regard to TM O70\* of this Plan in accordance with strategic development objectives and the Spatial Planning and National Roads: Guidelines for Planning Authorities, DECLG (2012).

\*Footnote; TM O70; Protect the amenity of St. Catherine’s Park, no road proposal shall be considered by this Council through the park within the Council’s ownership or jurisdiction

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### **Proposed Material Alteration No. 5.60**

Amend TM A20 as follows:

Upgrade the section of the N81 National Secondary Road (Tallaght/Baltinglass) that is located within County Kildare, subject to funding and in accordance with the requirements of TII and subject to AA screening and where applicable, Stage 2 AA so as to ensure and protect the favourable status of European sites and their hydrological connections.

**Submissions/Observations**

Submission No. 133 notes and welcomes Proposed Material Alteration No. 5.60 with respect to TM A20.

**Chief Executives Response**

Noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.60.

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**Proposed Material Alteration No. 5.61**

Delete TM O85:

Progress the regional roads identified for improvement as set out in Table 5.5 subject to funding.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.61.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.61.

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**Proposed Material Alteration No. 5.62**

Amend TM O88 as follows:

Improve and re-align where necessary and as funds allow, the regional roads. Subject to AA screening and where applicable, Stage 2 AA so as to ensure and protect the favourable status of European sites and their hydrological connections.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.62.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.62.

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**Proposed Material Alteration No. 5.63**

Amend TM O89 as follows:

Improve connectivity across the railways and canals in County Kildare, in conjunction with relevant stakeholders including Irish Rail and Waterways Ireland, to ensure new crossings do not impede the safe passage of boats navigating waterways. Subject to AA screening and where applicable, Stage 2 AA so as to ensure and protect the favourable status of European sites and their hydrological connections.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.63.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.63.

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**Proposed Material Alteration No. 5.64**

Amend Table 5.5, item no. 43 as follows:

No.	Road No.	Location
43	General	To improve regional road links between Wicklow and other counties, in particular the Blessington to Naas route and routes from Dunlavin and Baltinglass to the M9/N9 in accordance with national transport policy requirements and in consultation with TII and other statutory agencies, as appropriate.

**Submissions/Observations**

Submission No. 133 notes and welcomes Proposed Material Alteration No. 5.64 with respect to Table 5.5, item no. 43.

**Chief Executives Response**

Noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.64.

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**Proposed Material Alteration No. 5.65**

Amend TM O94 as follows:

Minimise the extent of hedgerow removal in order to achieve adequate sightlines. However, where it has been satisfactorily demonstrated that there is no other suitable development site (for planning reasons) any removed hedgerow shall be replaced with native hedgerow species. Opportunities should be sought to

translocate existing species rich hedgerows, where possible, and subject to proper biosecurity protocols.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.65.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.65.

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### **Proposed Material Alteration No. 5.66**

(a) Amend the second last paragraph of Section 5.10 as follows:

~~DMURS~~ The Draft Greater Dublin Area Transport Strategy 2022-2042 outlines a user hierarchy to consider during the design of roads and streets which prioritises sustainable forms of transportation. The hierarchy considers pedestrians, cyclists, public transport, taxis & shared transport and private motor vehicles in this order. To recognise the importance of electric vehicles in reducing Greenhouse Gas emissions, Kildare County Council will add electric vehicles to the hierarchy to be considered first as part of public transport, taxis & shared transport and before private motor vehicles.

(b) Amend Figure 5.8 (Hierarchy of Users) of the Draft Plan accordingly.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.66.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.66.

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### **Proposed Material Alteration No. 5.67**

Delete TM O98:

~~Set and apply speed limits taking into account the function of the road or street, the characteristics of the surrounding area, the design of the street environment and the presence of vulnerable users. The speed limits shall be in accordance with the Road Traffic Act 2004 (as amended) and shall be subject to the requirements of the Guidelines for Setting and Managing Speed Limits in Ireland (2015).~~

Submission No. 2 proposes the introduction of default 30 km/h speeds as a pilot in Maynooth. It is contended that it is a norm in many European countries and that it will facilitate the roll out and quick delivery of active travel infrastructure and the Town Centres' First strategy. The submission also includes quotes from a spokesperson of the 'Love 30' road safety campaign group in support of 30km/h speeds in built-up areas.

**Note:** The submission was submitted under Proposed Material Alteration No. 15.31, however it is considered more appropriate to address this submission under Proposed Material Alteration No. 5.67 which relates to setting and applying speed limits.

### **Chief Executives Response**

The design of roads and streets, the regulation and management of speed and the safety of road users are all intrinsically linked. It is noted that the adoption of Speed Limits is a reserved function of the Elected Members by the making of a Bye Law under the Road Traffic Act 2004 (as amended) and is subject to the requirements of the Guidelines for Setting and Managing Speed Limits in Ireland (2015). Having considered the wording of TM O98 in the context of the submission received, it is considered more appropriate to omit TM O98 having regard to the Draft Development Plan Guidelines (2021) which states that objectives dealing with specific issues that are governed by other legislative codes, should not be included as objectives in development plans.

While the setting of speed limits is a reserved function of the Elected Members, the Draft Greater Dublin Area Transport Strategy 2022-2042 outlines a user hierarchy to consider during the design of roads and streets which prioritises sustainable forms of transportation. The hierarchy considers pedestrians, cyclists, public transport, taxis & shared transport and private motor vehicles in this order. To recognise the importance of electric vehicles in reducing Greenhouse Gas emissions, Kildare County Council will add electric vehicles to the hierarchy to be considered first as part of public transport, taxis & shared transport and before private motor vehicles. (as per Proposed Material Alteration No. 5.66)

In addition, it is the policy of the Council to ensure that streets and roads within the county are designed to balance placemaking and movement, to prioritise sustainable modes of transport and to provide a safe traffic calmed street environment in accordance with the principles set out in the Design Manual for Urban Roads and Streets (2020) while meeting the needs of road users of all ages and abilities (TM P8). It is therefore considered that Chapter 5 of the Draft Plan adequately addresses the issue raised in the submission within the context of a Development Plan.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.67.

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### **Proposed Material Alteration No. 5.68**

Add new objective after TM O120 as follows and renumber objectives accordingly:  
**Ensure that the design of external lighting schemes minimises the incidence of light spillage or pollution in the immediate surrounding environment and has due regard to the residential amenity of surrounding areas and the need to mitigate adverse impacts on sensitive fauna and protected species.**

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.68.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.68.

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**Proposed Material Alteration No. 5.69**

Amend the title of Section 5.12 as follows:

**5.12 Car Parking**

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.69.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.69.

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**Proposed Material Alteration No. 5.70**

Amend the third paragraph of Section 5.12:

~~The Climate Action Plan (2019) committed to a target of 936,000 electric vehicles on Irish roads by 2030. In order to encourage the uptake of electric vehicles the installation of charging points across the county will be prioritised.~~ **The Climate Action Plan (2021) commits to increase the fleet of Electric Vehicles and low emitting vehicles (LEVs) on the road to 945,000 in Ireland by 2030. This fleet is stated to comprise of 845,000 electric passenger cars, 95,000 electric vans, 3,500 low emitting trucks and 1,500 electric buses. In order to encourage the uptake of electric vehicles the installation of charging points across the county will be prioritised.**

**Submissions/Observations**

The following relates to Submission No. 215.

The submission generally supports the promotion of new technologies such as electric vehicles.

The following relates to Submission No. 228.

The submission welcomes this proposed material amendment that aims to strengthen the existing Kildare County Council policy of promoting electric vehicle charge points and welcomes the initiatives to increase the rate of provision of charging points for electric cars. Furthermore, the submission supports the proposed amendments that ensures the implementation of the latest standards consistent with S.I. No. 393/2021.

**Chief Executives Response**

The comments are noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.70.

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### **Proposed Material Alteration No. 5.71**

Amend TM O103 as follows:

Design car parking layouts in accordance with the Design Manual for Urban Roads and Streets (2019) and ensure that car parking, including the provision of fully accessible EV charging facilities, do not detract from the comfort and safety of pedestrians and cyclists or the attractiveness of the landscape.

### **Submissions/Observations**

Submission No. 263 requests that Objective TM O103 be amended as follows: ‘... including the provision of fully accessible EV charging facilities...’

### **Chief Executives Response**

Objective TM O103 (as per Proposed Material Alteration No. 5.71) includes the proposed additional text ‘fully accessible’.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.71.

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### **Proposed Material Alteration No. 5.72**

Amend TM O104 as follows:

All non-residential development proposals will be subject to maximum car parking standards (and minimum cycle parking standards) and all residential development proposals in areas within walking distances of town centres (800 metres i.e. a 10-minute walk) and high-capacity public transport services (including but not limited to Dart+ services, Bus Connects routes and any designated bus only/ bus priority route) will be subject to maximum car parking standards (and minimum cycle parking standards) as a limitation to restrict car parking provision and achieve modal shifts to sustainable modes of transport.

### **Submissions/Observations**

The following relates to Submission No. 174

The submission proposes to add the following text to PMA No. 5.72. The additional text proposed is highlighted in red below.

All non-residential development proposals will be subject to maximum car parking standards (and minimum cycle parking standards) and all residential development proposals in areas within walking distances of town centres (800 metres i.e. a 10-minute walk) and high-capacity public transport services (including but not limited to Dart+ services, Bus Connects routes and any designated bus only/ bus priority route) will be subject to maximum car parking standards (and minimum cycle parking standards) as a limitation to restrict car parking provision and achieve modal shifts to sustainable modes of transport. Cycle parking provision within proposed apartment development shall be required in accordance with the provisions of the Design Standards for New Apartments, Guidelines for Planning Authorities 2020.”



It is considered that the above amendment will ensure that in the absence of any specified 'minimum cycle parking standards identified by the CDP that the provisions of the Apartment Guidelines take precedence. This would avoid any ambiguity regarding cycle parking provision.

### **Chief Executives Response**

Specified 'Minimum' Cycle Parking Standards are proposed under PMA No. 15.30. Having regard to the aforementioned, it is considered that the proposed amendment is unnecessary as the cycling standards within the Sustainable Urban Housing; Design Standards for New Apartments 2020 and Table 15.5 of the draft Plan now fully align.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.72.

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### **Proposed Material Alteration No. 5.73**

Amend TM O107 as follows:

Seek to reduce the level of on-street parking with a view to the reallocation of the roadspace to sustainable modes and to investigate the feasibility of delivering parking on suitable backland sites that would not jeopardise the vitality and vibrancy of the relevant town/village centre, while also ensuring the needs of persons with disabilities are met.

### **Submissions/Observations**

Submission No. 263 requests that Objective TM O107 be amended to include the following text: 'while ensuring the needs of persons with disabilities are met'.

### **Chief Executives Response**

Objective TM O107 (as per Proposed Material Alteration No. 5.73) includes the proposed additional text.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.73.

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### **Proposed Material Alteration No. 5.74**

Add an additional bullet point to the end of TM O109 as follows:

To facilitate, along with the NTA and TII, the conversion of the private car fleet to electric in the following ways:

- Ensuring EV charging points are accessible to all, where possible.

### **Submissions/Observations**

Submission No. 263 requests the inclusion of an additional bullet point to objective TM O109, as follows: • 'EV Charging Points to be accessible to all.'

### **Chief Executives Response**

Objective TM O109 (as per Proposed Material Alteration No. 5.74) includes the proposed additional bullet point.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.74.

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### **Proposed Material Alteration No. 5.75**

Amend the first bullet point of TM O112 as follows:

- The landscape design to include planting of trees and pollinator species to be undertaken by an appropriately qualified Landscape Architect and in collaboration with an appropriately qualified ecologist to ensure the biodiversity in the general area will support European Sites;

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.75.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.75.

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### **Proposed Material Alteration No. 5.76**

Amend TM O113 as follows:

Promote appropriate parking arrangements for specific user requirements including age friendly parking, hidden disabled, disabled parking, bicycle parking and motorcycle parking in towns, public transport nodes and other destinations.

### **Submissions/Observations**

Submission No. 263 requests that Objective TM O113 be amended to include 'bicycle'.

### **Chief Executives Response**

Objective TM O113 (as per Proposed Material Alteration No. 5.76) includes the proposed additional text.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.76.

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### **Proposed Material Alteration No. 5.77**

Replace TM O114 with the following objective:

~~Seek the provision of designated HGV parking areas within new industrial developments, as appropriate.~~ Where appropriate, to require the provision of HGV parking facilities at motorway service areas, fuel filling stations, new industrial developments and other appropriate locations within the County.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.77.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.77.

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**Proposed Material Alteration No. 5.78**

Add new objective after TM O115 as follows and renumber objectives accordingly:

Facilitate the provision of appropriately sized bus parking facilities at appropriate locations in all towns (Key Towns, Self-Sustaining Growth Towns and Self-Sustaining Towns).

**Submissions/Observations**

Submission No. 118 recommends that the provision of bus parking facilities should form part of Local Transport Plan considerations and that they should be progressed in conjunction with the NTA.

**Chief Executives Response**

In response to the submission from the NTA relating to Proposed Material Alteration (PMA) No. 5.78, it is considered that the detail contained within PMA No. 5.10 adequately addresses the recommendations of the NTA.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.78.

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**Proposed Material Alteration No. 5.79**

Amend TM O116 as follows:

Expand the existing public lighting network and ensure that all new developments are provided with adequate public lighting for the safety of all pedestrians, cyclists and minority groups. Such lighting networks shall have regard for protected species such as bats which can potentially be affected by lighting systems. The Lux, wavelength and TTC<sup>2</sup> (Total Transfer Capability) will be considered in the selection of appropriate lighting.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.79.

**Chief Executives Response**

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<sup>2</sup> **Total Transfer Capability (TTC):** The amount of electric power that can be transferred over the interconnected transmission network in a reliable manner while meeting all of a specific set of defined pre- and post-contingency system conditions

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.79.

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**Proposed Material Alteration No. 5.80**

Add a new objective after TM O119 as follows:

Explore the possibility of providing solar powered lighting for new street lighting schemes, where appropriate.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.80.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.80.

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**Proposed Material Alteration No. 5.81**

Amend TM A24 as follows:

In general lighting luminaires should be positioned to avoid up-lighting where possible. Consideration should be taken regarding lux level, wavelength and (Total Transfer Capability (TTC)) so as to avoid any potential harmful impacts on protected species such as bats.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.81.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.81.

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**Proposed Material Alteration No. 5.82**

Update Map 5.2 'Areas of Aviation Significance & Aerodrome Context Map' to show MOA 3, EIR 15 and EIR 16. Please see updated Map 5.2 in the Appendix at the end of Chapter 5.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.82.

**Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.82.

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### **Proposed Material Alteration No. 5.83**

Add new objective after TM O123 as follows and renumber objectives accordingly:

Refer, where appropriate, proposed wind farm development applications located within MOA4 (as per Map 5.2) and refer proposed solar farm development applications located within 3km of the Curragh Camp to the Department of Defence.

### **Submissions/Observations**

Submission No. 222 re-iterates Statkraft's position in relation to the inclusion of policies which refer to consultation with the Department of Defence on military aviation concerns founded on a position paper dating from 2014 which is not based on any National or European legal or operational requirements. Kildare County Council are urged to remove Proposed Material Alteration No. 5.83.

### **Chief Executives Response**

The content of the submission is noted. It is however considered appropriate to include an objective in the Plan to reflect that proposals will be referred to the Department of Defence for comment in order to safeguard military operations at and near Casement Aerodrome and for consistency with the Wind Energy Strategy.

Section 3.4.2 of the Wind Energy Strategy states that any wind farm application within the Military Operating Area (which encompasses a considerable area of the County including approaches to Casement and The Curragh Camp) will be considered on its own merits in accordance with Development Plan standards and consultation with the Department of Defence.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.83.

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### **Proposed Material Alteration No. 5.84**

Amend TM O140 as follows:

Refer any significant proposed development (including wind and solar farms), where appropriate, within 6km of Casement Aerodrome's runways (i.e. within the plan area of its Inner Horizontal and Conical Surfaces) or under its Approach Surfaces, to the Department of Defence, and to limit the heights of development under its 'obstacle limitation surfaces' which extend into Kildare (as are indicated on Kildare CDP maps) in accordance with ICAO 'obstacle limitation guidance.

### **Submissions/Observations**

The following relates to Submission No. 222.

The submission re-iterates Statkraft's position in relation to the inclusion of policies which refer to consultation with the Department of Defence on military aviation concerns founded on a position paper dating from 2014 which is not based on any

National or European legal or operational requirements. Kildare County Council are urged to remove Proposed Material Alteration No. 5.84.

**Chief Executives Response**

The content of the submission is noted. It is however considered appropriate to include Proposed Material Alteration No. 5.84 in the Plan to reflect that proposals for wind and solar farm developments will be referred to the Department of Defence for comment in order to safeguard military operations at and near Casement Aerodrome and for consistency with the Wind Energy Strategy prepared as part of this CDP.

Section 3.4.2 of the Wind Energy Strategy states that any wind farm application within the Military Operating Area (which encompasses a considerable area of the County including approaches to Casement and The Curragh Camp) will be considered on its own merits in accordance with Development Plan standards and consultation with the Department of Defence.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.84.

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**Proposed Material Alteration No. 5.85**

Amend TM O145 as follows:

Refer to the IAA, the IAA-ANSP (Air Navigation Services Provider) and to Dublin Airport Authority any proposed development of more than 90m above ground level which might lie under the small part of Dublin Airport's Obstacle Limitation Surface which lies above Kildare.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 5.85

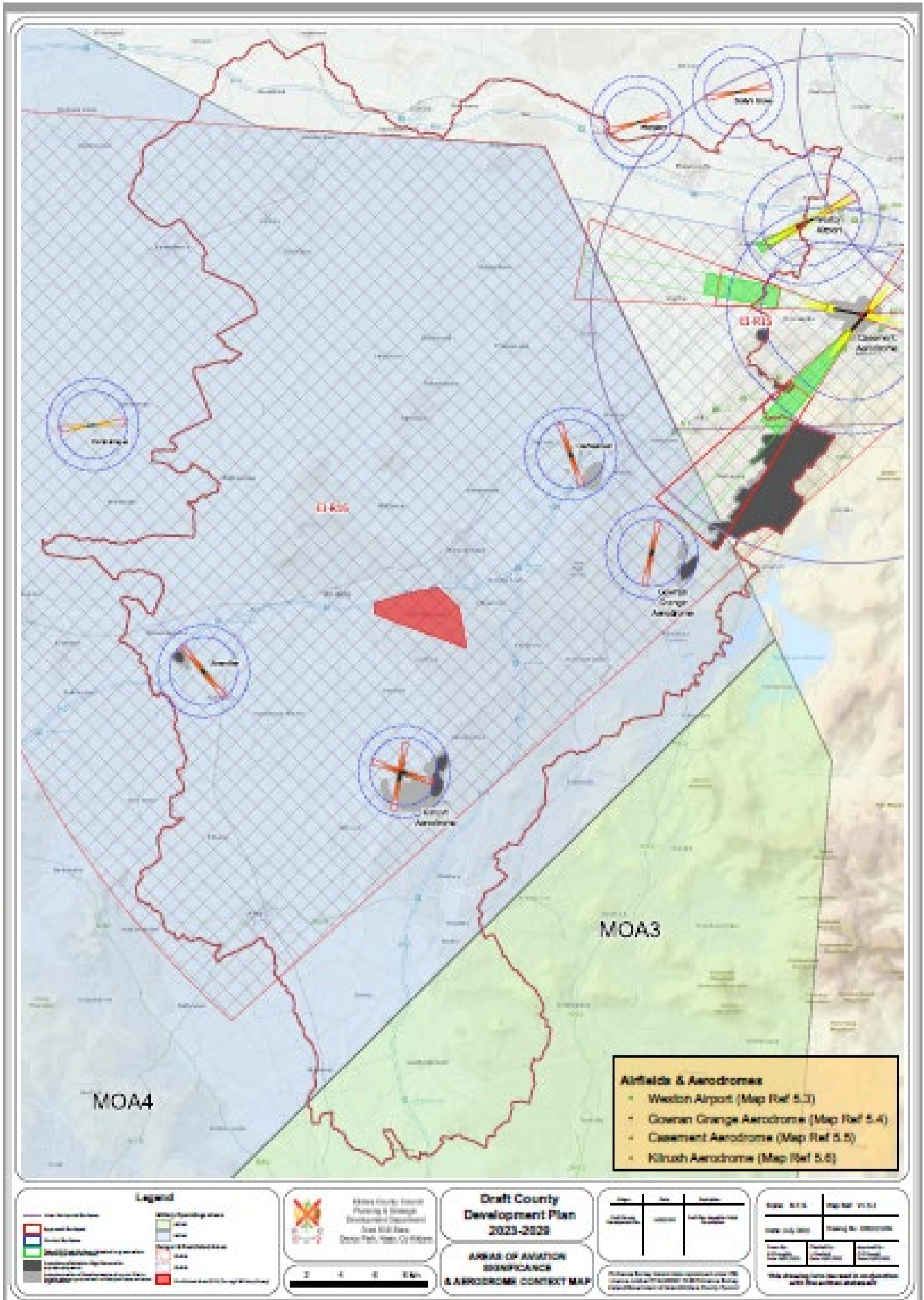
**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 5.85

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## Chapter 6: Infrastructure and Environmental Services

### **Proposed Material Alteration No. 6.1**

Amend IN O6 as follows:

Require an undisturbed edge or buffer zone to be maintained, where appropriate, between new developments and riparian zones of water bodies to maintain the natural function of existing ecosystems associated with water courses and their riparian zones, and to enable sustainable public access. The width of the edge or buffer zone shall be determined during the appropriate environmental assessment such as EclA or AA.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 6.1.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 6.1.

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### **Proposed Material Alteration No. 6.2**

Add new objective to Section 6.6 as follows and renumber objectives accordingly: Support the conservation, protection and enhancement of Natural Water Retention Measures (NWRM), as appropriate to the individual catchment.

### **Submissions/Observations**

Submission No. 131 welcomes the inclusion of Proposed Material Alteration No. 6.2.

### **Chief Executives Response**

Noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 6.2.

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### **Proposed Material Alteration No. 6.3**

Add new objective to Section 6.6 as follows and renumber objectives accordingly: Require all plans and projects to comply with the Best Practice Interim Guidance Document '*Nature-based solutions to the management of rainwater and surface water runoff in Urban Areas (2021)*' published by the Department of Housing, Local Government and Heritage, or any subsequent updates to same.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No 6.3.

### **Chief Executives Response**

N/A



**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 6.3.

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**Proposed Material Alteration No. 6.4**

(a) Add new action to Section 6.6 as follows and renumber actions accordingly: **Develop a 'Sustainable Urban Drainage Systems Guidance Document' for County Kildare within one year of the adoption of the Plan.**

(b) Amend IN O26 (and repeated in Section 15.6.6) as follows:

Ensure as far as practical that the design of SuDS enhances the quality of open spaces. SuDS do not form part of the public open space provision, except where it contributes in a significant and positive way to the design and quality of open space. In instances where the Council determines that SuDS make a significant and positive contribution to open space, a maximum 10% of the open space provision shall be taken up by SuDS. The Council will consider the provision of SuDS on existing open space, where appropriate. **The 'Sustainable Urban Drainage Systems Guidance Document' prepared as an action of this plan shall supersede this standard.**

**Submissions/Observations**

Submission No. 131 welcomes the inclusion of Proposed Material Alteration No. 6.4.

**Chief Executives Response**

Noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 6.4.

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**Proposed Material Alteration No. 6.5**

Add new objective to Section 6.7 as follows and renumber objectives accordingly: **Support Inland Fisheries Irelands' pilot projects to investigate the incorporation of habitat restoration measures into flood management schemes on the upper Barrow and its tributaries for native species such as salmon and to address invasive fish species, subject to all necessary planning and environmental assessments.**

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 6.5.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 6.5.

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### **Proposed Material Alteration No. 6.6**

Amend IN O32 as follows:

Recognise the important role of natural boglands, rehabilitated peatlands and other wetland areas in filtering water and contributing to sound ecological status in rivers as well as flooding patterns. Development in these areas shall therefore be subject to a Flood Risk Assessment in accordance with the relevant guidelines.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 6.6.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 6.6.

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### **Proposed Material Alteration No. 6.7**

Amend IN A4 as follows:

Prepare and carry out any identified actions of a maintenance programme for river channels, including those identified as historical drainage districts, the responsibility for which lies with Kildare County Council. Such actions must be subject to Ecological Impact Assessment and Appropriate Assessment in accordance with the EU Habitats Directive.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 6.7.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 6.7.

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### **Proposed Material Alteration No. 6.8**

Add new objective to Section 6.8.1 as follows and renumber objectives accordingly:

Support 'repair cafes' and upcycling facilities throughout the county at appropriate locations, in order to reduce the quantum of waste going to landfill.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 6.8.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 6.8.

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### **Proposed Material Alteration No. 6.9**

Amend IN O36 as follows:

Encourage a just transition from a waste economy to a green circular economy in accordance with 'A Waste Action Plan for a Circular Economy 2020-2025' and the Whole of Government Circular Economy Strategy 2022-2023 'Living More, Using Less'.

### **Submissions/Observations**

Submission No. 215 notes and supports PMA 6.9 and welcomes the alignment with the Whole of Government Circular Economy Strategy 2022-2023.

### **Chief Executives Response**

Noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 6.9.

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### **Proposed Material Alteration No. 6.10**

Amend IN O42 as follows:

Promote and facilitate communities to become involved in environmental awareness activities and community-based waste recycling and reduction initiatives, which lead to a circular economy and local sustainable waste management practices.

### **Submissions/Observations**

Submission No. 215 notes and supports Proposed Material Alteration No. 6.10, the additional references to the principles of circularity and the transition from a linear to a circular model to keep resources in use as long as possible is welcomed.

### **Chief Executives Response**

Noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 6.10.

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### **Proposed Material Alteration No. 6.11**

Amend IN A5 as follows:

Achieve the vision of the Waste Action Plan for a Circular Economy 2020-2025 and the Eastern-Midlands Regional Waste Management Plan 2015-2021 (and future revisions) by meeting the following targets:

- Ensure a ~~1%~~ 5% reduction per annum in the quantity of household waste generated per capita over the period of the Plan.
- Support the target to achieve a recycling rate of ~~50%~~ 55% of Managed Municipal Waste (household and commercial) by 2025 leading to 60% by 2030.
- Reduce to 0% the direct disposal of unprocessed residual municipal waste to landfill over the lifetime of this plan.

**Submissions/Observations**

Submission No. 215 notes and supports Proposed Material Alteration No. 6.11, the additional references to the principles of circularity and the transition from a linear to a circular model to keep resources in use as long as possible is welcomed.

**Chief Executives Response**

Noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 6.11.

---

**Proposed Material Alteration No. 6.12**

Amend IN P7 as follows:

Support the implementation of the Water Framework Directive, the River Basin Management Plan, and the Local Authority Waters Programme in achieving and maintaining at least good environmental ecological status for all water bodies in the county.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 6.12.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 6.12.

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**Proposed Material Alteration No. 6.13**

Amend IN O53 as follows:

Assess applications for developments, having regard to the impact on the quality of surface waters and any targets and measures set out in the River Basin Management Plan and any subsequent local or regional plans. Where developments have the potential to impact the water quality of surface waters and/or any of the targets and measures set out in the RBMP, such a project should be subject to AA screening and where applicable, Stage 2 AA.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 6.13.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 6.13.

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**Proposed Material Alteration No. 6.14**

Amend IN O64 as follows:

Require the design of external lighting schemes to minimise the incidence of light spillage or pollution into the surrounding environment having regard to the residential amenity of surrounding areas and the need to mitigate adverse impacts on biodiversity, particularly on river corridors sensitive fauna and protected species.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 6.14.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 6.14.

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## Chapter 7: Energy & Communications

### **Proposed Material Alteration No. 7.1**

Amend paragraph two of Section 7.1 as follows:

~~Ireland's 'Climate Action Plan 2019 – To Tackle Climate Breakdown' represents the Government's approach, aimed at enabling Ireland to meet its EU targets to reduce carbon emissions by 30 percent between 2021 and 2030 and lays the foundations for achieving net zero carbon emissions by 2050.~~ Ireland's 'Climate Action Plan 2021 – Securing Our Future' sets out the Government's roadmap for taking actions that aim to halve emissions by 2030 and reach net zero no later than 2050.

### **Submissions/Observations**

Submission No. 228 welcomes the proposed amendments that recognise the impacts of the updated Climate Action Plan 2021.

### **Chief Executives Response**

Noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.1.

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### **Proposed Material Alteration No. 7.2**

Amend Section 7.2 as follows:

In the preparation of this chapter of the Plan, regard has been had to the following;

- The Climate Action and Low Carbon Development Acts 2015 to 2021
- Climate Action Plan 2021
- National Peatlands Strategy 2015
- Kildare Climate Change Adaptation Strategy
- Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change 2017
- The National Renewable Energy Action Plan 2010 (Irish Government submission to the European Commission)
- The Government's Strategy for Renewable Energy 2012 – 2020 (DCENR)
- The Government's White Paper on Energy Policy - Ireland's Transition to a Low Carbon Energy Future 2015-2030 (DCENR)

### **Submissions/Observations**

Submission No. 228 welcomes the proposed amendments that recognise the impacts of the updated Climate Action Plan 2021.

The following relates to Submission No. 215.

The Council is commended for seeking to supplement the Draft Plan with a range of proposed material alterations that bolster its climate action ambitions. The Department of the Environment, Climate and Communications notes the proposed alterations to update the references to the National Climate Action Plan, 2021 and passing of the Climate Action and Low Carbon Development (Amendment) Act, 2021.

It is requested that the Council note the additional text in the Plan in respect of the Climate Action and Low Carbon Development Acts 2015-2021 at Proposed Material Alteration no. 7.2 and consider if the language is consistent with Section 15(1) of that Act.

### **Chief Executives Response**

The content of Submission No. 228 and 215 are noted. In the interest of clarity, it is considered appropriate to amend the references to the Climate Action and Low Carbon Development (Amendment) Act, 2021 and the Climate Action and Low Carbon Development Act, 2015.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.2 with the following minor amendment: Amend Section 7.2 as follows:

In the preparation of this chapter of the Plan, regard has been had to the following;

- [The Climate Action and Low Carbon Development Act, 2015](#) ~~to 2021~~
- [The Climate Action and Low Carbon Development \(Amendment\) Act, 2021](#)
- [Climate Action Plan 2021](#)
- [National Peatlands Strategy 2015](#)
- [Kildare Climate Change Adaptation Strategy](#)
- [Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change 2017](#)
- [The National Renewable Energy Action Plan 2010 \(Irish Government submission to the European Commission\)](#)
- [The Government's Strategy for Renewable Energy 2012 – 2020 \(DCENR\)](#)
- [The Government's White Paper on Energy Policy - Ireland's Transition to a Low Carbon Energy Future 2015-2030 \(DCENR\)](#)

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### **Proposed Material Alteration No. 7.3**

Amend Action EC A1 as follows:

[Prepare, within 1 year of the adoption of the County Development Plan a Sustainable Energy Climate Action Plan \(SECAP\) for County Kildare to provide a baseline analysis for Kildare and for the inclusion of measurable targets on renewable energy and climate change mitigation and adaptation](#) ~~identify the target which County Kildare can contribute in delivering its share of overall Government targets on renewable energy and climate change mitigation over the plan period, and in particular wind energy production and the potential wind energy resource (in megawatts), and commence a variation to the County Development Plan, as appropriate.~~

### **Submissions/Observations**

The following relates to Submission No. 228.

The submission supports the commitment set out in Proposed Material Alteration No. 7.3. It is stated that this updated commitment offers an opportunity to ensure consistency with National Guidelines and the ESB welcomes the commitment to review the targets, through the preparation of the SECAP.

The following relates to Submission No. 215.

The submission generally supports the range of proposed alterations relating to climate action, change, adaptation and mitigation.

The specific reference to the preparation and adoption of a Sustainable Energy Climate Action Plan for the County within one year of adoption is particularly welcomed and will provide the County the opportunity to reflect the emerging policy developments. This Department, further to the provisions of the Climate Action Plan 2021 and the National Energy Security Framework 2022, is currently preparing a national Renewable Electricity Spatial Planning Framework, which is due towards the end of this year. This will be supported by additional policy at the regional level, and it is important that any revised energy strategy reflects these developments.

### **Chief Executives Response**

The content of Submission Nos. 228 & 215 are noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.3

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### **Proposed Material Alteration No. 7.4**

Amend paragraph two of Section 7.4 as follows:

**Due to increased energy requirements and Governments' target of 80% share of electricity from renewable sources by 2030 national and EU targets for energy consumption from renewable sources, our electricity supply must move away from fossil fuel sources to renewable and sustainable forms of generation.**

### **Submissions/Observations**

Submission No. 228 welcomes the proposed amendments that recognise the impacts of the updated Climate Action Plan 2021 and other relevant national policy documents.

The following relates to Submission No. 215.

The submission states that the proposed material alterations contain some significant and positive references to renewable energy and the Department of the Environment, Climate and Communications particularly welcomes the inclusion of references to updated targets for renewable energy, under the Climate Action Plan 2021 (e.g. Material Alteration Reference Nos. 7.4).

### **Chief Executives Response**

Noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.4

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### **Proposed Material Alteration No. 7.5**

Amend EC P2 as follows:

**Promote renewable energy use, and generation and associated electricity grid infrastructure at appropriate locations within the built environment and open**



countryside to meet national objectives towards achieving a net zero carbon economy by 2050.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 7.5

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.5

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### **Proposed Material Alteration No. 7.6**

Amend EC O4 as follows:

Support infrastructural renewal and development of electricity and gas networks in the county, subject to safety and amenity requirements. Subject to AA screening and where applicable, Stage 2 AA so as to ensure and protect the favourable status of European sites and their hydrological connections. Such developments will have regard for protected species and provide mitigation where applicable.

### **Submissions/Observations**

The following relates to Submission No. 217.

The submission highlights Proposed Material Alteration No. 12.1 to amend the “Aim” of Chapter 12 (Biodiversity and Green Infrastructure) and states that it does not appear to carry through to other chapters e.g. Chapter 7.

The submission further contends that there is no mention of protection for species and habitats outside European designated sites. It is understood that AA relates only to European designated Sites. The submission requests the inclusion of a statement to the effect that the impact of the development on the ecological integrity of NHAs, pNHAs, cNHAs, Nature Reserves, RAMSAR sites, etc. and local biodiversity must be duly considered. It is proposed to include ‘monitoring’ in addition to ‘mitigation’.

### **Chief Executives Response**

It is considered that the series out policies, objectives and actions including BI P3, BI O8, BI O10, BI O11, BI O12, BI O13, BI O14 and BI O31 adequately address the issues raised in relation to protection for species and habitats outside European designated sites.

It is however considered appropriate to include a minor amendment to Proposed Material Alteration No. 7.6 to also state that such developments will have regard for protected species and shall provide monitoring where applicable.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.6, with the following minor amendment:  
Amend EC O4 as follows:

Support infrastructural renewal and development of electricity and gas networks in the county, subject to safety and amenity requirements. Subject to AA screening and where applicable, Stage 2 AA so as to ensure and protect the favourable status of

European sites and their hydrological connections. Such developments will have regard for protected species and provide mitigation and monitoring where applicable.

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### **Proposed Material Alteration No. 7.7**

Amend EC O5 as follows:

Support and encourage the sustainable development of renewable energy auto production units (the production of energy primarily for on-site usage) for existing and proposed developments in line with relevant design criteria, amenity and heritage considerations and the proper planning and sustainable development of the area. Subject to AA screening and where applicable, Stage 2 AA so as to ensure and protect the favourable status of European sites and their hydrological connections. Such developments will have regard for protected species and provide mitigation where applicable.

### **Submissions/Observations**

The following relates to Submission No. 217.

The submission highlights Proposed Material Alteration No. 12.1 to amend the “Aim” of Chapter 12 (Biodiversity and Green Infrastructure) and states that it does not appear to carry through to other chapters e.g. Chapter 7.

It is stated that there is no mention of protection for species and habitats outside European designated sites. It is understood that AA relates only to European designated Sites. The submission requests the inclusion of a statement to the effect that the impact of the development on the ecological integrity of NHAs, pNHAs, cNHAs, Nature Reserves, RAMSAR sites, etc. and local biodiversity must be duly considered. It is proposed to include ‘monitoring’ in addition to ‘mitigation’.

The following relates to Submission No. 213.

The National Competitiveness & Productivity Council’s Bulletin 22-1 Energy Security outlines the challenges faced to meet growing demand during the transition to a low-carbon economy, stating that EirGrid forecast a growth in electricity demand of between 28% and 43% over the coming decade.

It is submitted that EC O5 support the auto-generation of energy for on-site use in the continued development of industry. However, the definition of ‘renewable’ in this context leaves ambiguity as to whether a conventional gas fired ancillary energy generation facility would be supported by this policy if offset by carbon credits.

### **Chief Executives Response**

The following relates to Submission No. 217

It is considered that BI P3, BI O8, BI O10, BI O11, BI O12, BI O13, BI O14 and BI O31 adequately address the issues raised in relation to protection for species and habitats outside European designated sites.

It is however considered appropriate to amend EC O5 to also state that such developments shall provide monitoring where applicable.

The following relates to Submission No. 213.

Renewable energy is energy produced from sources like the sun and wind that are naturally replenished and do not run out. A conventional gas-fired ancillary energy generation facility would not come under the above definition of renewable energy and therefore would not be supported by objective EC O5, even if 100% offset by carbon credits.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.7, with the following minor amendment: Amend EC O5 as follows:

Support and encourage the sustainable development of renewable energy auto production units (the production of energy primarily for on-site usage) for existing and proposed developments in line with relevant design criteria, amenity and heritage considerations and the proper planning and sustainable development of the area. Subject to AA screening and where applicable, Stage 2 AA so as to ensure and protect the favourable status of European sites and their hydrological connections. Such developments will have regard for protected species and provide mitigation and monitoring where applicable.

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### **Proposed Material Alteration No. 7.8**

Amend EC O6 as follows:

Require Encourage developers of proposed large scale renewable energy projects to carry out community consultation (including, but not limited to Sustainable Energy Communities, where established) in accordance with best practice and to commence the consultation at the commencement of project planning. Details of all such consultation shall accompany planning applications for proposed renewable energy developments.

### **Submissions/Observations**

Submission No. 215 notes and supports the efforts to move away from fossil fuel sources to renewable electricity generation and supports the requirement to carry out community consultation for large scale renewable energy projects.

### **Chief Executives Response**

Noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.8

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### **Proposed Material Alteration No. 7.9**

Amend EC O7 as follows:

Support, encourage and co-operate with Sustainable Energy Communities (SECs) in the preparation of energy masterplans for their communities and in the delivery of infrastructure and services and to assist in the development of SECs in towns communities (both urban and rural) throughout the County

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 7.9

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.9

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**Proposed Material Alteration No. 7.10**

Amend paragraph two of Section 7.5 as follows:

A Wind Energy Strategy forms part of this Development Plan and is presented in Appendix 2. The Strategy has been prepared in accordance with the provisions of the Department of the Environment, Heritage and Local Government’s Draft Guidelines for Planning Authorities on Wind Energy Development 2006 and subsequent Draft Guidelines (2019) and constitutes a plan led approach to wind energy development in County Kildare.

**Submissions/Observations**

The following relates to Submission No. 228.

This Proposed Material Alteration is welcomed, and the submission acknowledges that the Draft Revised Wind Energy Development Guidelines 2019 (DHPLG) and the SEAI Methodology for Local Authority Renewable Energy Strategies (LARES) have been used to inform wind energy policy and supports a Plan led approach for the identification of areas for wind energy development.

The following relates to Submission No. 215.

The submission proposes the following changes to this Proposed Material Alteration: “.....and subsequent Draft Guidelines(2019) **subsequent updated guidelines** and constitutes a plan led approach....”

**Chief Executives Response**

The comments made in Submission No. 228 and 215 are noted. It is considered appropriate to include a minor amendment to Proposed Material Alteration No. 7.10 for clarification.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.10, with the following minor amendment: Amend paragraph two of Section 7.5 as follows:

A Wind Energy Strategy forms part of this Development Plan and is presented in Appendix 2. The Strategy has been prepared in accordance with the provisions of the Department of the Environment, Heritage and Local Government’s Draft Guidelines for Planning Authorities on Wind Energy Development 2006, and subsequent Draft updated Guidelines (2019), and constitutes a plan led approach to wind energy development in County Kildare.

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**Proposed Material Alteration No. 7.11**

Amend EC O11 as follows:

Encourage wind energy developments in suitable locations in an environmentally sustainable manner whilst having regard to Government policy and the County Wind Energy Strategy- while being sensitive to the EU and national target of 30% of land for biodiversity. Subject to AA screening and where applicable, Stage 2 AA so as to ensure and protect the favourable status of European sites and their hydrological connections. Such developments will have regard for protected species and provide mitigation where applicable.

### **Submissions/Observations**

The following relates to Submission No. 228 and 138.

This Proposed Material Alteration is welcomed, and the submission recognises that applications for windfarms will be assessed on a case-by-case basis, subject to viable wind speeds, environmental resources and constraints and cumulative impacts in compliance with Article 6 of the Habitats and EIA Directives.

The submission from the County Kildare Chamber welcomes the inclusion and recognition of wind farm initiatives within the county and highlights that renewable energy sources are critical to answering business concerns with respect to supply issues.

The following relates to Submission No. 217.

The submission highlights Proposed Material Alteration No. 12.1 to amend the “Aim” of Chapter 12 (Biodiversity and Green Infrastructure) and states that it does not appear to carry through to other chapters e.g. Chapter 7.

The submission suggests that there is no mention of protection for species and habitats outside European designated sites. It is understood that AA relates only to European designated Sites. The submission requests the inclusion of a statement to the effect that the impact of the development on the ecological integrity of NHAs, pNHAs, Nature Reserves, RAMSAR sites, etc. and local biodiversity must be duly considered. It is proposed to include ‘monitoring’ in addition to ‘mitigation’.

### **Chief Executives Response**

The comments set out in Submissions No. 228 and 138 are noted.

The following relates to Submission No. 217

It is considered that BI P3, BI O8, BI O10, BI O11, BI O12, BI O13, BI O14 and BI O31 adequately address the issues raised in relation to protection for species and habitats outside European designated sites.

It is however considered appropriate to amend EC O11 to also state that such developments shall provide monitoring where applicable.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.11, with the following minor amendment: Amend EC O11 as follows:

Encourage wind energy developments in suitable locations in an environmentally sustainable manner whilst having regard to Government policy and the County Wind Energy Strategy- while being sensitive to the EU and national target of 30% of land for biodiversity. Subject to AA screening and where applicable, Stage 2 AA so as to

ensure and protect the favourable status of European sites and their hydrological connections. Such developments will have regard for protected species and provide mitigation and monitoring where applicable.

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### **Proposed Material Alteration No. 7.12**

Amend EC O12 as follows:

Support small to medium scale wind energy developments within agricultural, industrial or business areas and support small community-based proposals in urban and rural areas where they do not negatively impact upon the environmental quality (i.e. the habitats, species, hydrological connections and air quality of the area) and visual or residential amenities of the area. Subject to AA screening and where applicable, Stage 2 AA so as to ensure and protect the favourable status of European sites and their hydrological connections. Such developments will have regard for protected species and provide mitigation where applicable.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 7.12

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.12

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### **Proposed Material Alteration No. 7.13**

Amend EC O13 as follows:

Support the repowering (by replacing existing wind turbines) of existing windfarm development and the extension of existing and permitted wind farms on a case-by-case basis subject to further appropriate public consultation and proper planning considerations and environmental considerations such as the movement of qualifying interest species of European Sites. Projects shall provide mitigation and monitoring where applicable.

### **Submissions/Observations**

Submission No. 228 welcomes PMA 7.13 and the submission recognises that applications for windfarms will be assessed on a case-by-case basis, subject to viable wind speeds, environmental resources and constraints and cumulative impacts in compliance with Article 6 of the Habitats and EIA Directives.

### **Chief Executives Response**

Noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.13

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### **Proposed Material Alteration No. 7.14**

Amend EC O15 as follows:

Require applicants to submit a report addressing the issues contained in Section 6 of the County Wind Energy Strategy ‘*Considerations for Wind Farm Development Planning Applications*’ at application stage. ~~dDecommissioning and site rehabilitation plans including decommissioning and end of life facilities for battery storage, as appropriate, as part of any wind farm development application. Applicants will also be requested to clearly~~ shall also be submitted at application stage and shall identify sustainable waste management solutions for wind turbine components (battery storage, blades etc.) at end-of-life blades, demonstrating recycling facilities and/or wind turbine repurposing facilities. Details regarding the disposal of end-of-life blades shall be submitted with all planning applications in accordance with the waste management hierarchy. The disposal of blades to landfill will not generally be permitted.

### **Submissions/Observations**

The following relates to Submission No. 228.

This Proposed Material Alteration is welcomed, and the submission recognises that applications for windfarms will be assessed on a case-by-case basis, subject to viable wind speeds, environmental resources and constraints and cumulative impacts in compliance with Article 6 of the Habitats and EIA Directives.

### **Chief Executives Response**

Noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.14

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### **Proposed Material Alteration No. 7.15**

Amend EC O16 as follows:

Require comprehensive winter and summer bird and wildlife surveys for all proposed wind farms sites in accordance with EIA, EU Habitats and Species Directives and all other relevant environmental legislation, so that impacts on wildlife can be fully assessed and evaluated and so that appropriate mitigation and adaptation measures can be considered, ~~to include for example removal or repositioning of turbines, introducing one black painted rotor blade (to reduce motion smear and reduce incident of collision) or the provision of technologies that help minimize harm to birds and other wildlife.~~ Turbine design and adaptation should use the best available technology to minimise harm to birds and other wildlife.

### **Submissions/Observations**

The following relates to Submission No. 228.

This Proposed Material Alteration is welcomed, and the submission recognises that applications for windfarms will be assessed on a case-by-case basis, subject to viable wind speeds, environmental resources and constraints and cumulative impacts in compliance with Article 6 of the Habitats and EIA Directives.

### **Chief Executives Response**

The comments are noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.15

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### **Proposed Material Alteration No. 7.16**

Amend EC T1 as follows:

Support the target in the Climate Action Plan 2019 2021 for a doubling of existing on-shore wind energy from circa 4GW (today) to approximately 8GW 8.2GW by 2030.

### **Submissions/Observations**

Submission No. 228 welcomes the proposed amendments that recognise the impacts of the updated Climate Action Plan 2021 and other relevant national policy documents.

### **Chief Executives Response**

Noted

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.16

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### **Proposed Material Alteration No. 7.17**

Amend Section 7.6 as follows:

There are three basic approaches used today to harness and gain maximum benefit of solar energy in buildings. These are Passive Solar; Active Solar Heating; and Solar Photovoltaic (PV) Systems. There are a range of technologies available to exploit the benefits of the sun, including solar panels, solar farms, and solar energy storage facilities, all of which contribute to a reduction in energy demand.

As solar energy technologies have become more effective, areas in Northern Europe like Ireland have become viable for technologies including solar panels/ tubes on roof spaces and the commercial development of solar farms together with storage facilities. As a result, solar generated energy is increasingly contributing to a reduction in energy demand and energy costs for a range of commercial, industrial and residential properties. The Climate Action Plan 2021 targets a delivery of between 1.5 and 2.5 GW of Solar PV Capacity by 2030 as part of its effort to produce 80% of Irelands electricity from renewable sources by 2030.

On-site ~~auto-consumption~~ microgeneration technologies can make a significant contribution towards a reduction in energy costs, and this will continue as technologies develop further. This type of generation is supported in the Climate Action Plan 2021, by Actions 105,107,108 and 138.

~~Solar farms have the potential to affect the landscape and natural and built heritage. Cumulative impacts may also arise with farms located close to each other. Site~~



~~selection is vital for potential solar farms as solar resource, topography and proximity to the grid must be considered.~~

### **Solar Energy Developments**

- ~~• All applications should indicate the estimated megawatt output of the proposed solar farm.~~
- ~~• An assessment of the impact of the development on the receiving landscape should be undertaken, having particular regard to the landscape sensitivity classification, scenic routes and protected views.~~
- ~~• Details of the connection to the grid shall be provided with all planning applications.~~
- ~~• Glint and glare assessment must be undertaken and submitted with each application.~~
- ~~• An assessment of stormwater run-off rates must be completed for each development, and attenuation measures proposed as appropriate.~~
- ~~• The removal of extensive stretches of hedgerow (including within the development site) will be strongly discouraged. Where the removal of minor sections of hedgerows is proposed, the applicant shall demonstrate, to the satisfaction of the~~
- ~~• Planning Authority, that such removal is necessary for the development of the particular solar farm(s).~~
- ~~• In addition to the retention of hedgerows and other existing areas of biodiversity value, a minimum of 10% of each overall solar farm site shall be reserved for~~
- ~~• biodiversity purposes, including planting of native and pollinator friendly species or the construction of new wetland habitat.~~

~~Larger commercial solar farms have scope for harnessing a sizable amount of solar energy while also having the greater potential for energy storage and this type of generation is supported in the Climate Action Plan 2021, Actions 102 and 104. However, the scale of these farms has the potential to affect surrounding landscapes. Cumulative impacts may also arise with farms located close to each other. Site selection is vital for potential solar farms as solar resource, topography and proximity to the grid must be considered.~~

~~The Council is required to achieve a reasonable balance between responding to the Climate Emergency and adhering to overall positive Government policy on renewable energy, while also enabling the solar energy resources of the Planning Authority's area to be harnessed in a manner that is consistent with proper planning and sustainable development. At present, there are no national planning guidelines to guide the future development of solar farm proposals. In their absence, the Council will assess the appropriateness of individual applications received considering the following:~~

#### Site aspect, suitability, and topography

~~The Council will favour the reuse of previously developed land such as brownfield land, contaminated land or industrial land and non-productive agricultural land in preference to productive land.~~

### Biodiversity

While it is not compulsory for solar farms to require an Environmental Impact Assessment Report (EIAR), an EIAR may be required for projects where the proposed development would be likely to have significant effects on the environment. Schedule 7 of the Planning and Development Regulations 2001 (as amended) sets out the criteria for determining whether a development would or would not be likely to have significant effects on the environment. Furthermore, all development proposals must be screened for Appropriate Assessment and shall be subject to full Appropriate Assessment where they have the potential to have significant adverse impacts on the integrity of a Natura 2000 site, either individually or in combination with other plans or projects, in accordance with Article 6 of the Habitats Directive 92/42/EEC. In any event, impacts to flora and fauna will be a consideration of any application.

The removal of extensive stretches of hedgerow and mature trees, wetland areas and areas of biodiversity interest (including within the development site) will not be permitted. Retention and appropriate management of existing habitats will be favoured over the planting of introduced pollinator friendly species in order to maintain and restore the existing seedbank and local biodiversity. Where the removal of minor sections of hedgerows or tree are proposed, the applicant shall demonstrate, to the satisfaction of the Planning Authority, that such removal is necessary for the development of the particular solar farm(s). Where the removal of minor sections of hedgerow is proposed, compensatory planting will be required elsewhere within the development.

Measures to treat invasive species and/or avoid their translocation must also be provided. Where it is not possible to retain the area beneath the solar panels for biodiversity purposes, a minimum of 10% of each overall solar farm site shall be reserved for biodiversity purposes, including planting of native and pollinator-friendly species or the construction of new wetland habitat.

All existing habitats on solar farm sites should be retained and appropriately managed. The planting of ‘pollinator friendly’ seed mixes should be avoided.

Appropriately detailed habitat management and restoration plans (including cutover bog restoration, where appropriate) for all solar farm applications must be submitted.

### Landscape character

Where appropriate all applications should be accompanied by a Landscape Impact Assessment (LIA) that considers the subject site in its wider context, to include the subject site, other permitted/in the pipeline renewable energy proposals, and the impact of same on the landscape sensitivity classification, scenic routes and protected views.

### Residential amenity

Noise and traffic impacts during the construction, operational and decommissioning phases will be examined to determine whether residential amenity of adjoining/nearby properties would be adversely impacted.

### Flooding

Solar farms located within areas identified as being within Flood zones A or B will be subject to a Site-Specific Flood Risk Assessment, as per the Planning System and Flood Risk Management Guidelines 2009 for Planning Authorities (or any updated guidelines). An assessment of stormwater run-off rates must be completed for each development, and attenuation measures proposed as appropriate.

### Architectural/Archaeological Heritage

Potential impacts to Protected Structures and their settings as identified in Appendix 6 and Monuments and Places as identified in Appendix 5 of the Development Plan shall also be considered.

### Impact on Traffic

A Glint and Glare assessment will accompany any application to consider any impacts to low flying aircraft or passing vehicles.

### Road

Access to the site during operational and decommissioning phases will be examined to determine if the access and corresponding road network is adequate.

### Access to the grid

Details of the connection to the grid shall be provided with all planning applications. The ability to achieve a network connection is typically via a 10kV or 20kV overhead cable on the electricity transmission grid. In general, it is not viable to locate solar farms over 1 km from network infrastructure.

### Megawatt output

An estimated maximum and average megawatt output of the proposed scheme should be provided.

### Operations

Details of management, fencing, lighting and upkeep of the site should be submitted.

### Lifespan

Details with respect to the estimated length of construction phase activities, their impacts, the proposed lifespan of the development and decommissioning and reinstatement of the subject site should all be submitted.

### **Submissions/Observations**

The following relates to Submission No. 228.

This submission contends that at present there are no national planning guidelines to steer the development of solar farm proposals. The submission recognises the challenge for the Council to achieve a reasonable balance between responding to the Climate Emergency and adhering to Government policy on renewable energy, while also enabling the sustainable development of solar projects. In this context the submission notes the requirements set out under material alteration No. 7.17.

The following relates to Submission No. 215.

The submission states that the comments relate to Proposed Material Alteration No. 7.16, it is however considered that the comments made also relate to this Proposed Material Alteration.

The additional requirements in respect of solar energy installations would appear to be premature and more onerous than the provisions of the Draft Plan. The amendment itself acknowledges that there is no national development guidance in place yet and it would be, therefore, inappropriate to pre-determine the policy position on matters such as land use and assessment requirements. The Council is also requested to consider if the reference to EIAR requirements is consistent with Circular EU/PR 03/2020. Given that the Council will be preparing a Sustainable Energy Climate Action Plan within one year, it would be preferable if this amendment was not made at this time.

In addition to the above, the submission states that the Department supports the inclusion of microgeneration in all residential, commercial, agriculture and community development planning.

PMA 7.17 should be updated in line with the increased solar targets of 5.5GW, which was announced by the Government as part of the agreement on the Sectoral Emissions Ceilings.

The following relates to Submission No. 247.

The submission contends that Proposed Material Alteration No. 7.17 (2 pages – 60-61) on solar farms is very prescriptive. No other type of development has such detailed and specific restrictions identified in the dDP. The content is restricting what is, in essence, a proper planning and sustainable development decision for a project by providing general predevelopment criteria for a specific project. It is submitted that the content of Proposed Material Alteration No. 7.17 should not be in a strategic document such as a dDP but will be considered under a project specific application.

The following relates to Submission No. 193.

Biodiversity

The tenor of the proposed amendment to the text as outlined is welcomed. The submission fully supports the policy to provide for compensatory planting where any removal of minor sections of hedgerow is proposed and recognises that this is in line with current best practice guidance. However, it is considered that a minor modification to the text relating to extensive hedgerow removal is required to ensure a consistent approach can be taken between planning policy and the capacity to deliver the project on the ground. The submission states that from Amarenco Solar Ltd. experience the request for the removal of hedgerow to facilitate safe access has often been at the behest of the Local Authorities and that the wording of this proposed material alteration is overly restrictive and could potentially conflict with the advice of other departments, such as Roads and Engineering, at the planning application stage. The submission requests that the text revert to the original wording in the draft Kildare County Development Plan 2023-2029 as shown below.

...The removal of extensive stretches of hedgerow and mature trees, wetland areas and areas of biodiversity interest (including within the development site) **will be strongly discouraged** ~~will not be permitted~~...

#### Access to the Grid

The Commission for the Regulations of Utilities (CRU) sets out the policy directions to EirGrid and ESB Networks on the terms and conditions of access to the transmission and distribution systems. In 2018 the CRU published a ruleset alongside its decision on the Enduring Connection Policy (ECP). The ruleset determined that applicants to the ECP are required to provide evidence of a valid planning permission for the respective projects, i.e. final grant of planning permission issued to the applicant by the relevant planning authority, to be considered for a grid connection offer. Therefore, it is not possible to provide details of the connection to the grid at the planning application stage of the process.

Furthermore, the submission notes “**the ability to achieve a network connection is typically via a 10kV or 20kV overhead cable on the electricity transmission grid**”. It is submitted that this statement contains inaccuracies as 10kV and 20kV networks are part of the electricity distribution network, not part of the electricity transmission grid. The distribution network operates at a number of voltage levels including, but not limited to, 110kV, 38kV, 10kV and 20kV networks.

The submission also notes “**In general, it is not viable to locate solar farms over 1 km from network infrastructure**”. It is contended that it is viable to provide a connection to the grid over 1km, incorporating both underground and overground cabling in some cases. The connection location is determined by ESBN/EirGrid following receipt of planning and is dependent on a range of factors, not solely proximity. Resources and guidance on the viability and cost of network connections to Solar PV developments are available on the Sustainable Energy Authority of Ireland, the Irish Solar Energy Authority, EirGrid and ESB networks websites and none of these guidance documents note that it is unviable to locate solar farms over 1km from network infrastructure. In addition, the submission states that the text could result in less suitable land being brought forward for the development of Solar PV farms if such a restrictive criterion was applied.

The submission requests the omission of the proposed text under the section “Access to the Grid” in Proposed Material Alteration No. 7.17 in its entirety or to amend the proposed text under the section “Access to the grid” in Proposed Material Alteration No. 7.17 as follows:

**Indicative** details of the **potential** connection to the grid shall be provided with all planning applications. ~~The ability to achieve a network connection is typically via a 10kV or 20kV overhead cable on the electricity transmission grid. In general, it is not viable to locate solar farms over 1 km from network infrastructure.~~

#### Megawatt Output

As noted above, the submission states that the CRU require new applicants to provide evidence of full planning permission in advance of considering their application for a connection to the grid. The grid connection offer determines the output of the proposed development. It is not possible, therefore, to accurately

estimate the maximum output of the site until a network agreement has been obtained. It is requested that the text relating to Megawatt Output be omitted.

### **Chief Executives Response**

The comments related to Submission No. 228 are noted.

The following relates to Submission No. 215 and 247.

At present, there are no national planning guidelines to guide the future development of solar farm proposals. In their absence, the Council needs to provide guidance for both developers and those assessing such applications, in order to assess the appropriateness of individual proposals. The Council is required to achieve a reasonable balance between responding to the Climate Emergency and adhering to overall positive Government policy on renewable energy, while also enabling the solar energy resources of the Planning Authority's area to be harnessed in a manner that is consistent with proper planning and sustainable development.

Regarding the concern raised with regards to the reference to EIAR requirements, Circular EUIPR 03/2020 states the following:

*“Circumstances may arise in which a solar farm project may be subject to a requirement for EIA if, for example, one or more aspects of the project potentially comes within the scope of any of the project classes listed in Annex I or Annex II of the Directive and consequently, Part 1 and Part 2 of Schedule 5 to the 2001 Regulations.”*

Schedule 7 of the Planning and Development Regulations 2001 (as amended), referenced in this PMA, sets out the criteria for determining whether development listed in Part 2 of Schedule 5 should be subject to an Environmental Impact Assessment, it is therefore considered that this PMA is consistent with Circular EUIPR 03/2020.

The following relates to Submission No. 193.

#### **Biodiversity**

Mature trees and established hedgerows are pillars of biodiversity and need to be protected to prevent habitat loss, it is therefore considered necessary to strengthen the Draft Plan with respect to hedgerow removal as proposed by Material Alteration No. 7.17.

However, the council acknowledges the increased solar target of 5.5GW, which was announced by the Government as part of the agreement on the Sectoral Emissions Ceilings and highlights that Section 7.6 of the Plan (as per Proposed Material Alteration No. 7.17) states that the removal of minor sections of hedgerows or trees will be considered, where the applicant can demonstrate, to the satisfaction of the Planning Authority, that such removal is necessary for the development of the particular solar farm(s).

Based on the above it is not considered appropriate to amend the text in relation to the removal of extensive stretches of hedgerow from 'will not be permitted' (as per Proposed Material Alteration No. 7.17) to 'will be strongly discouraged'. It is

considered that where extensive hedgerows exist on a site, it could be successfully incorporated into the design of project.

#### Access to the Grid and Megawatt Output

The issues raised by the submission in relation to the text under the 'Access to the Grid' and 'Megawatt Output' headings (as per Proposed Material Alteration No. 7.17) are noted and accepted. In the interest of accuracy and consistency with the policy directions set out by the CRU with regards to the terms and conditions of access to the transmission and distribution systems it is considered appropriate to amend the text as proposed in the submission.

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.17, with the following minor amendment:

Include a minor amendment to paragraph two of Section 7.6 (as per Proposed Material Alteration No. 7.17) as follows:

As solar energy technologies have become more effective, areas in Northern Europe like Ireland have become viable for technologies including solar panels/ tubes on roof spaces and the commercial development of solar farms together with storage facilities. As a result, solar generated energy is increasingly contributing to a reduction in energy demand and energy costs for a range of commercial, industrial and residential properties. ~~The Climate Action Plan 2021 targets a delivery of between 1.5 and 2.5 GW of Solar PV Capacity by 2030~~ The government agreement on the Sectoral Emissions Ceilings, announced on 28 July 2022, increased the target for solar PV under the Climate Action Plan from the initial target of up to 2.5GW to a revised target of up to 5.5GW as part of its effort to produce 80% of Irelands electricity from renewable sources by 2030.

Include a minor amendment to Section 7.6 'Access to the grid' (as per Proposed Material Alteration No. 7.17) as follows:

#### Access to the grid

Indicative details of the potential connection to the grid shall be provided with all planning applications. ~~The ability to achieve a network connection is typically via a 10kV or 20kV overhead cable on the electricity transmission grid. In general, it is not viable to locate solar farms over 1 km from network infrastructure.~~

Amend the 'Megawatt output' heading under Section 7.6 (as per Proposed Material Alteration No. 7.17) as follows:

#### Megawatt output

~~An estimated maximum and average megawatt output of the proposed scheme should be provided.~~

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#### **Proposed Material Alteration No. 7.18**

Amend objective EC O21 as follows:

Support the provision of solar farms in appropriate locations and to consider in the first instance developing solar farms on previously developed land. in accordance with the criteria as set out in Section 7.6 of this Plan and environmental

considerations such as the movement of qualifying interest species of European Sites. Projects shall provide mitigation and monitoring where applicable.

### **Submissions/Observations**

The following relates to Submission Nos. 228 and 138.

Solar projects will play a critical role in diversifying our renewable generation portfolio for the period out to 2030. The submission notes the minor amendments proposed under material alterations No. 7.18.

The submission from the County Kildare Chamber welcomes the inclusion and recognition of onsite solar farm initiatives within the county. Renewable energy sources are critical to answering business concerns around supply issues.

### **Chief Executives Response**

Noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.18

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### **Proposed Material Alteration No. 7.19**

Amend objective EC O25 as follows:

Require decommissioning and site rehabilitation plans (including phasing where appropriate) as part of any solar farm development application, including identification of sustainable waste management solutions for components (PV solar arrays, steel support frames, battery storage, etc.) at end-of-life in accordance with the waste management hierarchy. The disposal of same to landfill will not generally be permitted. Notwithstanding the provisions of Section 42 of the Planning & Development Act 2000 (as amended), the Planning Authority may grant permission for more than 5 years, in appropriate circumstances.

### **Submissions/Observations**

The following relates to Submission No. 228.

Solar projects will play a critical role in diversifying our renewable generation portfolio for the period out to 2030. The submission notes the minor amendments proposed under material alterations No. 7.19.

### **Chief Executives Response**

Noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.19

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### **Proposed Material Alteration No. 7.20**

Amend EC P6 as follows:

Facilitate the development of new river-based hydro energy plants subject to all necessary environmental considerations. River based hydro energy developments shall not be permitted within Natura 2000 sites or within designated and proposed



Natural Heritage Areas or, ex situ of these ecologically sensitive areas where proposals will adversely affect the integrity of Natura 2000 sites; impact on the ecological integrity of NHA/pNHAs, or the habitats of protected species (without appropriate licence) as designated under National and European legislation.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 7.20

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.20

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**Proposed Material Alteration No. 7.21**

Amend objective EC O30 as follows:

Support the development of small-scale hydro-electricity projects in the county, in particular for on-site consumption to meet the electricity requirements of proposed new buildings, or refurbishment of existing buildings appropriate to their riverside location and setting. Such developments shall be subject to an AA Screening Report, and where applicable, Stage 2 AA. They shall have a regard for any hydrological connection shared with a European Site and shall account for any potential likely significant effects and provide mitigation and monitoring where appropriate.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 7.22

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.22

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**Proposed Material Alteration No. 7.22**

Amend EC P7 as follows:

Facilitate large and smaller scale geothermal energy generating developments both standalone and in conjunction with other renewable energy projects, subject to the proper planning and sustainable development of the area and consideration of environmental and ecological sensitivities in particular the sensitivities of protected surface water or groundwater bodies and groundwater dependent terrestrial ecosystems and to have regard to the Draft Policy Statement on Geothermal Energy for a Circular Economy (2021) published by the Department of the Environment, Climate & Communications (or any subsequent updates).

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 7.22

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.22

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**Proposed Material Alteration No. 7.23**

Amend objective EC O32 as follows:

Promote the use of geothermal heat pumps for space heating and cooling as well as water heating in domestic, commercial and recreational buildings subject to the protection of water quality and any other relevant considerations such as the Geological Survey of Ireland's (GSIs) Geothermal Suitability maps.

**Submissions/Observations**

Submission No. 215 (Geological Survey Ireland) welcomes the addition of their Geothermal Suitability Maps within Objective EC 032.

**Chief Executives Response**

Noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.23

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**Proposed Material Alteration No. 7.24**

Amend EC P8 as follows:

Facilitate and support the development of projects that convert biomass to gas or electricity subject to national and regional policy. Such projects shall be subject to AA screening and where applicable, Stage 2 AA.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 7.24

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.24

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**Proposed Material Alteration No. 7.25**

Amend objective EC O33 as follows:

Support the location of biomass installations, particularly where the operator can demonstrate that the wood chip/wood pellets utilised are derived from environmentally sustainable sources, in areas that do not affect residential or visual amenity which are subject to normal siting, design, environmental and planning considerations and which are served by public roads with sufficient capacity to accommodate increased traffic flows.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 7.25

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.25

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**Proposed Material Alteration No. 7.26**

Amend objective EC O35 as follows:

Identify Strategic Energy Zones in conjunction with EMRA as areas suitable for larger energy generating projects, community and micro energy production, whilst ensuring environmental constraints factors (including landscape, biodiversity and archaeology) and a regional landscape strategy are considered.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 7.26

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.26

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**Proposed Material Alteration No. 7.27**

Amend EC P10 as follows:

Facilitate micro-renewable energy installations and auto-generator installations where it is demonstrated to the satisfaction of the Council that they will not result in a significant adverse impact on residential, visual or environmental amenity. Such projects shall be subject to AA screening and where applicable, Stage 2 AA.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 7.27

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.27

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**Proposed Material Alteration No. 7.28**

Amend paragraph one of Section 7.12.1 as follows:

District heating is one of the most efficient and cost-effective ways to heat apartments, homes and mixed-use developments. The concept of climate justice,

which is a key aim of the Plan, entails the protection of populations made vulnerable by climate change impacts. Low Carbon District Heating could reduce energy costs for low-income families and in doing so promote Climate Justice. District heating networks can be based on a variety of technologies and renewable energy sources, such as combined heat and power (CHP), bioenergy, geothermal or energy from waste.

### **Submissions/Observations**

Submission No. 215 welcomes the amendments proposed by the Council and commends Kildare County Councils support for district heating and its contribution to laying the foundations for the appropriate expansion of district heating. The Department of the Environment, Climate and Communications encourages Kildare County Council to contact the Department in relation to District Heating policy going forward.

### **Chief Executives Response**

Noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.28

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### **Proposed Material Alteration No. 7.29**

Amend the last line of Section 7.12.3 as follows:

Suitable areas for such development include those with intensive agricultural activities, such as sheep, dairying, pig and poultry farming.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 7.29

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.29

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### **Proposed Material Alteration No. 7.30**

Amend Section 7.12.5 by inserting a new 1<sup>st</sup> para and 3<sup>rd</sup> para as follows:

The Council will promote and support the development of the necessary infrastructure required by Government to accommodate electric vehicles and as outlined in the “Electric Vehicle Charging Infrastructure Strategy 2022-2025” published by the Department of Transport.

Electric Vehicles (EV) refer to both Battery Electric Vehicles (BEV) and Plug-in Hybrid Electric Vehicles (PHEV). All new cars sold in Ireland will be zero carbon emission or zero carbon emission capable by 2030. The ultimate aim is to decarbonise the national car fleet by 2050 so that it will be low or near zero emissions.

A Priority for EV charging is to facilitate the maximum use of night-time renewable electricity where possible. In this regard, residential housing developments have a key role to play in the provision of overnight EV infrastructure and to assist in the delivery of low carbon energy.

### **Submissions/Observations**

Submission No. 228 welcomes this proposed material amendment that aims to strengthen the existing Kildare County Council policy of promoting electric vehicle charge points and welcomes the initiatives to increase the rate of provision of charging points for electric cars. Furthermore, the submission supports the proposed amendments that ensures the implementation of the latest standards consistent with S.I. No. 393/2021.

### **Chief Executives Response**

Noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.30

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### **Proposed Material Alteration No. 7.31**

Amend objective EC O45 as follows:

Promote the delivery of EV charging facilities across the County where demand is proven, both on sites owned and occupied by Kildare County Council and private sites and ensure that EV charging points are installed in such a way that they do not cause significant obstruction to footpaths, cycle lanes, access to Train stations, or bus lanes/stops. The EV charger should be compatible with the Sustainable Energy Authority of Ireland's Triple E Register.

### **Submissions/Observations**

Submission No. 228 welcomes this proposed material amendment that aims to strengthen the existing Kildare County Council policy of promoting electric vehicle charge points and welcomes the initiatives to increase the rate of provision of charging points for electric cars. Furthermore, the submission supports the proposed amendments that ensures the implementation of the latest standards consistent with S.I. No. 393/2021.

### **Chief Executives Response**

Noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.31

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### **Proposed Material Alteration No. 7.32**

Amend the first paragraph of Section 7.12.6 as follows:

A Decarbonising Zone (DZ) is an area identified by the local authority, in response to action 165 of the 'All of Government Climate Action Plan, 2019'. Target 10.2 of the

subsequent Climate Action Plan 2021 is to implement decarbonising zones in each local authority. The DZ is an area within a county which will see the implementation of numerous mitigation measures in support of the national transition objective, 2030 emission reduction targets and the requirements of the National Adaptation Framework.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 7.32

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.32

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### **Proposed Material Alteration No. 7.33**

Add new action after action EC A6 as follows and renumber actions accordingly: ~~Explore the possibility of integrating solar power with~~ **Require that the Council explore integrating solar PV for EV charging in Kildare County Council owned car parks throughout the County, potentially utilizing the space on the roof tops of publicly owned buildings.**

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 7.33

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.33

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### **Proposed Material Alteration No. 7.34**

Add new paragraphs to the end of the existing preamble of Section 7.12.7 as follows: **The ‘Local Just Transition Plan for West Kildare’, commissioned by Kildare County Council, was published in March 2022. On a strategic level, the purpose of the plan is to identify bottom-up, smaller scale, localised measures to complement larger regional and national development measures and investments. In doing so, the Plan identifies projects to support and advance sustainable, social, economic and environmental development in the transition to a low carbon future in the West Kildare region. Addressing the County’s turbary areas, the Plan provides a concise, coherent, thematic, and action-focused plan with an emphasise on the effective and practical implementation of projects to stimulate and enable a range of actions that can be owned and driven by the many diverse communities of West Kildare. In doing so, it draws together opportunities associated with the Just Transition Framework for the wider Midlands Region, the National Territorial Just Transition Plan, and the impetus for the Transition to a Low Carbon Economy.**

The guiding priorities for the Plan have been to stimulate skills development and employment, to build community cohesion and to increase the resilience of the communities of West Kildare, across three key themes: Economy, Society and Environment. The Plan identifies 15 no. thematic actions which focus on overcoming challenges and capturing opportunities. The aforementioned themes of the Just Transition are at the heart of all 15 actions. Each action is designed to deliver against all three of these themes in some way. Therefore, rather than group actions by theme actions have been grouped into three areas of opportunity which have been identified as Tourism, Business and Skills and Energy. Some of the key actions identified in the Plan include:

- Progressing the opportunity for a new National Peatlands Park for Ireland
- Providing a stimulus for community owned marinas and facilities as key blueway infrastructure to support the growing tourism sector
- Encouraging new community development groups to emerge
- Growing the capacity for communities to help themselves through ‘one-stop shops’ at community hubs which will enhance the ability of communities to access funding opportunities and skills training, as well as supporting remote working
- Supporting community retrofitting programmes

The Plan also identifies three priority enabling actions which have the capacity, if realised, to support all 15 proposed thematic actions and include the following;

1. A coordinated programme of activity to bid for Just Transition Fund monies
2. Critical partnership building
3. Incorporation of the Just Transition Plan into the Local Economic Community Plan (LECP)

### **Submissions/Observations**

Submission no. 215 (The Department of the Environment, Climate and Communications) welcomes the Material Alterations to facilitate implementation of the Just Transition Plan for West Kildare and alignment with the Whole of Government Circular Economy Strategy 2022-2023.

### **Chief Executives Response**

Noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.34

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### **Proposed Material Alteration No. 7.35**

Amend Policy EC P17 as follows:

Support the preparation of a comprehensive “after use” framework plan for the industrial peatlands and associated workshops, office buildings, industrial sites and power stations in Kildare, acknowledging the significant contribution that these expansive lands make towards the special landscape of the Bog of Allen and its

potential to further the growth of tourism to and within the County including the creation of a National Peatlands Park, being a focal point for the environmental landscape, conservation and amenity.

### **Submissions/Observations**

The following relates to Submission No. 231:

Bord na Mona note the amendments proposed to EC P17 with respect to Allen Bog Group, calling out its suitability for tourism, conservation and amenity. However, it requested that the significance of the land bank in terms of its renewable energy potential is acknowledged too.

Submission references the proposed Ballydermot Wind Farm which will be located across 14 no. bogs in the Allen Bog Group. Given the scale of the proposed development, and its proximity to other tourist activities in the area means that it has the potential to become a site of national tourist interest, an ecotourism destination related to peatlands. To reflect this and the feedback from public engagements events, it is intended to submit a detailed amenity plan with the planning application for the project, which will propose the creation of a network of trails (c.50km of trails in total) that will cater for a range of users including pedestrians, cyclists and equestrian. Proposed amenity facilities will also provide future connectivity to the surrounding settlements and sites/areas of interest.

Submits that renewable energy can be harmoniously co-located within a biodiverse and ecologically rich rehabilitated peatland landscape, as demonstrated by the Mount Lucas wind farm in Co. Offaly. It is therefore of huge importance that the potential of the land bank is supported by the finalised County Development Plan.

### **Chief Executives Response**

It is considered that PMA 7.35 (as well as numerous other policies and objectives of the Draft Plan) recognises the potential of County Kildare's boglands both from the point of view of biodiversity (wetlands/ carbon sequestration) and also in terms of the economic potential of this significant landbank. It is noted that the above submission does not suggest any further amendment to Policy EC P17.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.35

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### **Proposed Material Alteration No. 7.36**

Add new objective to Section 7.12.7 as follows and renumber objectives accordingly:

Ensure that renewable energy projects located on or near peatlands do not negatively impact on any rehabilitation measures including enhanced rehabilitation measures (i.e. blocking and re-wetting).

### **Submissions/Observations**

Submission No. 228 welcomes this Proposed Material Alteration, and the submission recognises that applications for windfarms will be assessed on a case-by-case basis,



subject to viable wind speeds, environmental resources and constraints and cumulative impacts in compliance with Article 6 of the Habitats and EIA Directives.

**Chief Executives Response**

Noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.36

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**Proposed Material Alteration No. 7.37**

Amend objective EC O53 as follows:

Support the implementation of the recommendations contained in the National Peatlands Strategy 2015 and any subsequent revisions including the creation of a National Peatlands Park and Peatland Centre of Excellence.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 7.37

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.37

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**Proposed Material Alteration No. 7.38**

Amend objective EC O54 as follows:

Require an Ecological Impact Assessment to be carried out and submitted with any planning application for energy infrastructure projects (e.g., wind and solar developments) on bog / peatlands (including former cut-away bogs).

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 7.38

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.38

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**Proposed Material Alteration No. 7.39**

Amend objective EC O55 as follows:

Estimate an overall carbon balance when evaluating renewable energy project applications on peatlands, especially those proposed for wind or solar projects taking into account the lifetime of the project versus the potential carbon sequestration over 1000s of years of a site once rehabilitated fully.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 7.39

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.39

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**Proposed Material Alteration No. 7.40**

Amend objective EC O56 as follows:

Support the implementation of the 'Local Just Transition Plan for West Kildare, 2022' which identifies 15 no. thematic actions and 3 no. priority enabling actions to support and advance sustainable, social, economic and environmental development in the transition to a low carbon future in the West Kildare region.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 7.40

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.40

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**Proposed Material Alteration No. 7.41**

Add new objective after EC O56 as follows and renumber objectives accordingly:

When developing project proposals for development on peatlands, undertake a peatland stability assessment, carbon emissions balance assessment and hydrological and ecological impact assessments, as required.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 7.41

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.41

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**Proposed Material Alteration No. 7.42**

Amend EC P18 as follows:

Support the accommodation of Data Centres at appropriate locations in line with the objectives of the National Planning Framework and the principles for Sustainable Data Centre Development of the Government Statement on the Role of Data Centres in Ireland's Enterprise Strategy (July 2022) subject to appropriate Transport, Energy and Environmental Impact Assessments and all relevant planning conditions.

The location of data centres shall be situated where they will not have a potential likely significant effect on a European Site or on a site that shares a hydrological connection to a European site.

### **Submissions/Observations**

The following relates to Submission No. 187

The submission considers the insertion of text stating that data centres will not be situated on a site “that shares a hydrological connection to a European Site” to be unduly onerous, and if adopted, the proposed alteration will have the effect of completely prohibiting data centre development on all lands which share a hydrological connection to a European Site, without the benefit of undertaking an AA Screening Report, and where applicable, Stage 2 AA to ascertain the potential impacts.

The following relates to Submission No. 213

The submission seeks the following amendment of EC P18 “...The location of data centres shall be situated where they will not have a potential likely significant effect on a European Site or on a site that shares a **direct** hydrological connection to a European site.”. It is contended that all developments share a hydrological connection to European Sites e.g. development surface water drain to rivers, which flow into the Irish Sea, which is a European Site. The submission also questions why data centres are singled out, as a data centre is no more likely to have significant effects on European Sites than any other form of industrial development.

### **Chief Executives Response**

The following relates to Submission No. 187

It is considered appropriate to modify the text outlined in Proposed Material Alteration No. 7.42 to ensure that sites that share a hydrological connection to a European Site can be brought forward for development subject to an AA Screening Report, and where applicable, Stage 2 AA.

The following relates to Submission No. 213

The submission is noted however it is considered appropriate to modify the text outlined in Proposed Material Alteration No. 7.42 to ensure that sites that share a hydrological connection to a European Site can be brought forward for development subject to an AA Screening Report, and where applicable, Stage 2 AA.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.42, with the following minor amendment:

Amend EC P18 as follows:

Support the accommodation of Data Centres at appropriate locations in line with the objectives of the National Planning Framework and the principles for Sustainable Data Centre Development of the Government Statement on the Role of Data Centres in Ireland’s Enterprise Strategy (July 2022) subject to appropriate Transport, Energy and Environmental Impact Assessments and all relevant planning conditions. The location of data centres shall be situated where they will not have a potential likely significant effect on a European Site ~~or on a site that shares a hydrological~~

~~connection to a European site.~~ Such developments shall be subject to an AA Screening Report, and where applicable, Stage 2 AA. They shall have a regard for any hydrological connection shared with a European Site and shall account for any potential likely significant effects and provide mitigation and monitoring where appropriate.

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#### **Proposed Material Alteration No. 7.43**

Amend bullet point six and add a final paragraph to EC O57:

Consider applications for data centres having regard to the following criteria:

- Avoidance of designated sites including specifically avoidance of development of data centres where they would adversely affect the integrity of a European Site

Such developments shall be subject to an AA Screening Report, and where applicable, Stage 2 AA. They shall have a regard for any hydrological connection shared with a European Site and shall account for any potential likely significant effects and provide mitigation and monitoring where appropriate.

#### **Submissions/Observations**

Submission No. 187 supports the additional text to EC O57.

The following relates to Submission No. 213.

The submission seeks the following amendment "...They shall have a regard for any **direct** hydrological connection shared with a European Site and shall account for any potential likely significant effects and provide mitigation and monitoring where appropriate.". It is contended that all developments share a hydrological connection to European Sites e.g. development surface water drain to rivers, which flow into the Irish Sea, which is a European Site. The submission also questions why data centres are singled out, as a data centre is no more likely to have significant effects on European Sites than any other form of industrial development.

#### **Chief Executives Response**

Applications for data centres shall be subject to an AA Screening Report, and where applicable, Stage 2 AA. They shall have regard for any hydrological connection shared with a European Site and shall account for any potential likely significant effects and provide mitigation and monitoring where appropriate. It is not considered appropriate to only have regard to 'direct' hydrological connections.

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.43

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#### **Proposed Material Alteration No. 7.44**

Amend objective EC O59 as follows:

~~Require data centres to consider the use of renewable and sustainable sources of energy to fuel their operations, in whole in the first instance or in part where this is not possible and where it has been satisfactorily demonstrated not to be possible.~~  
include strong energy efficiency measures to reduce their carbon footprint in support

of national targets towards a net zero carbon economy, through the use of sustainable sources of energy generation in the first instance and then the use of renewable sources of energy to power their operations, where on site demand cannot be met in this way, to provide evidence of engagement with power purchase agreements (PPA) In Ireland. All data centre developments shall provide evidence of sign up to the Climate Neutral Data Centre Pact.

### **Submissions/Observations**

The following relates to Submission No. 187

The submission supports the additional text to EC O59 to include strong energy efficiency measures to reduce their carbon footprint in support of national targets towards a net zero carbon economy.

The following relates to Submission No. 213

The submission seeks the following amendment "...where on site demand cannot be met in this way, to provide evidence of engagement with power purchase agreements (PPA) In Ireland or Carbon Credits in Ireland or internationally...". It is stated that carbon is experienced the same globally as it is locally. The purchase of Carbon Credits will have the same net environmental effect as purchasing renewable energy i.e. a net carbon reduction.

### **Chief Executives Response**

The comment made by Submission No. 187 is noted.

The following relates to Submission No. 213

The matter of carbon credits is outside the scope of a Development Plan. Carbon Credits may be considered as part of the upcoming Sustainable Energy Climate Action Plan (SECAP) for County Kildare which will inform the County Kildare Local Climate Action Plan to be prepared in 2023. Action EC A1 states it is an action of the Council to prepare a SECAP within 1 year of the adoption of the County Development Plan. No further amendments to EC O59 are considered necessary.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.44

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### **Proposed Material Alteration No. 7.45**

Amend paragraphs three, four and five of Section 7.14 as follows:

The electricity transmission grid infrastructure has a big role to play in meeting the challenges of climate change and energy and in supporting our environment, society, and economy. A comprehensive development strategy for the country's electricity infrastructure is provided in EirGrid's 2017 publication Grid Development Strategy - Your Grid, Your Tomorrow, along with the associated Grid Implementation Plan for the initial period 2017-2022. In addition, EirGrid's Tomorrow's Energy Scenarios 2017—Planning our Energy Future considers the range of possible ways that energy usage may change in the future, taking account of energy and climate change policies, economic developments, technology evolution and adaptation, and other

~~national and international policies.~~ In addition, The Transmission Development Plan (TDP) 2020-2029 lists the committed projects and projects under development for the enhancement of the Irish transmission network over the coming years. The Shaping our Electricity Future - A Roadmap to achieve our Renewable Ambition (2021) provides an outline of the key developments from a networks, engagement, operations and market perspective needed to support a secure transition to at least 80% renewables on the electricity grid by 2030. The Council supports the sustainable implementation of these plans and strategies and any subsequent plans prepared during the lifetime of this Plan, subject to landscape, residential, amenity and environmental considerations.

~~The Council recognises that essential future upgrades are required to the electricity grid in the midlands as outlined in EirGrid's Tomorrow's Energy Scenarios 2019 System Needs Assessment and will support EirGrid's programmes identifying grid solutions, in both infrastructural and technological terms, in order to facilitate the electricity targets, set out in the Government's Climate Action Plan 2019 and the National Energy and Climate Plan 2021-2030.~~

It is anticipated that growth in the Greater Dublin Area will give rise to demand for increased energy supply and a pressure to connect the region with other regions via the hinterland area that includes County Kildare. The Council will support and facilitate the requirements of the major service providers, such as Eirgrid and ESB, where it is proposed to enhance or upgrade existing facilities or networks or to provide new infrastructure subject to landscape, residential amenity and environmental considerations. The **Maynooth 220kV and Dunstown 400kV substations** ~~is an~~ **are both** electrical substations of regional significance and the Council will seek to support any reinforcement of the Greater Dublin Area between Dunstown and Woodland 400 kV substations.

### **Submissions/Observations**

The following relates to Submission No. 190.

The submission notes the textual changes and welcomes the updates to ensure the referenced policies and strategies are current.

The following relates to Submission No. 228.

The submission highlights that Kildare has a very strong electrical grid and substation network, and this network will be instrumental in supporting the development of the renewable energy industry in the county. Furthermore, the submission notes and welcomes proposed material alteration No. 7.45 and states that the provision of a secure and reliable electricity transmission infrastructure and transmission grid is essential to meet the growth in demand and ensure that a reliable electricity supply is available.

The following relates to Submission No. 215.

This Proposed Material Alteration is considered to support the objectives of both the National Energy Security Framework (April 2022) and the Government's Policy Statement on Security of Electricity Supply (November 2021) and is therefore welcomed.

The following relates to Submission No. 235

The submission welcomes this proposed material alteration however highlights that 'The Shaping our Electricity Future - A Roadmap to achieve our Renewable Ambition' is currently under review by EirGrid and will likely be updated early next year.

### **Chief Executives Response**

The comments made in Submission Nos. 190, 228 and 215 are noted.

The following relates to Submission No. 235

It should be noted that Proposed Material Alteration No. 7.45 states '*The Council supports the sustainable implementation of these plans and strategies and any subsequent plans prepared during the lifetime of this Plan, subject to landscape, residential, amenity and environmental considerations.*'

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.45

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### **Proposed Material Alteration No. 7.46**

Amend EC P19 as follows:

Support the development, reinforcement, renewal and expansion of the electricity transmission and distribution grid to provide for the future physical and economic development of Kildare. Such projects shall be subject to AA screening and where applicable, Stage 2 AA.

### **Submissions/Observations**

The following relates to Submission No. 228.

The minor amendments proposed by this Proposed Material Alterations are noted. It is acknowledged that the Council shall work in partnership with existing service providers to facilitate required enhancement and upgrading of existing infrastructure and networks subject to appropriate environmental assessment and the planning process.

The following relates to Submission No. 217.

The submission highlights Proposed Material Alteration No. 12.1 to amend the "Aim" of Chapter 12 (Biodiversity and Green Infrastructure) and states that it does not appear to carry through to other chapters e.g. Chapter 7.

It is stated that there is no mention of protection for species and habitats outside European designated sites. It is understood that AA relates only to European designated Sites. The submission requests the inclusion of a statement to the effect that the impact of the development on the ecological integrity of NHAs, pNHAs, Nature Reserves, RAMSAR sites, etc. and local biodiversity must be duly considered. It is proposed to include 'monitoring' in addition to 'mitigation'.

### **Chief Executives Response**

The comments made by Submission No. 228 are noted.

The following relates to Submission No. 217

It is considered that BI P3, BI O8, BI O10, BI O11, BI O12, BI O13, BI O14 and BI O31 adequately address the issues raised in relation to protection for species and habitats outside European designated sites.

It is however considered appropriate to include a minor amendment to EC P19 to also state that such developments will provide mitigation and monitoring where applicable.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.46, with the following minor amendment: Amend EC P19 as follows:

Support the development, reinforcement, renewal and expansion of the electricity transmission and distribution grid to provide for the future physical and economic development of Kildare. Such projects shall be subject to AA screening and where applicable, Stage 2 AA. The developments will have regard for protected species and provide mitigation and monitoring where applicable.

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**Proposed Material Alteration No. 7.47**

Amend EC O78 as follows:

Ensure that the location of telecommunications structures minimises and/or mitigates any adverse impacts on public rights of way, historical sites, or amenities, and the built or natural environment. Innovative design solutions will be encouraged.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 7.47

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.47

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**Proposed Material Alteration No. 7.48**

Amend objective EC O63 as follows:

Support the reinforcement and strengthening of the electricity transmission and distribution network, including the installation of Battery Energy Storage System plants and Synchronous Condenser plants, to facilitate planned growth and transmission/distribution of a renewable energy focused generation, at appropriate locations and in consultation with relevant stakeholders, where they are adjacent and/or proximate to the grid network.

**Submissions/Observations**

As per Submission No. 178:

Proposals for the installation of Battery Energy Storage System plants and Synchronous Condenser plants should be screened for Appropriate Assessment (AA)



and serious consideration should be given to the need for an Environmental Impact Assessment Report (EIAR). Appropriate locations should be clearly defined and proposals for Battery Energy Storage System plants and Synchronous Condenser plants should be subject to landscape, residential, amenity and environmental considerations. Human health and safety also merit careful consideration.

As per Submission No. 149:

The following additional text is proposed be included as part of Proposed Material Alteration 7.48. The additional text is highlighted in red.

Support the reinforcement and strengthening of the electricity transmission and distribution network, including the installation of Battery Energy Storage System plants and Synchronous Condenser plants, to facilitate planned growth and transmission/distribution of a renewable energy focused generation, at appropriate locations and in consultation with relevant stakeholders, where they are adjacent and/or proximate to the grid network.

Proposals for Battery Energy Storage Systems and Synchronous Condenser plants shall be subject to landscape, residential, amenity and environmental considerations. Such projects shall be subject to AA screening and where applicable, Stage 2 AA. Require that these developments avoid areas of high landscape sensitivity, sites and areas important for biodiversity and/or archaeological, cultural or heritage interest.

The following relates to Submission No. 187.

The submission supports the additional text to EC O63 as per Proposed Material Alteration No. 7.48.

The following relates to Submission No. 228.

This submission states that due to the intermittency of wind energy in particular, grid stabilization technologies have an increasingly important role in a successful energy transition and this new technology is being deployed as a cost-effective and zero-carbon solution in strengthening the stability and resilience of the Irish grid. ESB is currently installing Battery Energy Storage Systems (BESS) at existing facilities and a synchronous condenser at Moneypoint. In this regard, the submission welcomes this proposed material alteration.

The following relates to Submission No. 215.

This Proposed Material Alteration is considered to support the objectives of both the National Energy Security Framework (April 2022) and the Government's Policy Statement on Security of Electricity Supply (November 2021) and is therefore welcomed.

The following relates to Submission No. 217.

The submission highlights Proposed Material Alteration No. 12.1 to amend the "Aim" of Chapter 12 (Biodiversity and Green Infrastructure) and states that it does not appear to carry through to other chapters e.g. Chapter 7.

It is requested to include a statement to the effect that the impact of the development on the ecological integrity of SPAs, SACs, NHAs, pNHAs, Nature Reserves,

RAMSAR sites, etc and local biodiversity must be duly considered. The submission states that these developments are unquestionably industrial in nature and many are being proposed for rural locations where small communities and biodiversity are left completely exposed and unprotected. Where permission is granted, such developments should provide mitigation and monitoring.

The following relates to Submission No. 213.

The submission seeks the following amendment of EC O63 “...including the installation of Battery Energy Storage System plants, ~~and~~ Synchronous Condenser plants, **and associated dispatchable power plants associated with high energy users (including the use of Carbon Credits)** to facilitate planned growth...”. It is stated that there will be growth in electricity demand of between 28% and 43% over the coming decade meaning the provision of on-site ancillary auto-generation capabilities to provide for the energy needs of operations which will be a necessary feature of industrial development. Conventional gas-fired ancillary energy generation facilities are a sustainable form of energy provision if offset by Carbon Credits.

### **Chief Executives Response**

The following relates to Submission Nos. 178 and 149:

The proposed amendment is broadly acceptable; however, it is considered that these developments may in certain circumstances be acceptable in areas of high landscape sensitivity subject to appropriate safeguards.

The content of Submissions No. 187, 228 and 215 with regards to Proposed Material Alteration No. 7.48 are noted.

The following relates to Submission No. 217

It is considered that BI P3, BI O8, BI O10, BI O11, BI O12, BI O13, BI O14 and BI O31 adequately address the issues raised in relation to protection for species and habitats outside European designated sites.

It is however considered appropriate to include a minor amendment to EC O63 to also state that such developments will have regard for protected species and shall provide mitigation and monitoring where applicable.

The following relates to Submission No. 213.

It is considered appropriate to refer to ‘associated dispatchable power plants associated with high energy users’ in objective EC O63 as proposed by Submission No. 213. However, it is not considered appropriate to reference ‘Carbon Credits’. Carbon Credits may be considered as part of the upcoming Sustainable Energy Climate Action Plan (SECAP) for County Kildare. Action EC A1 states it is an action of the Council to prepare a SECAP within 1 year of the adoption of the County Development Plan. The matter of carbon credits is outside the scope of a Development Plan.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.48, with the following minor amendment and footnote:

Amend objective EC O63 as follows:

Support the reinforcement and strengthening of the electricity transmission and distribution network, including the installation of Battery Energy Storage System plants\*, and Synchronous Condenser plants, and associated dispatchable power plants associated with high energy users, to facilitate planned growth and transmission/distribution of a renewable energy focused generation, at appropriate locations and in consultation with relevant stakeholders, where they are adjacent and/or proximate to the grid network.

\*Footnote; Proposals for Battery Energy Storage Systems and Synchronous Condenser plants shall be subject to landscape, residential, amenity, human health, and environmental considerations. Such projects shall be subject to AA screening and where applicable, Stage 2 AA. The developments will have regard for protected species and provide mitigation and monitoring where applicable.

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#### **Proposed Material Alteration No. 7.49**

Amend objective EC O65 as follows:

Require that developments involving the siting of overhead cables shall minimise visual impact by avoiding areas of high landscape sensitivity, sites and areas of nature conservation important for biodiversity and/or archaeological, cultural or heritage interest.

#### **Submissions/Observations**

The following relates to Submission No. 228.

The minor amendments proposed by this Proposed Material Alterations are noted. This submission suggests that the Council shall work in partnership with existing service providers to facilitate required enhancement and upgrading of existing infrastructure and networks subject to appropriate environmental assessment and the planning process.

#### **Chief Executives Response**

Noted.

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.49

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#### **Proposed Material Alteration No. 7.50**

Amend objective EC O68 as follows:

Facilitate the development of grid reinforcements including grid connections and a trans-boundary network into and through the county and between all adjacent counties. Such projects shall be subject to AA screening and where applicable, Stage 2 AA.

#### **Submissions/Observations**

The following relates to Submission No. 228.

The minor amendments proposed by this Proposed Material Alterations are noted. This submission suggests that the Council shall work in partnership with existing service providers to facilitate required enhancement and upgrading of existing

infrastructure and networks subject to appropriate environmental assessment and the planning process.

The following relates to Submission No. 217.

The submission highlights Proposed Material Alteration No. 12.1 to amend the “Aim” of Chapter 12 (Biodiversity and Green Infrastructure) and states that it does not appear to carry through to other chapters e.g. Chapter 7.

It is requested to include a statement to the effect that the impact of the development on the ecological integrity of SPAs, SACs, NHAs, pNHAs, cNHAs, Nature Reserves, RAMSAR sites, etc. and local biodiversity must be duly considered. Where permission is granted, such developments should provide mitigation and monitoring.

### **Chief Executives Response**

The comments made by Submission No. 228 are noted.

The following relates to Submission No. 217

It is considered that BI P3, BI O8, BI O10, BI O11, BI O12, BI O13, BI O14 and BI O31 adequately address the issues raised in relation to protection for species and habitats outside European designated sites.

It is however considered appropriate to include a minor amendment to EC O68 to also state that such developments will have regard for protected species and shall provide mitigation and monitoring where applicable.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.50, with the following minor amendment: Amend objective EC O68 as follows:

Facilitate the development of grid reinforcements including grid connections and a trans-boundary network into and through the county and between all adjacent counties. Such projects shall be subject to AA screening and where applicable, Stage 2 AA. The developments will have regard for protected species and provide mitigation and monitoring where applicable.

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### **Proposed Material Alteration No. 7.51**

Add new objective after EC O68 as follows and renumber objectives accordingly:

Support and facilitate the Kildare-Meath Grid Upgrade (also known as Capital Project 966) to enable further renewable energy generation in line with the Governments’ target of 80% renewable energy generation by 2030.

### **Submissions/Observations**

Submission No. 228 notes and welcomes the inclusion of a new objective after EC O68, through Proposed Material Alteration No. 7.51.

The following relates to Submission No. 190.

The submission welcomes the specific inclusion of objectives in relation to this major strategic infrastructure grid projects that will require to be undertaken in the County over the lifetime of the forthcoming Plan.

The following relates to Submission No. 230.

The submission welcomes the inclusion of this new objective which supports the upgrading of the Kildare-Meath Grid. This upgrading of the grid has the potential to facilitate further renewable energy generation and Meath County Council support this approach and will assist in the delivery of these grid upgrades, wherever possible.

The following relates to Submission No. 215.

This Proposed Material Alteration is considered to support the objectives of both the National Energy Security Framework (April 2022) and the Government's Policy Statement on Security of Electricity Supply (November 2021) and is therefore welcomed.

**Chief Executives Response**

The comments raised in Submission Nos. 228, 190, 230 and 215 in support of Proposed Material Alteration No. 7.51 are noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.51

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**Proposed Material Alteration No. 7.52**

Add additional text at the end of objective EC O70 as follows.

Existing vegetative or 'stepping-stone' linkages are to be maintained and improved upon to increase wildlife corridors. Opportunities should be sought to translocate existing species rich hedgerows, where possible, and subject to proper biosecurity protocols.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 7.52

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.52

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**Proposed Material Alteration No. 7.53**

Delete objective EC O71 and renumber objectives accordingly:

~~Require the assessment of all alternative grid connection route options prior to any proposals for grid connection utilising the national road network.~~

**Submissions/Observations**

Submission No. 235 welcomes this Proposed Material Alteration.

**Chief Executives Response**

Noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.53

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### **Proposed Material Alteration No. 7.54**

Amend objective EC O73 as follows:

Promote and facilitate the provision of appropriate telecommunications infrastructure, including broadband connectivity and other technologies within the county. Such projects shall be subject to AA screening and where applicable, Stage 2 AA.

### **Submissions/Observations**

The following relates to Submission No. 217.

The submission highlights Proposed Material Alteration No. 12.1 to amend the “Aim” of Chapter 12 (Biodiversity and Green Infrastructure) and states that it does not appear to carry through to other chapters e.g. Chapter 7.

It is requested to include a statement to the effect that the impact of the development on the ecological integrity of NHAs, pNHAs, cNHAs, Nature Reserves etc. and local biodiversity must be duly considered. Where permission is granted, such developments should provide mitigation and monitoring.

### **Chief Executives Response**

It is considered that BI P3, BI O8, BI O10, BI O11, BI O12, BI O13, BI O14 and BI O31 adequately address the issues raised in relation to protection for species and habitats outside European designated sites.

It is however considered appropriate to include a minor amendment to EC O73 to also state that such developments will have regard for protected species and shall provide mitigation and monitoring where applicable.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.54, to include the following minor amendment:

Amend objective EC O73 as follows:

Promote and facilitate the provision of appropriate telecommunications infrastructure, including broadband connectivity and other technologies within the county. Such projects shall be subject to AA screening and where applicable, Stage 2 AA. The developments will have regard for protected species and provide mitigation and monitoring where applicable.

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### **Proposed Material Alteration No. 7.55**

Amend Section 7.16 as follows:

Natural gas is available in a number of the county’s towns. Gas Networks Ireland continues to assess the feasibility of new connections bringing gas to additional towns. It is recognised that natural gas, particularly renewable and indigenous gas, will continue to have a role to play in the transition to a low carbon economy. As such, renewable energy developments may require support from such sources in times of high energy demand.

Hydrogen is a carbon free gas that can be produced from renewable electricity. While initially seen primarily as a decarbonisation solution for heavy goods vehicles and industry, because of its versatility, it is now recognised that hydrogen can play a key role in the decarbonisation of large swathes of the economy, power generation, transport, industry and heating. Hydrogen is also well suited to short-term and inter-seasonal storage, making it an attractive option to decarbonise energy systems and a driver of a cleaner energy future for Ireland.

### **Submissions/Observations**

The following relates to Submission No. 45.

Amend Section 7.16 as follows:

Natural gas is available in a number of the county's towns. Gas Networks Ireland continues to assess the feasibility of new connections bringing gas to additional towns. ~~It is recognised that~~ The existing natural gas network, ~~particularly renewable and indigenous gas,~~ will continue to have a role to play as we in the transition to a low carbon economy, particularly as the production and use of biomethane and green hydrogen grows over the coming years and these indigenous gases are injected into the gas network in increasing volumes. ~~As such, renewable energy developments may require support from such sources in times of high energy demand.~~ These indigenous energy sources will be used to decarbonise sections of Ireland's economy in their own right and will be complementary to renewable electricity generation at times when demand is high or on days when there is or little no wind or sunlight.

The following relates to Submission No. 228.

The submission states that notwithstanding the Government's aim to increase the percentage of electricity generation from renewables to 80% by 2030, the contribution from non-renewable sources will still consist of 20%. Furthermore, on dull still days or nights, almost all electricity may sometimes need to come from non-renewables generation. In this regard, the submission welcomes the recognition of the role that green hydrogen will have to play in decarbonising large swathes of the economy and the inclusion of additional text to this effect in Section 7.16.

The following relates to Submission No. 215.

This Proposed Material Alteration is considered to support the objectives of both the National Energy Security Framework (April 2022) and the Government's Policy Statement on Security of Electricity Supply (November 2021) and is therefore welcomed.

The following relates to Submission No. 213.

The National Competitiveness & Productivity Council states in Bulletin 22-1 Energy Security: "The intended increased use of renewables in the energy system adds to the challenge of ensuring a stable and reliable electricity supply, because the balance between available supply and peak demand becomes very tight when there is limited wind generated power. Renewable generation that is predominantly wind powered can vary between 1% and 70% on a given day, making the supply of electricity less stable."

It is highlighted that this approach is supported by the Department of the Environment, Climate and Communication's Policy Statement on Security of

Electricity Supply published 30 November 2021, which states that. “the development of new conventional generation (including gas-fired and gasoil/distillate-fired generation) is a national priority and should be permitted and supported in order to ensure security of electricity supply and support the growth of renewable electricity generation.”

This submission notes that Section 7.16 of the Draft Plan supports the provision of ancillary energy facilities based on natural gas over other more polluting fossil fuels. However, it is submitted that the need for further provision of conventional gas-fired energy generation facilities (either as part of the transition to a low-carbon economy or the meeting of increasing energy demands in the near future) are not explicitly stated, which could hinder further industrial development.

In addition to the above the submission seeks the following amendment of Section 7.16: “As such, renewable energy developments ~~may~~ **will** require support from such sources in times of high energy demand.”. It states that in the current economic and energy climate, it is inevitable that renewable energy development will require support from such sources in times of high energy demand because of existing significant level of renewables on the Network.

### **Chief Executives Response**

The amendments proposed by Submission No. 45 and the comments raised by Submission Nos. 228 and 215 are noted and accepted.

### **The following relates to Submission No. 213.**

Given the national priority in relation to the development of new conventional generation (including gas-fired and gasoil/distillate-fired generation) to ensure security of electricity supply and support of the growth of renewable electricity generation, it is considered appropriate to include a minor amendment to Section 7.16 to explicitly reference this national priority.

In addition, it should be noted that the development of gas infrastructure is supported by objective EC O86 which supports the maintenance of the existing gas network and the further upgrading and expansion of the gas grid across County Kildare to serve existing and future residential, commercial and industrial development. It can be concluded that, by extension, this objective supports conventional gas fired ancillary energy facilities that are facilitated by the existing gas network and are necessary for further industrial development.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.55, with the following minor amendment: To amend Section 7.16 as follows:

The Council acknowledges the importance of gas for both economic development and as a provider of domestic energy within the county. As per the Department of the Environment, Climate and Communication’s Policy Statement on Security of Electricity Supply published 30 November 2021, the development of new conventional generation (including gas-fired and gasoil/distillate-fired generation) is a national priority and should be permitted and supported in order to ensure security of electricity supply and support the growth of renewable electricity generation.



The County's natural gas pipeline infrastructure is under the responsibility of Gas Networks Ireland. Natural gas is available in a number of the county's towns. Gas Networks Ireland continues to assess the feasibility of new connections bringing gas to additional towns. ~~It is recognised that natural~~ The existing gas network, particularly ~~renewable and indigenous gas,~~ will continue to have a role to play as we in the transition to a low carbon economy, particularly as the production and use of biomethane and green hydrogen grows over the coming years and these indigenous gases are injected into the gas network in increasing volumes. ~~As such, renewable energy developments may require support from such sources in times of high energy demand.~~ These indigenous energy sources will be used to decarbonise sections of Ireland's economy in their own right and will be complementary to renewable electricity generation at times when demand is high or on days when there is little or no wind or sunlight.

Hydrogen is a carbon free gas that can be produced from renewable electricity. While initially seen primarily as a decarbonisation solution for heavy goods vehicles and industry, because of its versatility, it is now recognised that hydrogen can play a key role in the decarbonisation of large swathes of the economy, power generation, transport, industry and heating. Hydrogen is also well suited to short-term and inter-seasonal storage, making it an attractive option to decarbonise energy systems and a driver of a cleaner energy future for Ireland.

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#### **Proposed Material Alteration No. 7.56**

Amend EC O87 as follows:

Support and facilitate the production of low carbon or renewable biogases such as hydrogen produced using renewable electricity, and biomethane, produced largely from agricultural organic matter and food waste, that can be exported as power/energy to the National Grid, subject to appropriate environmental assessments.

#### **Submissions/Observations**

The following relates to Submission No. 45

Amend EC O87 as follows:

Support and facilitate the production of low carbon or renewable biogases such as hydrogen produced using renewable electricity, and biomethane, produced largely from agricultural organic matter and food waste, ~~that can be exported as power/energy to the National Grid~~ that can be injected into the national gas network, subject to appropriate environmental assessments.

The following relates to Submission No. 228.

The submission states that notwithstanding the Government's aim to increase the percentage of electricity generation from renewables to 80% by 2030, the contribution from non-renewable sources will still consist of 20%. Furthermore, on dull still days or nights, almost all electricity may sometimes need to come from non-renewables generation. In this regard, the submission welcomes the recognition of the role that green hydrogen, produced using renewable electricity will have to play in decarbonising large swathes of the economy and support proposed material alteration No. 7.56.

**Chief Executives Response**

The comments raised through Submission Nos. 45 and 228 are noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.56, with the following minor amendment:  
To amend EC O87 as follows;

Support and facilitate the production of low carbon or renewable biogases such as hydrogen produced using renewable electricity, and biomethane, produced largely from agricultural organic matter and food waste, ~~that can be exported as power/energy to the National Grid~~ that can be injected into the national gas network, subject to appropriate environmental assessments.

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**Proposed Material Alteration No. 7.57**

Add new objective after objective EC O88 as follows and renumber objectives accordingly:

Support the research and development of green hydrogen as a fuel for power generation, manufacturing, energy storage and transport.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 7.57

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.57

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**Proposed Material Alteration No. 7.58**

Amend EC O89 as follows:

Support and facilitate the delivery of the National Broadband Plan and the Government's 'Harnessing Digital' the Digital Ireland Framework (2022) with particular regard to 5G rollout as a means of developing further opportunities for enterprise, employment, education, innovation, and skills development for those who live and work in rural areas.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 7.58

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 7.58

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## Chapter 8: Urban Centres and Retail

### **Proposed Material Alteration No. 8.1**

Amend chapter aim as follows:

To continue to promote and encourage town centres as our primary retail centres, at the heart of our communities so that they play a vital role in ensuring these areas remain attractive, **universally accessible**, and liveable places and to make provision for additional retail, at appropriate locations and quantum's where necessary.

### **Submissions/Observations**

The following relates to Submission No. 263

Submission requests that the chapter aim include additional text as follows:

'...In ensuring these areas remain attractive, **universally accessible**, and liveable places...'

### **Chief Executives Response**

The chapter aim (as per Proposed Material Alteration No. 8.1) includes the proposed additional text 'universally accessible'.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 8.1.

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### **Proposed Material Alteration No. 8.2**

Add new paragraph after the first paragraph in section 8.1 to read as follows:

**The Retail Planning Guidelines for Planning Authorities seek to ensure that the planning system continues to play a key role in supporting competitiveness in the retail sector for the benefit of the consumer by actively enabling good quality development proposals to come forward in suitable locations.**

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 8.2.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 8.2.

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### **Proposed Material Alteration No. 8.3**

Add new section under 8.2 as follows:

#### **8.2.7 Town Centre First – A Policy Approach for Irish Towns**

The Government's Town Centre First policy acknowledges the challenges that town centre retail activities continue to experience, which is primarily due to the changing habits of consumers and, in particular, the rise of online shopping. The effects of this can be seen in settlements across the county, with most designated core retail areas suffering from sustained levels of high retail vacancy. The Town Centre First policy seeks to respond to this issue by increasing the focus on the 'retail-led experience' which includes a blend of retail services (including food and drink), leisure,

entertainment, and cultural uses. This approach fully aligns with the intentions of Kildare County Council to future proof town centres by making them more attractive visitor destinations, through the implementation of public realm improvement works, the promotion and support of ‘meanwhile use’ to provide for temporary uses to be accommodated in vacant units, and other bespoke regeneration initiatives. It is considered that the development of new and alternative uses and functions for town centres that maximise new recreational, tourist, cultural, employment and residential opportunities will help to secure the long-term viability of the existing retail offer in the county’s town centres.

### **Submissions/Observations**

The following relates to Submission No. 229.

Submission notes the addition of the Town Centre First approach and it is considered that this approach will enhance the centre of Maynooth.

### **Chief Executives Response**

Noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 8.3.

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### **Proposed Material Alteration No. 8.4**

Amend RET O1 as follows:

Ensure that the retail needs of the county’s residents are met as extensively as possible within Kildare, taking cognisance of the Regional and County Retail Hierarchies, to enable the reduction in the requirement to travel to meet these needs and in the interests of achieving greater social inclusion and **universal** accessibility to shopping and services across all sectors of the community.

### **Submissions/Observations**

The following relates to Submission No. 263.

The submission requests objective RET O1 to be amended, as follows: ‘...in the interests of achieving greater social inclusion and **universally accessible** to shopping and services across...’

### **Chief Executives Response**

Objective RET O1 (as per Proposed Material Alteration No. 8.4) includes the proposed additional text.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 8.4.

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### **Proposed Material Alteration No. 8.5**

Amend RET O5 to read as follows:

Reinforce the core of town and village centres as the priority location for new retail developments, with quality of design and integration/linkage being fundamental prerequisites and bring forward zoning designations within the zoning matrix in Local Area Plans specifically for large convenience stores, where appropriate.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 8.5.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 8.5.

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**Proposed Material Alteration No. 8.6**

Amend objective RET O7 as follows:

Improve the **universal** accessibility of the town centre with particular emphasis on creating a high quality, safe and permeable environment that is easily accessible to pedestrians and cyclists.

**Submissions/Observations**

The following relates to Submission No. 263.

The submission requests that objective RET O7 includes additional wording, as follows: 'Improve the universally accessibility of the Town Centre'

**Chief Executives Response**

Objective RET O7 (as per Proposed Material Alteration No. 8.6) includes the proposed additional text.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 8.6.

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**Proposed Material Alteration No. 8.7**

Amend Table 8.1 Retail Hierarchy for County Kildare as follows:

<b>Level 2</b>	<b>Major Town Centres &amp; County (Principal) Town Centres</b> Naas, Newbridge, Maynooth
<b>Level 3</b>	<b>Town and/or District Centres &amp; Sub-County Town Centres (Key Service Centres)</b> Celbridge, Kilcock, Athy, Kildare, Monasterevin, Clane, Leixlip, <b>Kilcullen</b>
<b>Level 4</b>	<b>Neighbourhood Centres, Local Centres-Small Towns and Villages</b> <b>Small Town Centres</b> Kilcullen, Castledermot, Prosperous, Rathangan and Sallins <b>Village Centres</b> Straffan, Allenwood, Ballitore, Ballymore-Eustace, Crookstown, Derrinturn, Kill and Robertstown
<b>Level 5</b>	<b>Corner Shops/Small Villages</b>

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 8.7.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 8.7.

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**Proposed Material Alteration No. 8.8**

Amend the first sentence of the fifth paragraph of section 8.7.1.1 Naas, as follows:  
In order to reinforce the town centre as a viable, vibrant, **universally accessible and attractive retail centre**, the Main Street should be retained as the centre of commercial and retail activity.

**Submissions/Observations**

The following relates to Submission No. 263.

The submission requests that the text on Page 273 (section 8.7.1.1) be amended to include the following text: 'In order to reinforce the town centre as a viable, vibrant, **universally accessible** and attractive retail centre...'

**Chief Executives Response**

Section 8.7.1.1 (as per Proposed Material Alteration No. 8.8) includes the proposed additional text.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 8.8.

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**Proposed Material Alteration No. 8.9**

Amend objective RET O21 as follows:

~~Consider either convenience or comparison retail developments in the core retail area in accordance with the sequential approach and to only consider any further convenience or comparison retail developments outside of the core retail area following the redevelopment and occupation (either in whole or in part for retail use) of the Naas Town Shopping Centre.~~ **Support and facilitate the development of retail, retail services and niche retailing in the town centre area, where it will consolidate and strengthen the primacy of town centre areas, including new/infill development and redevelopment of an appropriate scale.**

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 8.9.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 8.9.

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### **Proposed Material Alteration No. 8.10**

Amend objective RET O28 as follows:

Secure the continued consolidation of Maynooth Town Centre through progressing the implementation of the Maynooth and Environs Joint Local Area Plan and the regeneration of back land and brownfield areas in the town centre.

### **Submissions/Observations**

The following relates to Submission No. 230.

Submission 230 welcomes Proposed Material Alteration No. 8.10 which notes that the environs, where appropriate, are also included in a local area plan for a settlement and that the Maynooth LAP will be a Joint Plan.

Submission no. 251 supports Proposed Material Alteration No. 8.10.

### **Chief Executives Response**

Noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 8.10.

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### **Proposed Material Alteration No. 8.11**

Amend objective RET O30 to read as follows:

Restrict any out-of-town retail developments, other than local neighbourhood centres in Maynooth. The development of an appropriately sited district centre will be considered as part of the Joint Local Area Plan for Maynooth and Environs.

### **Submissions/Observations**

The following relates to Submission No. 229.

It is submitted that the reference to “an appropriately sited district centre” in Maynooth is unacceptable and that the Joint Local Area Plan should not allow any such developments on the outskirts of Maynooth.

The following relates to Submission No. 230.

The submission states that having reviewed the Chief Executives Report and the Retail Section of the Draft Kildare County Development Plan 2023-2029, it is apparent that there is no supporting evidence for a retail designation at the scale of a new District Centre.

A County Retail Strategy has not been published as part of the Draft Kildare Development Plan 2023-2029, and as outlined in RET O11, there is still a reliance on the Retail Strategy for the Greater Dublin Area 2008-2016. As part of the GDA Retail Strategy from 2008, it is noted that a District Centre can provide between 10,000 and 20,000 sqm of retail floorspace. Given the potential scale of a new District Centre, there are concerns that such a development could have impacts on surrounding settlements including those in Co. Meath.

It is acknowledged that it is likely that additional retail facilities will be needed to accompany and service future growth in Maynooth and that this will need to be addressed as part of the Joint Maynooth LAP.

As such, it is suggested that the Proposed Material Alteration No. 8.11 is amended as follows:

“~~Restrict any out-of-town retail developments, other than local neighbourhood centres in Maynooth. The development of an appropriately sited district centre will be considered as part of the Joint Local Area Plan for Maynooth and Environs.~~ ~~The development of an appropriately scaled retail centre will be considered as part of the Joint Local Area Plan for Maynooth and Environs, subject to supporting evidence and relevant retail assessments.~~”

Submission no. 251 supports Proposed Material Alteration No. 8.11.

### **Chief Executives Response**

Having regard to the Government’s Town Centre First initiative and the CDP’s 15-minute settlement concept, it is considered appropriate to focus in the first instance on appropriately located neighbourhood centres to provide services, local convenience and lower order comparison shopping proximate to new residential developments within the LAP boundary area.

### **Chief Executives Recommendation**

Amend Proposed Material Alteration No. 8.11 as follows;

~~Restrict any out-of-town retail developments, other than local neighbourhood centres in Maynooth, .The development of an appropriately sited district centre will to be considered as part of the Joint Local Area Plan for Maynooth and Environs.~~

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### **Proposed Material Alteration No. 8.12**

Amend all references throughout the plan from ‘~~Kildare Village Outlet Centre~~’ to read ‘~~Kildare Tourist Outlet Village (KTOV)~~’.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 8.12.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 8.12.

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### **Proposed Material Alteration No. 8.13**

Amend objective RET O42 as follows:

~~Facilitate the consolidation/expansion of the town centre historic retail core of Kildare Town Centre through infill development and the redevelopment/regeneration of derelict/under-utilised sites and building in and around particularly those within the Core Retail Area.~~

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 8.13.



**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 8.13.

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**Proposed Material Alteration No. 8.14**

Amend objective RET O44 as follows:

Develop a well-designed pedestrian link from the Kildare Tourist Outlet Village (KTOV) Outlet Centre to the town centre, in consultation with the various third-party landowners, with a view to better integration, enhancing visitor experience and promoting the heritage and evening economy of the town centre in accordance with the guidance in the Retail Planning Guidelines 2012 and accompanying Retail Design Manual.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 8.14.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 8.14.

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**Proposed Material Alteration No. 8.15**

(A) Amend section 8.7.3.1 Small Town Centres as follows:

- Kilcullen
- Castledermot
- Prosperous
- Rathangan
- Sallins
- Derrinturn
- Kill

(B) Amend section 8.7.3.2 Village Centres as follows:

- Allenwood
- Athgarvan
- Ballitore
- Ballymore Eustace
- Crookstown
- ~~Derrinturn~~
- ~~Kill~~
- Robertstown
- Straffan

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 8.15.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 8.15.

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**Proposed Material Alteration No. 8.16**

Amend RET A3 to read as follows:

Identify obsolete and potential renewal areas and, through active and positive engagement with landowners, to encourage and facilitate the re-use and regeneration of derelict land and buildings in the county's main towns, villages and smaller centres. The Council will use its statutory powers, including the Derelict Sites Act (as amended), the Vacant Site Levy<sup>add footnote</sup> and/or Compulsory Purchase Order, where necessary.

Footnote: Action 15.2 of Housing for All identifies the introduction of a new tax to activate vacant land for residential purposes as part of the pathway to increasing new housing supply, which will in time replace the Vacant Site Levy. The Residential Zoned Land Tax (RZLT) was introduced by the Finance Act 2021 and will come into effect from 2024. The principal purpose of the residential zoned development land tax is to encourage the timely activation of serviced lands zoned for residential or mixed-use purposes.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 8.16.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 8.16.

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**Proposed Material Alteration No. 8.17**

Amend section 8.16.1 as follows:

Outdoor dining is an important contributor to the vitality and vibrancy of town and village centres, especially during the Covid-19 pandemic. When assessing license applications, the council will have regard to Section 254 of the Planning and Development Act 2000, as amended and the Licensing Outdoor Dining and Seating Guidance Document August 2021 by Kildare County Council. In keeping with Circular Letter PL 06/2021, due consideration must be given at a local level to the principles of Universal Design when assessing a Section 254 licence application to ensure that the wider area is accessible, useable, and convenient to all those who wish to use or pass through it. Every effort must be made to ensure that the design and layout for outdoor seating proposals are universally accessible where practicable.

**Submissions/Observations**

The following relates to Submission No. 263.

The submission requests the following additional text to be added to Section 8.16.1 Outdoor Dining: Section 254 License Application: ‘Ensure these facilities have universally accessibility which is then maintained’

**Chief Executives Response**

The content of the submission is noted and amended as per Proposed Material Alteration No. 8.17.

**Chief Executives Recommendation**

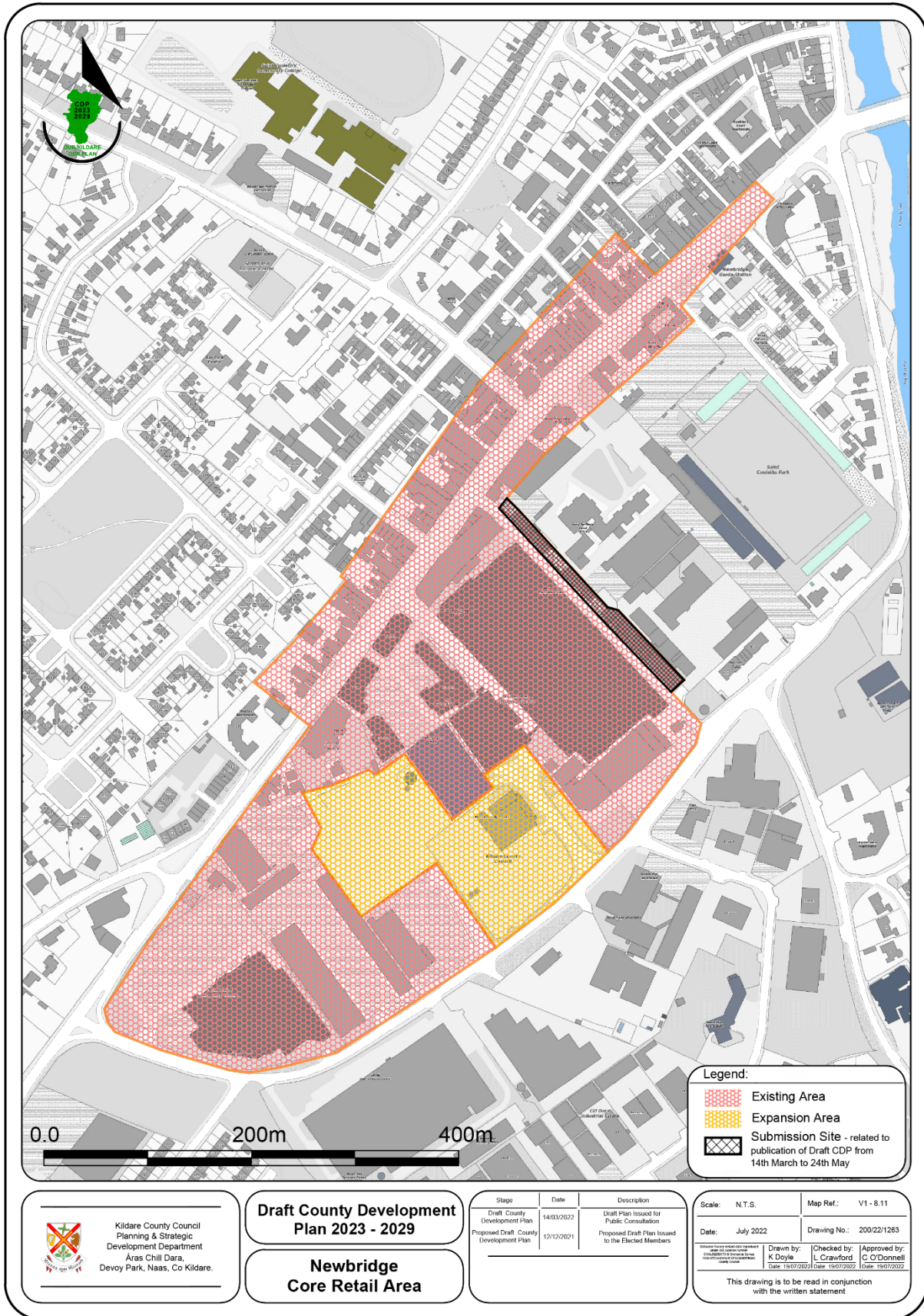
Accept Proposed Material Alteration No. 8.17.

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**Proposed Material Alteration No. 8.18**

Amend Map 8.11 (Core Retail Area for Newbridge) to include shaded area on map below (indicated with the red arrow), along Cutlery Row, opposite the side entrance to the Whitewater Shopping Centre.

Draft Kildare County Development Plan 2023 – 2029 | CE Report on Submissions received to Proposed Material Alterations



Kildare County Council  
Planning & Strategic  
Development Department  
Aras Chill Dara,  
Devoy Park, Naas, Co Kildare.

**Draft County Development  
Plan 2023 - 2029**

**Newbridge  
Core Retail Area**

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 8.18.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 8.18.

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## Chapter 9: Our Rural Economy

### **Proposed Material Alteration No. 9.1**

Amend the fourth paragraph of Section 9.1 as follows:

Traditional sectors such as agriculture, ~~extractive industries~~, and forestry will be important in helping Kildare reach targets in relation to climate change and will play a vital role over the coming years and the period of this plan to help Ireland reach its climate targets particularly in relation to food security, carbon storage, provision of renewable energy, reducing emissions, protection of water bodies and increasing biodiversity.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 9.1.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 9.1.

---

### **Proposed Material Alteration No. 9.2**

Amend the sixth paragraph in Section 9.1 as follows:

The agri-food, forestry, and tourism sectors play a significant role in Ireland's rural economy. Kildare is well positioned to contribute more to the tourism sector with the development of Greenways, Blueways, Peatways and the potential of a National Peatlands Park providing an alternative eco-tourism visitor experience.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 9.2.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 9.2.

---

### **Proposed Material Alteration No. 9.3**

Amend RD P1 as follows:

Support and promote rural enterprises and encourage appropriate expansion and diversification in areas such as sustainable agriculture, forestry, peatlands, peatlands rehabilitation and sustainable peatland related tourism, food, crafts, renewable energy at suitable locations in the county, particularly where they contribute to a low carbon and resilient economy.

### **Submissions/Observations**

The following relates to Submission No.140;

The submission requests explicit reference to the LEADER programme in RD P1.

**Chief Executives Response**

While the submission requests explicit reference to the LEADER programme in RD P1, Proposed Material Alteration 2.19 should be noted where it is considered that the new objective proposed adequately addresses the matters raised. For ease of reference the aforementioned objective reads as follows; *‘Support the implementation of LEADER Programmes equally across all areas which aim to deliver a range of rural enterprise, social inclusion and community development initiatives in County Kildare’.*

**Chief Executives Recommendation**

Accept Proposed Material Alteration 9.3.

---

**Proposed Material Alteration No. 9.4**

Add new objective after RD O8 as follows and renumber objectives accordingly:  
**Support the European Network for Rural Development's Smart Villages initiative to improve economic performance and quality of life in rural areas through digital and social innovation in co-operation with West Kildare SMART Rural Alliance and all other relevant stakeholders.**

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 9.4.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 9.4.

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**Proposed Material Alteration No. 9.5**

Amend the first paragraph of Section 9.4 as follows:

**The plan recognises and supports the role of farmers as custodians of the natural resources of the countryside and of rural landscapes.** Over the past number of years there has been a significant fall off in agricultural employment. This is indicative of the changing nature of the rural economy. The total area of land farmed in Kildare is 113,765 ha, comprising 67% of the overall area of the county. Since 1991 the number of farms has reduced from 3,251 to 2,578 in 2010. This represents a reduction of 20% compared to a 17% reduction for the state.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 9.5.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 9.5.

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**Proposed Material Alteration No. 9.6**

Amend RD O11 as follows:

Support the implementation of the objectives identified in the County Biodiversity Action Plan 2009-2014 (or as updated) and any relevant local action plan.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 9.6.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 9.6.

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**Proposed Material Alteration No. 9.7**

Amend RD O12 as follows:

Encourage farmers markets and local food Hubs for the sale of locally produced goods at appropriate locations in the towns and villages across the county.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 9.7.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 9.7.

---

**Proposed Material Alteration No. 9.8**

Add new objective after RD O12 as follows and renumber objectives accordingly:

Preserve the open character of commonage land.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 9.8.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 9.8.

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**Proposed Material Alteration No. 9.9**

Amend RD P4 as follows:

Support and encourage the continued development of a distinguished bloodstock and equine industry in Kildare the County, including breeding and training.



### **Submissions/Observations**

#### The following relates to Submission No. 260

In principle, the submission welcomes this Proposed Material Alteration, however, submits that the equine industry remains gravely concerned that the pristine environment required to ensure the continued operation of the equine industry in County Kildare is under threat.

The submission highlights the significant number of submissions from members of the equine industry during the Draft Plan consultation process and the Chief Executive Response to these submissions which reads as follows:

“It is considered that RD O13 in the dCDP provides a significant and a robust protection to the bloodstock industry and assists in ensuring a suitable environment is maintained. Given the geographical location of Kildare however, it will not always be possible to ensure a tranquil environment for the equine industry. The Draft Plan must balance the needs of, inter alia, rural based industries including the bloodstock industry as well as housing and employment at appropriate locations level.”  
(Response CH9.48 at page 145)

It is submitted that RD O13 protects the environment and amenity value of the bloodstock industry in two ways:

- By protecting it from encroachment by urban sprawl
- By protecting it from incompatible development

The submission compares the above protection of the current Draft Plan to the four different ways in which the Kildare County Development Plan adopted in 1999 aimed to protect the environment of the equine industry:

- By protecting the high amenity value which will be protected from encroachment by urban sprawl
- By protecting the high amenity value which will be protected by spoliation by urban sprawl
- By protecting the high amenity value which will be protected from ribbon development
- By protecting the high amenity value which will be protected from other anti-amenity features of incompatible development

It is contended that the 1999 County Development Plan which crucially sought to also protect the environment from anti-amenity features which, combined with ‘incompatible development’ offered a broader understanding of the type of protection the industry needs.

Whilst the submission welcomes RE O91 in principle, it is noted that it seeks to “protect and nurture the environment which allows the equine industry to flourish” it is also noted that there is no attempt to define “the environment” that the equine industry requires. It is submitted that this is a crucial failing and highlights the following previous planning decisions where the environment was not defined, and which made it very difficult to assess what the impact on the ‘equine environment’ would be.

- ABP-300389-17 – Inspector’s Report states: “I note Policy EQ 1 of the County Development Plan – which seeks to encourage the expansion of the bloodstock industry by protecting the environment and amenity value of rural areas from incompatible development. There is no indication in the County Development Plan of what amounts to ‘incompatible development’ and clearly KCC did not consider a solar PV farm to be incompatible development.”
- ABP310841-21 – Inspector’s Report states: “The proposed development does not comprise urban sprawl and for it to be incompatible with the bloodstock industry there must be some demonstrable negative impacts.” The report confirms that the inspector considered the impact on the equine industry based only on visual impact, construction spills and waste emissions, which illustrates a lack of understanding on what the important environmental qualities are that the bloodstock industry requires.

It is submitted that the biggest issue for equine operations is noise producing development being located immediately next to it. The equine industry does not wish to preclude residential or rural based employment opportunities, but has concerns related to development proposals of a large scale that would result in significant noise disturbance during construction and operation. Evidence is provided to highlight how noises are harmful to horses.

Furthermore, the submission states that if the Development Plan does not offer protection to the established equine industries, this will completely decimate confidence in the industry and no stud farm operator would establish equine operations in Kildare. An example in recent years is provided of the threat of a large-scale solar farm which has been proven to be noise producing both during the operational phase and construction phase.

The submission asks the Council to consider amending RD P4 (proposed new text in bold) as follows, which is considered would go some way to genuinely protect the environmental qualities that the industry needs at a minimum in order to keep their doors open in Kildare

*Support and encourage the continued development of a distinguished bloodstock and equine industry in the County, including breeding and training, **and ensure that high quality environmental qualities are maintained for the continued and viable operation of established equine operations.***

### **Chief Executives Response**

It is not considered appropriate to amend RD P4 to include the proposed additional text. Given the geographical location of Kildare, the climate crisis and the updated targets for renewable energy under the Climate Action Plan 2021, it will not always be possible to ensure that high quality environmental qualities are maintained solely for the continued viability of established equine operations. The CDP is required to take a balanced approach and as such RD P4 is considered sufficiently robust.

It is considered that RD O13 protects the bloodstock industry and helps to ensure that a suitable environment is maintained. The reference to ‘incompatible development’ in Objective RD O13 should however be noted whereby proposed developments, either to expand the equine industry or to locate developments in

close proximity to the equine industry will be assessed having regard to the specific wording of this objective in order to facilitate the continued, sustainable, expansion of the equine industry in Kildare.

However, considering the issues raised in the submission it is considered appropriate to amend RD P4 to detail the required environmental conditions that horse breeders require for successful breeding and the welfare of their horses.

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 9.9, with the following minor amendment:

Support and encourage the continued development of a distinguished bloodstock and equine industry in Kildare the County, including breeding and training, and seek to ensure appropriate environmental conditions for equine operations, insofar as is practicable.

---

#### **Proposed Material Alteration No. 9.10**

Amend RD P6 as follows:

Increase forest cover in the county at appropriate locations while protecting sensitive landscapes, water bodies, all sites, habitats, and species of ecological importance including European sites special areas of conservation and amenity areas.

#### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 9.10.

#### **Chief Executives Response**

N/A

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 9.10.

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#### **Proposed Material Alteration No. 9.11**

Amend RD O22 as follows:

Facilitate tourism infrastructure and visitor services including tourism accommodation at appropriate locations in forest estates in accordance with all relevant planning and environmental conditions.

#### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 9.11.

#### **Chief Executives Response**

N/A

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 9.11.

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**Proposed Material Alteration No. 9.12**

Amend RD O26 as follows:

Discourage monocultural forestry and encourage a greater range of tree species in forestry plantations and promote, in particular, more native deciduous hardwood woodlands. Such forestry plantations shall be subject to best practice and appropriate biosecurity measures and protocols.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 9.12.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 9.12.

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**Proposed Material Alteration No. 9.13**

Add new objective after RD O26 as follows and renumber objectives accordingly:

Ensure that existing public rights of ways and walking routes are not obstructed during the planting of forests.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 9.13.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 9.13.

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**Proposed Material Alteration No. 9.14**

Add new objective after RD O26 as follows and renumber objectives accordingly:

Ensure that development is appropriate in scale and character and does not have a negative visual impact on the countryside including public access, rights of way, walking routes and recreational facilities or cause degradation of wildlife habitats, nature conservation areas or areas of ecological importance.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 9.14.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 9.14.

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**Proposed Material Alteration No. 9.15**

Add new objective after RD O26 as follows and renumber objectives accordingly:

Recognise the potential of forestry including Coillte's "open forest" policy and protect and encourage access to forestry and woodlands (including private forestry) in co-operation with all relevant stakeholders for walking routes, long-distance and looped walks, mountain trails, nature trails, bridle paths, orienteering and hiking.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 9.15.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 9.15.

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**Proposed Material Alteration No. 9.16**

Amend the first paragraph of Section 9.8 as follows:

The council recognises the potential of industrial peatlands in relation to a variety of uses and functions including re-wetting, re-wilding, carbon sequestration, renewable energy, biodiversity, tourism, amenity, recreation, and other appropriate after-uses with job opportunities.

**Submissions/Observations**

The following relates to Submission Nos. 228 and 235

The submission welcomes Proposed Material Alteration 9.16.

**Chief Executives Response**

Noted

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 9.16.

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**Proposed Material Alteration No. 9.17**

Add additional text at the end of the third paragraph in Section 9.8:

The Council recognises the importance of raised bogland as a major natural, archaeological and amenity resource and will liaise with the relevant Government departments and NGOs to try to secure the conservation of original peatland areas.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 9.17.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 9.17.

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### **Proposed Material Alteration No. 9.18**

Amend RD P7 as follows:

Support the appropriate and sensitive diversification of former cutaway peatlands, whilst ensuring the protection of their ecological, archaeological, cultural, and educational significance in line with the National Peatlands Strategy (DAHG 2015), the National Raised Bog Special Area of Conservation Management Plan 2017-2022 and the Peatlands & Climate Change Action Plan 2030.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 9.18.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 9.18.

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### **Proposed Material Alteration No. 9.19**

Amend RD O27 as follows:

Encourage the re-wetting, restoring and/or re-wilding of former cutaway bogs and peatlands with an emphasis on promoting maximising biodiversity and carbon sequestration to account for approximately 70% of cutaway bogs. Such projects shall be subject to Appropriate Assessment; shall have regard to any hydrological connection shared with a European Site and their qualifying interest species; shall not adversely affect drainage of surrounding lands; and shall account for any potential likely significant effects and provide mitigation and monitoring where appropriate.

### **Submissions/Observations**

The following relates to Submission No. 235

These submissions state that Proposed Material Alteration Nos. 9.19, 9.20 and 9.24 set limitations on using cutaway peatlands for a range of uses. This contradicts Material Alteration No. 9.16 and restrictions placed on cutaway bog should be reconsidered to align with National policy including the National Planning Framework (Project Ireland 2040), that highlights the suitability of cutaway peatlands for renewable energy developments in particular wind energy.

The following relates to Submission No. 231.

While the submission welcomes the Council's commitment to *maximising biodiversity and carbon sequestration* on peatlands, it is the view of Bord na Mona that the Development Plan cannot determine that 70% of cutaway peatlands should be set aside for "re-wetting, restoring and/or re-wilding...with an emphasis on promoting maximising biodiversity and carbon sequestration" without engaging with stakeholders on the feasibility of such a measure and without considering how these commitments could be maximised by incorporating the potential of co-location of other uses alongside these initiatives (PMA 9.19).

The submission states that PMA 9.19 is also at odds with PMA No. 7.11 and Objective EC O11 which seeks to “Encourage wind energy developments in suitable locations in an environmentally sustainable manner whilst having regard to Government policy and the County Wind Energy Strategy, while being sensitive to the EU and national target of 30% of land for biodiversity.....”

Submission references the Mount Lucas Wind Farm in Co. Offaly, which demonstrates that renewable opportunities, biodiversity, amenity and carbon sequestration can co-exist successfully.

The submission did not suggest any amendments to PMA 9.19.

### **Chief Executives Response**

As part of the review of this County Development Plan a County Wind Energy Strategy (WES) was prepared in line with the appropriate and most up to date national guidance. With respect to County Kildare, the Strategy concluded “*that the implementation of the development plan over its effective period 2023-2029 has the potential to deliver 107MW of wind energy.*” The WES also states that there is an approximate standard rate of 12.5 hectares per megawatt. This means, potentially, an approximate area of 1337.5 hectares of bogland is needed to meet the WES targets.

There are approximately 24,300 hectares of bogland in Kildare with Bord na Mona owning 8,765 ha of same (Section 9.8 of the Draft Plan refers). Having regard to the above calculations, applying a 70% allocation for re-wetting, restoring and/or re-wilding would (in the case of the county as a whole) result in 7,290ha (30%) remaining for other purposes including, inter alia, energy related developments on boglands. In the case of Bord na Mona lands specifically, 2,629.50ha (30%) would remain for other purposes including energy related developments. The consideration of lands for all purposes, as always, would be subject to all proper planning and environmental considerations including in particular, in the case of wind energy developments, the County Kildare Wind Energy Strategy.

In either of the above instances, applying a 70% allocation would result in the remaining quantum of bogland being significantly above what is required to meet the County Kildare targets for wind energy development during the plan period (for the whole of the county).

Having regard to the above therefore it is considered that a 70% allocation of cutaway bogs for re-wetting, restoring and/or re-wilding is appropriate and provides a sufficient quantum of land to deliver a range of appropriate uses including inter alia, renewable energy, amenity and tourism related projects over the lifetime of the County Development Plan.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 9.19.

---

### **Proposed Material Alteration No. 9.20**

Amend RD O28 as follows:

Work with all relevant stakeholders including Bord na Mona to support the sustainable re-use and sustainable development<sup>footnote</sup> of ~~circa 30-50%~~ up to approximately 30% of cutaway boglands (within County Kildare) for economical purposes, including *inter alia* renewable energy (wind and solar) in appropriate locations, subject to relevant environmental assessments. Such projects shall be subject to Appropriate Assessment; shall have regard to any hydrological connection shared with a European Site and their qualifying interest species; shall not adversely affect drainage of surrounding lands; and shall account for any potential likely significant, cumulative and in combination effects.

Footnote: Development will be defined as that area that includes all structures, pylon bases, foundations, roads in, on or crossing over the land, solar PV panels, turbines, the area beneath any turbine blades and all lands measured from the outer edge of a turbine blade to the next or adjoining turbine blade where the distance is not greater than 1 km. Greenways/peatways/trailways/bridle ways or amenity spaces will not be included.

### **Submissions/Observations**

The following relates to Submission No. 228.

The Methodology set out in Appendix 2 of the Draft Plan identifies the most suitable locations for wind energy development. In relation to peatlands, proposed material alteration No. 9.16 recognises that cutaway peatlands provide an opportunity to merge biodiversity and amenity rich landscape with other commercial, industrial and employment generating uses. However, proposed material alterations No. 9.20 contradicts the above and sets limitations on the utilisation of cutaway peatlands for a range of uses. This approach is inconsistent with the National Planning Framework (NPF), that highlights the suitability of cutaway peatlands for renewable energy developments in particular wind energy. It is submitted that this proposed material alteration should be reconsidered to ensure consistency with national and regional policy.

The following relates to Submission No. 235

Proposed Material Alteration Nos. 9.19, 9.20 and 9.24 sets limitations on using cutaway peatlands for a range of uses. This contradicts Material Alteration No. 9.16 and restrictions placed on cutaway bog should be reconsidered to align with National policy. Such as, the National Planning Framework (Project Ireland 2040), that highlights the suitability of cutaway peatlands for renewable energy developments in particular wind energy.

Proposed Material Alteration No. 9.20, defines a development with regards to sustainable development on cutaway bogs in particular wind farms as “the area beneath any turbine blades and all land measuring from the outer edge of a turbine blade to the next or adjoining blade.”, this definition of development can include large areas of untouched and unbuilt land and does not align with the Planning and Development Act. Consideration needs to be given to the definition of development with regards to wind farm infrastructure and the inclusion of unbuilt lands defined as a development.



The following relates to Submission No. 231.

The submission states that PMA 9.20 sees the deletion of the following text from RD O28: “Work with all relevant stakeholders including Bord na Mona to support the sustainable re-use of circa 30-50% of cutaway boglands for economical purposes” and its replacement with the following: “Work with all relevant stakeholders including Bord na Mona to support the sustainable re-use and sustainable development [footnote] of up to approximately 30% of cutaway boglands (within County Kildare) for economical purposes, including inter alia renewable energy ( wind and solar) in appropriate locations, subject to relevant environmental assessments....”.

Submission states that as with PMA No. 9.19, it is not appropriate to make determinations in a development plan with respect to the percentage of lands that are suitable for a given use without exploring its feasibility in consultation with stakeholders. States that the greater issue of concern with respect to this proposed material alteration is the definition that was provided in the referenced footnote for “Development”, which specifically focuses on renewable developments. Submission states that it is not clear where this definition of development originates from. States that the inclusion of this definition sets an unfair and unfounded limitation on the potential of Bord na Mona’s land bank in the county and could potentially constrain decommissioning, rehabilitation and restoration works or any other future land uses. Submission requests that the footnote is deleted and that the objective is reworded to support the development of renewable projects.

### **Chief Executives Response**

See response to Proposed Material Alteration 9.19 above

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 9.20.

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### **Proposed Material Alteration No. 9.21**

Replace RD O29 with the following new objective:

~~Support the development of renewable energy (wind and solar) on a percentage/no more than 50% of former industrial peatlands/cutaway bogs, in appropriate locations, subject to relevant environmental assessments.~~ **Proposals brought forward for any development on the county’s cutaway peatlands shall be accompanied by an independent biodiversity profile of the landholding, setting out how the proposed development was formulated having regard to the following step by step, biodiversity-led process:**

- 1. Identification of areas of greatest ecological value and how the proposal is compatible with peatland restoration.**
- 2. Identification of areas of greatest carbon sequestration value.**
- 3. Identification of areas of amenity value and potential, and incorporation of the Green Infrastructure Strategy (see Section 12.14.5).**
- 4. Identification of the subject site as a percentage of the overall landholding and justification for the proposed use having regard to Objective RD O28.**

### **Submissions/Observations**

The following relates to Submission No. 231.

The submission requests that the original wording of this objective is retained in order to acknowledge that the Council is supportive of the development of renewable energy at appropriate locations on Bord na Mona lands.

- With respect to the proposed alterations numbered 1 to 3, Bord na Mona would like to state that all of our wind farm projects are constraints led, developments of scale. As such extensive environmental surveys and assessments are carried out to inform the design and the EIA and AA for the proposed development.
- With respect to alteration number 4, Bord na Mona's comments addressing PMA No. 9.20 stand.

### **Chief Executives Response**

See response to Proposed Material Alteration 9.19 above

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 9.21.

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### **Proposed Material Alteration No. 9.22**

Amend RD O31 as follows:

~~Investigate the feasibility of the development of a Peatland National Park in co-operation with Bord Na Mona, NPWS~~ **Support the development of a National Peatlands Park in co-operation with Bord Na Mona, NPWS, Inland Fisheries Ireland, local community groups and other relevant stakeholders as per recommendation 9 of the BOGLAND Report from the EPA in 2011, and Action A28 of the National Peatland Strategy 2014 and the Local Just Transition Plan for West Kildare 2022.**

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 9.22.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 9.22.

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### **Proposed Material Alteration No. 9.23**

Add new objective after RD O31 as follows and renumber objectives accordingly:

**Recognise the importance of cutover and cutaway bogs in providing some critical ecosystem services such as ecological importance and potential carbon sinks. Cutover bogs should be identified for immediate management interventions to prevent further degradation, particularly the ongoing loss of their carbon store.**

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 9.23.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 9.23.

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### **Proposed Material Alteration No. 9.24**

Add new objective after RD O31 as follows and renumber objectives accordingly:

Encourage, where possible, the return to a natural functioning peatland ecosystem in the first instance.

### **Submissions/Observations**

The following relates to Submission No. 235

Proposed Material Alteration Nos. 9.19, 9.20 and 9.24 sets limitations on using cutaway peatlands for a range of uses. This contradicts Material Alteration No. 9.16 and restrictions placed on cutaway bog should be reconsidered to align with National policy. Such as, the National Planning Framework (Project Ireland 2040), that highlights the suitability of cutaway peatlands for renewable energy developments in particular wind energy.

### **Chief Executives Response**

See response to Proposed Material Alteration 9.19 above

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 9.24.

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### **Proposed Material Alteration No. 9.25**

Add new objective after RD O31 as follows and renumber objectives accordingly:

Protect peatlands from inappropriate development having regard to their visual sensitivity value.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 9.25.

### **Chief Executives Response**

To amend the wording of Proposed Material Alteration No. 9.25 to have regard to the Wind Energy Strategy (Appendix 2 of the Draft Plan).

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 9.25 with the following minor amendment; Add new objective after RD O31 as follows and renumber objectives accordingly: Protect peatlands from inappropriate development ~~having regard to their visual sensitivity value~~ having regard to the Wind Energy Strategy for County Kildare (see Appendix 2).

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### **Proposed Material Alteration No. 9.26**

Add new objective after RD O31 as follows and renumber objectives accordingly:

Ensure that peatland areas which are designated (or proposed for designation) as NHAs, SACs or SPAs are conserved for their ecological and archaeological significance.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 9.26.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 9.26.

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### **Proposed Material Alteration No. 9.27**

Add new objective after RD O31 as follows and renumber objectives accordingly:

When developing project proposals for development on peatlands, undertake a peatland stability assessment, carbon emissions balance assessment and hydrological and ecological impact assessments, as required.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 9.27.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 9.27.

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### **Proposed Material Alteration No. 9.28**

Amend Section 9.9 as follows:

Mineral resources are generally located within the rural area. Reserves of suitable material are finite, and the nature of the extractive industry is such that the industry must be developed where the resource occurs. The industry can have damaging environmental effects and permission will only be granted where the council is satisfied that residential and natural amenities will be protected, pollution will be prevented, and aquifers and ground water safeguarded.

Whilst the environment must be protected, it is also important to ensure the availability of adequate supplies of aggregates and to facilitate the exploitation thereof are available to meet the future needs of the county and region in line with the principles of sustainable development and environmental management. Aggregate resources are important to the general economy with over 500 active quarries nationally in 2018, directly employing over 5,000 people. The industry provides a valuable source of employment in some areas of the county with 26 active quarries noted by the council throughout Kildare in 2019, while a further 14 quarries had limited activity. The and the sector is vital to ensure provision of raw materials for the construction industry to facilitate the building of residential units, health care facilities, education facilities, social infrastructure and physical infrastructure which will to accommodate the existing and anticipated population growth in the county and region over the lifetime of the Plan and beyond.

Extraction sites have long term environmental impacts and can significantly alter the landscape therefore there is a need to manage this impact particularly in sensitive landscapes as outlined in Chapter 13 of the Plan – Landscape, Recreation & Amenity. While siting is based on resource locations, the Council will protect high amenity/special/unique sensitivity areas and limit new and/or extending existing extractive industries in these areas.

### **Submissions/Observations**

#### **Submission No. 150 relates**

It is requested that the text highlighted in red below with a strike-through/in brackets is omitted and the alternative text highlighted in red and underlined be included in this alteration.

Whilst the environment must be protected, it is also important to ensure the availability of adequate supplies of aggregates and to facilitate the exploitation thereof ~~are available~~ to meet the future needs of the county and region in line with the principles of sustainable development and environmental management. ~~[Aggregate resources are important to the general economy with over 500 active quarries nationally in 2018, directly employing over 5,000 people. The industry provides a valuable source of employment in some areas of the county with 26 active quarries noted by the council throughout Kildare in 2019, while a further 14 quarries had limited activity.]~~ The ~~[and the]~~ sector is vital to ensure provision of raw materials for the construction industry to facilitate ~~the current building projects [building of residential units, health care facilities, education facilities, social infrastructure and physical infrastructure which will]~~ to accommodate the existing and anticipated population growth in the county. ~~[and region over the lifetime of the Plan and beyond.]~~

However, in line with the programme for government, the Climate Act 2021, and Climate Action Plan, which place a responsibility on Kildare County Council to prioritise longer life, lower carbon construction materials and to ensure lower emissions across the entire life cycle of buildings in the region, alternative, lower carbon construction materials will be given preference over finite resources in order to work towards more sustainable and environmentally friendly construction solutions to deliver the necessary infrastructure and housing needed within the county over the lifetime of the plan and beyond.

Strict monitoring of the amount of aggregates extracted within County Kildare each year will also be introduced in order to protect the region from companies overexploiting our natural resources to serve foreign markets. This will ensure that these finite resources are used to build homes here, while the entire construction sector makes the shift towards greener, more sustainable construction materials.

### **Chief Executives Response**

The extractive industry is vital to ensure provision of raw materials for the construction industry in order to facilitate the building of infrastructure which will accommodate anticipated population growth in the county and region. In addition, it should be noted that the industry provides a valuable source of employment in some areas of the county. It is considered the above should be acknowledged within the draft Plan.

The extractive industry along with many other sectors has a role to play in helping Kildare reach targets in relation to climate change, through reducing emissions from HGV / machinery fleet, using greener technologies in the extraction of materials, and the provision of green infrastructure on extraction sites. Numerous references are made throughout the draft Plan promoting the County's transition to a low carbon climate resilient environment and PMA No. 7.2 states that the Plan has regard to the Climate Action and Low Carbon Development Acts 2015 to 2021 and the Climate Action Plan 2021. It is therefore not considered necessary to amend section 9.9 to reflect the above concerns.

Planning applications for extractive industries are required to include details of total and annual tonnage of extracted aggregates. Conditions are then attached with permissions to ensure the levels of extraction permitted are not exceeded. However, it is not a planning function to monitor levels of extraction, this is done through environmental licensing procedures. Should the planning authority be notified of a quarry having breached a condition of their planning permission the matter will be investigated by the enforcement team and actions taken, as appropriate.

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 9.28.

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#### **Proposed Material Alteration No. 9.29**

Add new text to the end of the third paragraph of section 9.9.1 as follows:

Where obvious scarring and visual impact off-site is evident, infilling and backfilling may be desirable however rather than reverting to agricultural grasslands, in such instances it is recommended that the lands be given over to specific biodiversity and ecological benefit with, for example, wildflower meadows and native woodland planting. It should be noted that the importation of any materials for the purpose of restoration requires planning permission, similarly where planning permission is required for any proposed after-uses same should be obtained.

#### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 9.29.

#### **Chief Executives Response**

N/A

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 9.29.

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#### **Proposed Material Alteration No. 9.30**

Amend RD P8 as follows:

Support and manage the appropriate future development of Kildare's natural aggregate resources in appropriate locations to ensure adequate supplies are available to meet the future needs of the county and the region in line with the principles of sustainable development and environmental management and to require engage with operators to appropriately manage extraction sites when extraction has ceased.

### **Submissions/Observations**

This relates to Submission No. 150

It is requested that the text highlighted in red below with a strike-through/in brackets is omitted and the alternative text highlighted in red and underlined be included in this alteration.

Support and manage the appropriate future development of Kildare's natural aggregate resources in appropriate locations to ensure adequate supplies are available to meet the future needs of the county [~~and the region~~] in line with the principles of sustainable development and environmental management and to require ~~engage with~~ operators to [~~appropriately manage~~] fully rehabilitate extraction sites when extraction has ceased.

### **Chief Executives Response**

The submission is noted however, it is not appropriate to only use aggregates within Kildare. The wider region also needs to be facilitated as other neighbouring counties may not have the resources to ensure provision of materials for the construction of necessary infrastructure.

There are instances, as outlined in objective RD O40, where the 80% requirement for environmental/biodiversity may be waived at extraction sites closer to urban areas where a significant portion of the site is being provided for sports, recreation and amenity uses. It is considered that the current phraseology 'appropriately manage' gives a greater degree of flexibility to cater for the above examples and therefore should be retained.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 9.30.

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### **Proposed Material Alteration No. 9.31**

Insert additional text at the end of RD O32 as follows:

Ensure that development for aggregate extraction, processing and associated concrete production does not significantly impact the following:

- Established rights of way and walking routes.
- Potential World Heritage Sites in Kildare on the UNESCO Tentative List, Ireland

### **Submissions/Observations**

This relates to Submission No. 150

It is requested that the text highlighted in red and underlined be included in this alteration.

Ensure that development for aggregate extraction, processing and associated concrete production does not significantly impact the following:

- Established rights of way and walking routes.
- Potential World Heritage Sites in Kildare on the UNESCO Tentative List, Ireland
- Tourism
- The Equine Industry
- Farming/Agriculture

- Schools facilities and walking routes to and from our schools
- Residential areas
- Protected species/wildlife habitats
- Biodiversity

### **Chief Executives Response**

Submission No. 150 is noted, however, Section 15.9.6 of the draft Plan already provides a comprehensive framework when assessing planning applications for quarry and ancillary developments, which will ensure that development for aggregate extraction, processing and associated concrete production does not significantly impact tourism, the equine industry, farming/agriculture, schools' facilities and walking routes to and from schools, residential areas, protected species/wildlife habitats and biodiversity.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 9.31.

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### **Proposed Material Alteration No. 9.32**

Amend RD O34 as follows:

Require applications for mineral or other extraction to include (but not limited to):

- An Appropriate Assessment Screening where there is any potential for effects on a Natura 2000 site under Article 6 of the Habitats Directive where any quarry / sand and gravel extraction are likely to have an impact on a Natura 2000 site (see Chapter 12).

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 9.32.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 9.32.

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### **Proposed Material Alteration No. 9.33**

Amend RD O37 as follows:

Protect and safeguard the county's natural aggregate resources from inappropriate development, by seeking to prevent incompatible land uses, for example, rural housing that could be located elsewhere from being located in the vicinity of the resource, since the extraction of minerals and aggregates is resource based.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 9.33.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**



Accept Proposed Material Alteration No. 9.33.

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**Proposed Material Alteration No. 9.34**

Include a new objective after RD O37 to read as follows:

Manage the finite aggregate resources being mined by the extractive industries in the county to supply the future needs of our region while working to reach our climate change targets.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 9.34.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 9.34.

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**Proposed Material Alteration No. 9.35**

Amend RD O39 as follows:

Ensure the satisfactory and sensitive re-instatement and/or re-use of disused quarries and extraction facilities, where active extraction use has ceased. Future uses should include amenity, recreation, and biodiversity areas, and shall be informed by an assessment of the specific site/lands and shall be subject to an ecological impact assessment or other environmental assessments as appropriate. ~~Proposals for future uses, infill of these areas should be agreed with the Planning Authority through the development management process.~~ Where it is proposed to reclaim, regenerate, or rehabilitate old quarries by filling or re-grading with inert soil or similar material, or to use worked-out quarries as disposal locations for inert materials, the acceptability of the proposal shall be evaluated against the criteria set out in Section 15.9.6 of this Plan. The Council will resist development that would significantly or unnecessarily alter the natural landscape and topography, including land infilling/ reclamation projects or projects involving significant landscape remodelling, unless it can be demonstrated that the development would enhance the landscape and / or not give rise to adverse impacts.

**Submissions/Observations**

The following relates to Submission No. 215.

This submission notes that Geological Survey Ireland welcomes the addition of this Proposed Material Alteration with regard to end of life/disused quarries.

The following relates to Submission No. 247.

It is stated that the Environmental Health Services has been consulted on a number of quarry development at different stages from extension to rehabilitation and infilling and further states that if the Planning Authority is considering a policy document to support this part of the draft Plan that details the requirements in this area for developers and how the plans would be assessed.

### **Chief Executives Response**

The content of Submission No. 215 is noted.

The following relates to Submission No. 247.

Section 15.9.6 of this Plan sets out the criteria against which the acceptability of quarry and ancillary development proposals will be evaluated. A separate policy document related to quarry development is not considered necessary.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 9.35.

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### **Proposed Material Alteration No. 9.36**

Amend RD O40 as follows:

(a) Require that quarry remediation plans provide for a minimum of 80% of the area to be provided for environmental benefit, biodiversity, and rewilding in all instances. ~~Where other after-use strategies are proposed (i.e., concrete batching, etc.) that might require more than the 20% in use for ongoing economic purposes, then other lands (including other disused quarries) may be used to compensate any shortfall, either by condition of use, sterilisation/legal agreement, or rehabilitation and transfer to either the Council or an established wildlife group. The 80% requirement for environmental/biodiversity may be waived at sites closer to urban areas where a significant portion of the site is being provided for sports, recreation, and amenity.~~

(b) Also amend last paragraph of section 9.9.1 to read as follows:

In order to achieve this, specific targets need to be established. It is a requirement, that quarry remediation plans provide for a minimum of 80% of the area to be provided for environmental benefit, biodiversity, and re-wilding in all instances. ~~Where other after-use strategies are proposed (i.e., concrete batching, etc.) that might require more than the 20% in use for ongoing economic purposes, then other lands (including other disused quarries) may be used to compensate any shortfall, either by condition of use, sterilisation/legal agreement, or rehabilitation and transfer to either the Council or an established wildlife group such as the Irish Wildlife Trust, Birdwatch Ireland, the Native Woodlands Trust, etc. The 80% requirement for environmental/biodiversity may be waived at sites closer to urban areas where a significant portion of the site is being provided for sports, recreation and amenity uses.~~

### **Submissions/Observations**

This relates to Submission No. 150

It is requested that the text highlighted in red below with a strike-through/in brackets is omitted and the alternative text highlighted in red and underlined be included in this alteration.

RD O40

(a) Require that quarry remediation plans provide for a minimum of 80% of the area to be provided for environmental benefit, biodiversity, and rewilding in all instances. ~~Where other after-use strategies are proposed (i.e., concrete batching, etc.) that might require more than the 20% in use for ongoing economic purposes, then other~~

~~lands (including other disused quarries) may be used to compensate any shortfall, either by condition of use, sterilisation/legal agreement, or rehabilitation and transfer to either the Council or an established wildlife group. [The 80% requirement for environmental/biodiversity may be waived at sites closer to urban areas where a significant portion of the site is being provided for sports, recreation, and amenity.]~~

#### 9.9.1

~~(b) In order to achieve this, specific targets need to be established. It is a requirement, that quarry remediation plans provide for a minimum of 80% of the area to be provided for environmental benefit, biodiversity, and re-wilding in all instances. Where other after use strategies are proposed (i.e., concrete batching, etc.) that might require more than the 20% in use for ongoing economic purposes, then other lands (including other disused quarries) may be used to compensate any shortfall, either by condition of use, sterilisation/legal agreement, or rehabilitation and transfer to either the Council or an established wildlife group such as the Irish Wildlife Trust, Birdwatch Ireland, the Native Woodlands Trust, etc. [The 80% requirement for environmental/biodiversity may be waived at sites closer to urban areas where a significant portion of the site is being provided for sports, recreation and amenity uses.]~~

Submission states that RD O40 objective opens the door to quarries to do the following;

- a. Keeping industrial practices going after the lifespan of the quarry on 20% of the site.
- b. Swapping land or monies held elsewhere to retain even more of the site for similar purposes.
- c. Builds in a get out clause for operators to shirk their responsibilities to restore lands and give people their lives back after a site is depleted.

The submission requests that a bond must be taken by the council from the operator to ensure that no profit is made from a site where agreed re-instatement does not take place. This bond must be forfeited if the operator applies for extension of the quarry after the agreed initial period.

Restoration of the site must return the site to its former state and land use type. If this is not possible the restoration of the site must be managed for biodiversity or amenity in full and planning decisions on the granting of permission for Extensions on the duration of extraction at a quarry must take into consideration previous promises of restoration of the site.

#### **Chief Executives Response**

The content of the submission is noted however it is a requirement that quarry remediation plans provide for environmental benefit, biodiversity, and re-wilding in all instances. Any reference to keeping industrial practices going after the lifespan of the quarry on 20% of the site, swapping land or monies held elsewhere to retain even more of the site for similar purposes and a get out clause for operators to shirk their responsibilities to restore lands has been removed under PMA No. 9.36.

The submission proposes to remove the waiver of the 80% requirement for environmental/biodiversity at sites closer to urban areas where a significant portion

of the site is being provided for sports, recreation, and amenity uses. It is considered that this waiver provides the Council with a sufficient degree of flexibility when it comes to the rehabilitation of quarries and an avenue for community gain at appropriate locations, aligning with a key initiative of the Open Space Strategy (Section 6.11, Appendix 3) which is to ‘support the re-use of quarries for outdoor activity centres, where appropriate, incorporating biodiversity, bike trails, walks, trails, playing pitches etc. where practical and feasible, subject to environmental assessments.

While the issue of requiring a bond from quarry operators is noted, however, the purpose of a bond is to ensure re-instatement works are carried out in accordance with conditions of the planning permission which includes a comprehensive site restoration plan and/or after-use strategy (RD O34) as submitted with the application. It is not appropriate for a land use plan to determine the terms and conditions and/or the value of such bonds. This will be determined by the Planning Authority at the time of consent to ensure it will adequately cover the cost of restoration works should the operator not carry out these works in accordance with the conditions of their planning permission. Should extraction work continue after the expiration of a permission or a site has not been restored as required under the conditions of the planning permission, enforcement procedures may then be followed. If an application is submitted for an extension of the timeframe, the amount of the bond can be reviewed as part of the conditions to the new permission should the extension be granted.

PMA No. 9.36 clearly requires ‘that quarry remediation plans provide for environmental benefit, biodiversity, and rewilding in all instances’ which is considered sufficiently comprehensive with respect to remediation of quarries in County Kildare.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 9.36.

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## Chapter 10: Community Infrastructure and Creative Places

### **Proposed Material Alteration No. 10.1**

Amend the Aim at the start of Chapter 10 as follows:

To provide for and facilitate the development of healthy, sustainable, socially inclusive communities integrated with the timely delivery of a wide range of community, social, educational, recreational, and cultural facilities that are accessible and promote social inclusion where accessibility and social inclusion is provided for all, ensuring County Kildare develops as a location with an enhanced quality of life for its citizens and visitors alike.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.1.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.1.

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### **Proposed Material Alteration No. 10.2**

Amend second paragraph of Section 10.1 as follows:

Community/social infrastructure for the purposes of this chapter includes community centres/halls, libraries, cultural facilities, spaces for supporting the arts, places of worship, burial grounds, schools, childcare facilities, youth centres, family resource centres, healthcare facilities, playgrounds, sports, and other recreational facilities and other infrastructure required to enable statutory and voluntary sector organisations to undertake their work. Public open space/parks which are also important aspects of community infrastructure are considered in Chapter 13 of this Plan, 'Landscape, Recreation and Amenity'.

### **Submissions/Observations**

The following relates to Submission No. 229.

The submission welcomes Proposed Material Alteration No. 10.2 and states that Maynooth is in need of such infrastructure including a community centre for use by community groups.

### **Chief Executives Response**

The submission is noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.2.

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### **Proposed Material Alteration No. 10.3**

Amend last paragraph of Section 10.1 as follows:

A key priority in the delivery of such infrastructure and upgrading/expansion of existing infrastructure will be to ensure the social inclusion of areas of disadvantage and

communities of interest such as Travellers and Roma amongst others and are designed to incorporate universal accessibility to cater for all ages and abilities.

#### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.3.

#### **Chief Executives Response**

N/A

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.3.

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#### **Proposed Material Alteration No. 10.4**

Amend the first bullet point in Section 10.2 as follows:

Various objectives within these documents are particularly relevant to the area of social inclusion and the provision of community facilities and services such as:

- Access to quality childcare, youth, education, and health services

#### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.4.

#### **Chief Executives Response**

N/A

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.4.

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#### **Proposed Material Alteration No. 10.5**

Amend the second and fifth bullet points of Section 10.3 and add two new bullet at the end of Section 10.3 as follows:

The provision of services must have regard to relevant local policy provisions in the following documents/strategies:

- 'The Social Inclusion Community Activation Programme (SICAP) 2018-~~2022~~2023'
- 'Kildare Integration Strategy ~~2014-2019~~2021-2026'
- Kildare Children and Young People's Plan (CYPP) 2019-2021 (or any subsequent replacement)
- County Kildare Traveller & Roma Strategy 2019-2023

#### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.5.

#### **Chief Executives Response**

N/A

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.5.

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**Proposed Material Alteration No. 10.6**

Add bullet point to the end of Section 10.4 as follows:

- Promote participation, develop the capacity of marginalised communities and foster community leadership in areas of disadvantage and among communities of interest experiencing inequalities.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.6.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.6.

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**Proposed Material Alteration No. 10.7**

Amend SC O2 as follows:

Make provision, through appropriate land use zoning in the CDP settlement plans and Local Area Plans to deliver community infrastructure, supports and services in a planned and co-ordinated manner within the county, subject to AA screening and where applicable, Stage 2 AA.

**Submissions/Observations**

The following relates to Submission No. 226.

The Department notes and welcomes Proposed Material Alteration No. 10.7.

**Chief Executives Response**

Noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.7.

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**Proposed Material Alteration No. 10.8**

Replace SC O4 with the following objective:

~~Support and promote volunteerism through participation in the Public Participation Network (PPN) structure by supporting the work of the Kildare Volunteer Centre.~~  
Support and encourage youth and community engagement in local decision making through a range of methods and channels, and through networks including among others, the Kildare Public Participation Network.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.8.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.8.

**Proposed Material Alteration No. 10.9**

Add the following new objective after SC O4:

Promote volunteerism by supporting the work of the Kildare Volunteer Centre as well as other voluntary groups and networks.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.9.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.9.

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**Proposed Material Alteration No. 10.10**

Amend SC O6 as follows:

Support and encourage the clustering of community facilities such as community centres, with a priority towards community and youth facilities, sports and leisure facilities, schools, childcare facilities, facilities for older persons, and open spaces to create multi-purpose community hubs.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.10.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.10.

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**Proposed Material Alteration No. 10.11**

Add new objective after SC O10 as follows and renumber objectives accordingly:

To proactively seek suitable sites within the Key Towns of Naas and Maynooth for the provision of Municipal Sporting Facilities where shared amenities are provided for sports clubs and the general public.

**Submissions/Observations**

Submission No. 229 welcomes Proposed Material Alteration No. 10.11.

**Chief Executives Response**

The submission is noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.11.

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**Proposed Material Alteration No. 10.12**

Amend the text of SC O13 and move from an objective to an action within section 10.6 after SC A4:

Progress plans for the provision of a new fully accessible regional swimming pool in North Kildare in conjunction with other relevant bodies.

**Submissions/Observations**

The following relates to Submission No. 3.

It is submitted that a public swimming pool in north Kildare is needed.

The following relates to Submission No. 263.

The submission requests the amendment of objective SC O13 as follows: ‘Progress plans for the provision of a regional swimming pool in North Kildare **that is fully accessible** in conjunction with other relevant bodies.’

**Chief Executives Response**

Proposed Material Alteration No. 10.12 adequately addresses the issue raised.

Objective SC O13 (as per Proposed Material Alteration No. 10.12) includes the proposed additional text.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.12.

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**Proposed Material Alteration No. 10.13**

Add new text to the end of SC O14 as follows:

Such deficiencies should be identified in the Social Infrastructure Audit prepared to accompany the planning application. Where the Planning Authority is not satisfied with the information supplied as part of the Social Infrastructure Audit or where inadequate measures are proposed to address any identified shortfalls in social infrastructure as part of a proposed development scheme, a planning application for new housing developments or large-scale developments may not be favourably considered.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.13.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.13.

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**Proposed Material Alteration No. 10.14**

Amend the first sentence of SC O16 as follows:

(a) Require social infrastructure audits submitted in accordance with SC O15 of this Plan to include a map of educational, community, childcare, healthcare, sporting, and

open space/play facilities within a 10-20 15 minute (800-1200 metre radius) walk/cycle of the proposed development.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.14.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.14.

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**Proposed Material Alteration No. 10.15**

Add new objective in Chapter 10 after SC O18 as follows:

Engage with relevant sporting agencies/organisations/entities to identify lands for the provision of a national and/or regional sports facility/venue at appropriate locations in County Kildare.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.15.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.15.

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**Proposed Material Alteration No. 10.16**

Amend the first sentence of SC A3 as follows:

Undertake to prepare an audit of community, religious and disused school buildings in villages and rural settlements throughout the county in order to determine their suitability to accommodate community uses where they are not already being used for such purposes.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.16.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.16.

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**Proposed Material Alteration No. 10.17**

Add new paragraph before the first paragraph of Section 10.7 as follows:

Social exclusion describes the separation from the benefits of inclusion in the mainstream of society in terms of an adequate income, participation in decision making, access to life chances and social and cultural recognition. Council actions to bring about social inclusion cut across many of the Council's functions and are addressed in a number of policies listed in Section 10.3 above.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.17.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.17.

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**Proposed Material Alteration No. 10.18**

Amend SC O19 as follows:

Work with all target groups, including such as young people (including among other networks, Comhairle na nÓg), older people, people with disabilities, migrants, ethnic minorities, including the Traveller and Roma communities, to advance, encourage and encourage support their full participation in society.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.18.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.18.

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**Proposed Material Alteration No. 10.19**

Amend SC O23 as follows:

Increase the quantity and improve the quality of children's play facilities across the county particularly in areas where a lack of provision has been identified (e.g., play areas should be within a 10-minute walk of new and existing residential areas), subject to AA screening and where applicable, Stage 2 AA.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.19.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.19.

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**Proposed Material Alteration No. 10.20**

Amend SC O26 as follows:

Support the provision of multi-purpose sports (to include minority sports, and arts / drama activities) halls, outdoor playing pitches, all-weather playing pitches, tennis courts, basketball courts, swimming pools, and associated facilities in appropriate locations and to particularly encourage flexibility in the design of sports facilities in order to accommodate a range of sporting activities, subject to AA screening and where applicable, Stage 2 AA.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.20.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.20.

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**Proposed Material Alteration No. 10.21**

Amend and move SC A5 from Section 10.8.1 to Section 10.6 as follows:

Carry out an audit of leisure facilities across the County, within the lifetime of the Plan, including in Kildare County Council owned/operated facilities to provide standards on the basic level of social infrastructure provision based on population thresholds and reasonable travel times to services and put in place provisions for additional facilities where deficiencies are identified.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.21.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.21.

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**Proposed Material Alteration No. 10.22**

Amend SC A7 as follows:

Continue to develop open spaces throughout the county which encourage a range of recreational and amenity activities that will cater for both active and passive recreation, subject to AA screening and where applicable, Stage 2 AA.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.22.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.22.

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**Proposed Material Alteration No. 10.23**

Amend SC P5 as follows:

Ensure all buildings, public and open spaces and recreational and amenity areas are accessible for people with disabilities, having regard to the Building Regulations, the objectives of 'Building for Everyone' (National Disability Authority), and 'Access for the Disabled' (nos. 1 to 3) (National Rehabilitation Board), and the Irish Wheelchair Association Best Practice Guidelines: Designing Accessible Environments.

**Submissions/Observations**

The following relates to Submission No. 263.

Submission requests the amendment of Policy SC P5 to include reference to the Irish Wheelchair Association Best Practice Guidelines.

**Chief Executives Response**

SC P5 (as per Proposed Material Alteration No. 10.23) includes a reference to the Irish Wheelchair Association Best Practice Guidelines.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.23.

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**Proposed Material Alteration No. 10.24**

Amend SC A10 as follows:

Develop and maintain a directory of universally accessible recreational areas, sports and play facilities, community facilities and tourist attractions, throughout the county and develop additional facilities, where there is an identified need, in conjunction with the Kildare County Council Access Officer and to publish the accessibility directory online, through the medium of an interactive map, subject to resourcing and data protection (GDPR) requirements.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.24.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.24.

**Proposed Material Alteration No. 10.25**

Amend SC O34 as follows:

Provide for nursing homes in urban and appropriately located rural settings in the county and to site residential care facilities for ~~the elderly~~ older people close to community and social facilities (e.g., shops, health services etc.) ensuring older people can remain part of and contribute to existing communities, subject to AA screening and where applicable, Stage 2 AA.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.25.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.25.

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**Proposed Material Alteration No. 10.26**

Amend SC O44 as follows:

Facilitate the development of new facilities in built up areas close to walking/cycling infrastructure and public transport links, subject to AA screening and where applicable, Stage 2 AA.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.26.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.26.

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**Proposed Material Alteration No. 10.27**

Amend SC O45 as follows:

Facilitate the expansion of existing facilities to cater for the needs of community groups and the growing population in Kildare, subject to AA screening and where applicable, Stage 2 AA.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.27.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.27.

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**Proposed Material Alteration No. 10.28**

Amend SC P10 as follows:

Develop and improve the physical infrastructure of arts and cultural facilities throughout the county particularly in areas where there is a deficiency in such provision, subject to AA screening and where applicable, Stage 2 AA.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.28.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.28.

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**Proposed Material Alteration No. 10.29**

Amend SC O48 as follows:

Continue to enhance art and creative spaces in libraries, including visual arts and gallery performance and workshop facilities.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.29.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.29.

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**Proposed Material Alteration No. 10.30**

Amend SC A12 as follows:

Support the development of the Athy Heritage Shackleton Museum, including the Shackleton exhibition and incorporating the potential of the Dominican Lands and Library and Community Arts Centre, as a unique cluster of Arts, Culture and Heritage in the south of the county.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.30.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.30.

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**Proposed Material Alteration No. 10.31**

Amend SC A13 as follows: Support the extension of Kildare town heritage centre and develop a museum or a cluster of museums in Kildare Town featuring the heritage and attractions of the town including natural heritage, history, the equine industry, the Defence Forces and St Brigid, subject to AA screening and where applicable, Stage 2 AA.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.31.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.31.

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**Proposed Material Alteration No. 10.32**

Amend SC O64 as follows:

To investigate the need for additional or support the development and delivery of new library services for Celbridge and support the delivery of same where appropriate and to consider the feasibility of co-locating these services with other appropriate community-based services.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.32.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.32.

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**Proposed Material Alteration No. 10.33**

Amend SC O65 as follows:

Support the Department of Education's School Building Programme by actively identifying sites for primary and post primary schools at suitable locations, based on forecast need, subject to AA screening and where applicable, Stage 2 AA.

**Submissions/Observations**

Submission No. 226 notes and welcomes Proposed Material Alteration No. 10.33.



**Chief Executives Response**

Noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.33.

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**Proposed Material Alteration No. 10.34**

Amend SC O72 as follows:

Continue to facilitate the re-development and expansion of existing schools including ancillary amenity areas based on identified needs as part of the Government's School Building Programme, subject to AA screening and where applicable, Stage 2 AA.

**Submissions/Observations**

Submission no. 226 notes and welcomes Proposed Material Alteration No. 10.34.

**Chief Executives Response**

Noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.34.

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**Proposed Material Alteration No. 10.35**

Delete SC O75 and renumber objectives accordingly.

~~Work with the Department of Education to identify suitable sites for secondary schools in appropriate small towns / villages to cater for demand in the catchment area generated by smaller and dispersed rural locations.~~

**Submissions/Observations**

Submission No. 226 notes and welcomes Proposed Material Alteration No. 10.35.

**Chief Executives Response**

Noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.35.

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**Proposed Material Alteration No. 10.36**

Amend SC P13 as follows:

Support and facilitate the provision of good quality and accessible childcare facilities at suitable locations within the County in consultation with the Kildare County Childcare Committee, subject to AA screening and where applicable, Stage 2 AA.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.36.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.36.

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**Proposed Material Alteration No. 10.37**

Amend SC O76 as follows:

Have regard to the criteria specified in the Childcare Facilities for Planning Authorities, DEHLG (2001), Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2020) and any updated policy guidance, regarding the provision of childcare and early years education facilities.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.37.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.37.

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**Proposed Material Alteration No. 10.38**

Amend SC O80 as follows:

Support the provision of outdoor based childcare services in the county as an alternative, and in addition to providing purpose-built services in appropriate locations with toilet and shelter facilities for mealtimes, rest, etc., subject to AA screening and where applicable, Stage 2 AA.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.38.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.38.

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**Proposed Material Alteration No. 10.39**

Amend SC O89 as follows:

Facilitate the further development of Naas General Hospital as an important and major centre for healthcare in the county, subject to AA screening and where applicable, Stage 2 AA.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.39.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.39.

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**Proposed Material Alteration No. 10.40**

Amend SC A18 as follows:

Continue to identify childcare deficiencies in social infrastructure audits as part of Local Area Plan processes, ensuring lands are zoned in appropriate locations to facilitate childcare services through the application of a location specific objective in Local Area Plans, where appropriate.

**Submissions/Observations**

Meath County Council (Submission No. 230) welcomes Proposed Material Alteration No. 10.40 and look forward to working with Kildare County Council on the delivery of the related objective as part of the Joint Maynooth LAP.

**Chief Executives Response**

Noted and welcomed.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.40.

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**Proposed Material Alteration No. 10.41**

Replace SC O97 with the following objective:

~~Protect the cultural heritage of historical burial grounds within the county and to encourage their management and maintenance in accordance with best practice conservation principles.~~ Protect historic graveyards, in co-operation with the National Monuments Service, Department of Housing, Local Government and Heritage, including through the avoidance of extensions where such extensions would have an inappropriate level of impact on sub-surface archaeological remains or on their setting or amenity and, in that regard, as an alternative to extensions to historic graveyards to endeavour to find alternative locations where additional land for burial is considered necessary.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.41.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.41.

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**Proposed Material Alteration No. 10.42**

Amend SC O98 as follows:

Zone lands for the accommodation of burial facilities adjoining existing facilities at suitable locations, where such lands are located within or adjacent to existing towns, villages, and rural settlements, subject to AA screening and where applicable, Stage 2 AA.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.42.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.42.

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**Proposed Material Alteration No. 10.43**

Amend SC A22 as follows:

To undertake an audit of all burial facilities within the county within the lifetime of the County Development Plan, in order to-:

- (i) Determine the available remaining capacity of all burial facilities.
- (ii) Identify where extensions to existing burial facilities could be accommodated where facilities are at or close to capacity, having regard to any site restrictions.
- (iii) Actively pursue lands to accommodate additional burial facilities whether by way of extension or new sites, subject to appropriate environmental assessments and considerations, and to appropriately zone lands for the accommodation of burial facilities.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.43.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.43.

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**Proposed Material Alteration No. 10.44**

Add new action after SC A22 as follows and renumber actions accordingly:

Provide Columbarium Wall facilities in Confey, Derrinturn, Donaghcumper, Newbridge, Rathangan, Monasterevin, and Athy.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.44.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.44.

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**Proposed Material Alteration No. 10.45**

Add new action after SC A22 as follows and renumber actions accordingly:

Ensure that historic graveyards in the ownership or care of the local authority are managed and maintained in accordance with appropriate conservation standards and that local communities involved in the care and maintenance of historic graveyards receive appropriate advice in relation to management and maintenance.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 10.45.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 10.45.

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## Chapter 11: Built and Cultural Heritage

### **Proposed Material Alteration No. 11.1**

Amend section 11.1 as follows:

County Kildare has a rich and diverse heritage, which includes landscapes, countryside, archaeological sites (both terrestrial and underwater) and the built environment of towns and villages. Heritage is integral to the identity of any county. It provides the county with a strong sense of place, character and distinctiveness. Heritage protection is an integral part of sustainable development, it has environmental and quality of life benefits and also brings significant economic benefits.

~~In 2022, the Government published the National Heritage Plan which set out strategies for the conservation and management of our heritage. A key element of both plans is an enhanced role for local authorities in heritage awareness and management, to be given effect through the preparation and implementation of County Heritage Plans. This Plan is currently being revised by the Department of Housing, Local Government and Heritage.~~ **the new National Heritage Plan - Heritage Ireland 2030 which is built around a vision of our heritage – in all its forms – being at the very centre of local and national discourse, valued by all and cared for and protected for future generations.**

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 11.1.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 11.1.

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### **Proposed Material Alteration No. 11.2**

Amend the third paragraph and include an additional paragraph after the third paragraph of section 11.2 as follows:

All known archaeological sites are identified in the Sites and Monuments Record (SMR) (see [www.archaeology.ie](http://www.archaeology.ie)). Kildare's archaeology varies greatly in form, date, and condition. Ranging from the Mesolithic Period (7000 BC) to the end of the Medieval Period (1700 AD), the archaeological record includes megalithic sites, Fulachta Fiadh, Early Christian ecclesiastical sites, churches and graveyards, medieval buildings, castles, industrial archaeology, and underwater sites such as wrecks and objects. The Curragh is a significant archaeological and historical landscape within the county.

Wrecks over 100 years old and archaeological objects underwater, irrespective of their age or location, are protected under Section 3 of the National Monuments (Amendment) Act 1987. Wrecks that are less than 100 years old and the potential location of wrecks or archaeological objects may also be protected under Section 3 of the 1987 (Amendment) Act by the placement of an underwater heritage order if

the wreck, area, or object is considered to be of sufficient historical, archaeological or artistic importance to merit such protection. Diving or general interference with any wreck which is more than one hundred years old or an archaeological object which is lying on, in or under the seabed or on or in land covered by water is prohibited except in accordance with a licence issued by the Minister for Housing, Local Government and Heritage under Section 3 (5) of the Act. A licence is also needed under the same provisions of the Act to survey a wreck or archaeological object or a wreck that is protected by an underwater heritage order. Therefore, a licence is required to dive, survey, or disturb any protected wreck site or for targeted searches for archaeological objects underwater. The Minister may, at their discretion, grant or refuse to grant a licence and may attach appropriate conditions which are legally binding and specified in the licence.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 11.2.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 11.2.

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### **Proposed Material Alteration No. 11.3**

Amend the first and second paragraphs of section 11.3.1 as follows:

#### **11.3.1 National Monuments legislation is 1930—~~2004~~ 2014.**

Archaeological heritage is legally protected from unauthorised damage or interference through powers and functions under the National Monuments Acts 1930—~~2004~~ 2014. In summary, this provides legal protection for all archaeological objects, wrecks 100 or more years old and for a range of categories of monuments and places. Archaeological objects (which in broad terms includes all moveable objects of archaeological importance) are comprehensively protected under the National Monuments Acts. Section 12 of the National Monuments (Amendments) Act 1994 made provision for the compilation of all recorded sites and features of historical and archaeological importance in the county into the Record of Monuments and Places (RMP) (Appendix 5).

Section 12 of the National Monuments (Amendment) Act 1994 requires an owner/occupier to give two ~~weeks~~ months written notice of proposals to carry out works at or in relation to a recorded monument.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 11.3.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 11.3.

#### **Proposed Material Alteration No. 11.4**

Add new paragraph to the end of section 11.3.2 as follows:

The Planning and Development Acts and Regulations contain further provisions relating to the protection of archaeological heritage. These include provisions making it clear that the imposition of archaeological conditions on grants of planning permission does not create grounds for claims for compensation. Detailed provisions are also included, which ensure that planning applications for proposed development which would affect sites protected under the National Monuments Acts 1930 to 2014 or archaeological sites in general, are referred to the National Monuments Service.

#### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 11.4.

#### **Chief Executives Response**

N/A

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 11.4.

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#### **Proposed Material Alteration No. 11.5**

Insert a new sub section under Section 11.3 as follows:

##### **11.3.3 Environmental Impact Assessment (EIA) Directive**

The EU Directive on EIA (which is given effect in Irish law through a range of national legislation) clearly requires that EIA includes consideration of impact on archaeological heritage.

#### **Submissions/Observations**

The following relates to Submission No. 247.

It is submitted that the requirement of the EIA Directive and Irish Legislation is that any 'likely significant effects on archaeology' are assessed and not all impacts, as stated.

#### **Chief Executives Response**

The submission is noted and accepted. It is considered appropriate to include a minor amendment to Proposed Material Alteration no. 11.5 to accurately reference the requirements of the EU Directive on EIA.

#### **Chief Executives Recommendation**

Insert a new sub section under Section 11.3 as follows:

##### **11.3.3 Environmental Impact Assessment (EIA) Directive**

The EU Directive on EIA (which is given effect in Irish law through a range of national legislation) clearly requires that an Environmental Impact Assessment Report of a project includes consideration of factors likely to have a significant effect impact on architectural and archaeological heritage aspects.

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#### **Proposed Material Alteration No. 11.6**

Amend section 11.5.2 as follows:

##### **11.5.2 The National Heritage Plan (2002)**



~~The conservation of our natural heritage is a key objective of Government which, through the National Heritage Plan, recognises that heritage is a communal and mutually shared asset to be protected by the actions of all. It sets out a clear and coherent strategy and framework for the protection and enhancement of Ireland's national heritage with a core objective to protect national heritage as well as promoting it as a resource to be enjoyed by all.~~

#### **11.5.2 Heritage Ireland 2030 (2022)**

Heritage Ireland 2030 is a cross-Government Strategic Policy for Heritage that sets out a framework for the protection, conservation, promotion, and management of Ireland's heritage for the next decade and beyond. The Strategy lays out a roadmap for the best possible future for Irish heritage with a joined-up approach at government, stakeholder, and community levels. A comprehensive implementation plan is now being developed to deliver on its actions. The principal themes of the strategy are communities, leadership, and partnerships, reflecting the importance of ongoing collaboration between government and communities, stakeholders, citizens, and local authorities in delivering upon the objectives of this strategy.

#### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 11.6.

#### **Chief Executives Response**

N/A

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 11.6.

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#### **Proposed Material Alteration No. 11.7**

Insert a new sub section under Section 11.5 as follows:

#### **11.5.5 National Climate Change Sectoral Adaptation Plan for Built and Archaeological Heritage (2019)**

The Climate Action and Low Carbon Development Act 2015 required Sectoral plans to be prepared in accordance with Sectoral Planning Guidelines for Climate Change Adaptation (DCCAE, 2018a). In 2019 a National Climate Change Sectoral Adaptation Plan for Built and Archaeological Heritage was prepared by the Department of Culture, Heritage, and the Gaeltacht.

The local authority will co-operate with other agencies in the investigation of climate change on archaeological sites and monuments and to develop suitable adaptation measures to strengthen resilience and reduce the vulnerability of archaeological heritage in line with the National Climate Change Sectoral Adaptation Plan for Built and Archaeological Heritage (2019).

Development, including infrastructure responding to the mitigation of flooding resulting from climate change can lead to impacts on both recorded and unrecorded archaeological and cultural heritage. The Council will seek to protect, preserve, and promote the underwater heritage of County Kildare. Where flood relief schemes are being undertaken the Council will have regard to the Archaeological Guidelines for Flood Relief Schemes (Department of Housing, Local Government and Heritage 2022).

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 11.7.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 11.7.

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**Proposed Material Alteration No. 11.8**

Amend section 11.6 as follows:

Various types of development can impact on the visual appreciation, setting and amenity of recorded monuments. Such impacts should be adequately assessed and, where possible, eliminated, or minimised. It is important that the archaeological potential of development sites should be addressed early in the design and planning process in order to ensure that archaeological remains are not damaged or destroyed, and that completion of projects is not delayed. Previously unidentified archaeological sites may be uncovered during development works, while archaeological deposits that would be damaged by development must be investigated and recorded in great detail. Any proposed development (due to its location, size or nature) with the potential to affect the archaeological heritage resource will be subject to an Archaeological Impact Assessment. This includes proposals close to archaeological monuments, proposals extensive in area (half a hectare or more) or length (1 km or more), or that includes works within rivers or lakes and development that requires an Environmental Impact Assessment. Other areas of high archaeological potential may exist outside the boundaries of conventionally recognised monuments, especially graveyards and monastic sites, in rivers or lakes, wetlands, former wetlands and in the inter-tidal zone, which may also require the preparation of Archaeological Impact Assessments and Underwater Archaeological Impact Assessment.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 11.8.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 11.8.

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**Proposed Material Alteration No. 11.9**

Amend section 11.8 as follows:

County Kildare's rivers, lakes and wetlands contain many features and finds associated with its riverine underwater heritage, such as walls, fords, stepping-stones and associated archaeological objects and features. Section 3 of the National Monuments (Amendment) Act 1987 makes specific provisions for the protection of shipwrecks and underwater archaeological objects, whereby, all wrecks over 100-years old are legally protected. The Wreck Inventory of Ireland Database (WIID)

holds records of over 18,000 known and potential wreck sites and this is used as a tool to help manage and protect historic wrecks. Development in offshore and coastal waters, tidal estuaries and river areas which have the potential to impact on both known and potential terrestrial and underwater archaeology will require appropriate underwater archaeological assessment and the Council will seek and have regard to the advice and recommendations of the Department of Housing, Local Government and Heritage relating to all developments within these environments.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 11.9.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 11.9.

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**Proposed Material Alteration No. 11.10**

Amend AH P1 as follows:

Recognise the value and opportunity of Kildare's unique heritage resource and to manage, conserve, promote and protect it, for present and future generations.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 11.10.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 11.10.

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**Proposed Material Alteration No. 11.11**

Add new action in section 11.9 as follows and renumber actions accordingly:

Explore the feasibility of signing up to the Blue Shield Principles to protect cultural and natural heritage.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 11.11.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 11.11.

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**Proposed Material Alteration No. 11.12**

Amend first paragraph of section 11.10.1 as follows:

In 1986 an Urban Archaeological Survey of County Kildare was conducted. A number of medieval / early modern towns with known archaeological potential were surveyed and Zones of Archaeological Potential were identified within these towns. These settlements are listed in Table 11.1 and are included in the Record of Monuments and Places (RMP) as established under Section 12 of the National Monuments (Amendment) Act, 1994.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 11.12.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 11.12.

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**Proposed Material Alteration No. 11.13**

Amend table 11.1 to read as follows:

<b>Settlement</b>	<b>RMP No</b>
Ardree	KD035-032001-
Ardscull	KD035-012002-, KD035-012003-
Athy	KD035-022--
Ballymore Eustace	KD029-011001-
Castledermot	KD040-002----
Celbridge	KD011-012001-
Clane	KD014-026001-
Cloncurry	KD004-021001-
Dunmanogue	KD039-005-
Harristown	KD029-038001
Kildare	KD022-029001-
Kilkea	KD037-017----
Kill	KD019-008001
Leixlip	KD011-004001-
Moone	KD036-042----
Naas	KD019-030---
Old Kilcullen	KD028-049----
Oughterard	KD015-007001-
Rathangan	KD017-044----
Rathmore	KD020-009001-
Silliot Hill	KD022-032

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 11.13.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 11.13.

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**Proposed Material Alteration No. 11.14**

Amend AH P2 as follows:

Protect and enhance archaeological sites, monuments and where appropriate and following detailed assessment, their setting, including those that are listed in the Record of Monuments and Places (RMP) or newly discovered archaeological sites and/or sub surface and underwater archaeological remains.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 11.14.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 11.14.

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**Proposed Material Alteration No. 11.15**

Amend AH O2 as follows:

Manage development in a manner that protects and conserves the archaeological heritage of County Kildare, avoids adverse impacts on sites, monuments, features, or objects of significant historical or archaeological interest and secures the preservation in-situ or by record of all sites and features of historical and archaeological interest, including underwater cultural heritage. The Council will favour preservation in – situ in accordance with the recommendation of the Framework and Principles for the Protection of Archaeological Heritage (1999) and the Council will seek and have regard to the advice and recommendations of the Department of Housing, Local Government and Heritage.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 11.15.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 11.15.

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**Proposed Material Alteration No. 11.16**

Amend AH O3 as follows:

In co-operation with the National Monuments Service, Department of Housing, Local Government and Heritage Require archaeological impact assessment, surveys, test excavation and/or monitoring and/or underwater archaeological impact assessments for planning applications in areas of archaeological importance and where a development proposal is likely to impact upon in-situ archaeological monuments, their setting and archaeological deposits, based on recommendations of a suitably qualified archaeologist and the Council will seek and have regard to the advice and recommendations of the Department of Housing, Local Government and Heritage.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 11.16.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 11.16.

---

**Proposed Material Alteration No. 11.17**

Add new text to the end of AH O4 as follows:

Such an assessment will seek to ensure that the development can be sited and designed in such a way as to avoid impacting on archaeological heritage that is of significant interest including previously unknown sites, features, and objects and areas of underwater archaeological heritage.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 11.17.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 11.17.

---

**Proposed Material Alteration No. 11.18**

Amend the second and third bullet points of AH O6 to read as follows:

- any sites and features of historical and archaeological interest including underwater cultural heritage and protected wrecks.
- any subsurface archaeological features including those underwater, that may be discovered during the course of infrastructural/development works in the operational area of the Plan. Preservation relates to archaeological sites or objects and their settings.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 11.18.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 11.18.

---

**Proposed Material Alteration No. 11.19**

Amend AH O8 as follows:

Protect historic burial grounds that are recorded monuments and encourage their maintenance in accordance with best conservation principles in co-operation with the Historic Monuments Advisory Committee and the National Monuments Service, Department of Housing, Local Government and Heritage. Development may be restricted or conditions requiring substantial excavation may be imposed in and adjacent to former burial grounds.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 11.19.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 11.19.

---

**Proposed Material Alteration No. 11.20**

Amend AH A3 as follows:

The Council will support and encourage the provision of signage in Irish and English to publicly accessible recorded monuments.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 11.20.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 11.20.

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**Proposed Material Alteration No. 11.21**

Add new action in section 11.10 as follows and renumber actions accordingly:

Encourage and promote the appropriate management and enhancement of archaeological heritage, to include community initiatives.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 11.21.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 11.21.

---

**Proposed Material Alteration No. 11.22**

Add new objective in section 11.12 as follows and renumber objectives accordingly:

Protect and enhance the setting of Dun Ailinne and support managed limited public access to the site. Only sensitive development that does not undermine the archaeological and cultural significance of the site will be permitted.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 11.22.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 11.22.

---

**Proposed Material Alteration No. 11.23**

Add new objective in section 11.12 as follows and renumber objectives accordingly:

Protect and sustain the established appearance and character of views associated with Dun Ailinne. Require any development proposals within / around Dun Ailinne to demonstrate that no adverse effects will occur on the established appearance or character of Dun Ailinne as viewed from either the Protected Panoramic Views or from surrounding public roads.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 11.23.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 11.23.



**Proposed Material Alteration No. 11.24**

Amend Policy AH P 5 and Action AH A7 as follows:

- (A) Secure the identification, protection and conservation of historic items and features of interest throughout the county including street furniture, surface finishes, roadside installations, items of industrial heritage, riverine heritage, and other stand-alone features of interest (items not listed on the RMP or RPS).
- (B) Develop a database of features of historical interest including street furniture, surface finishes, roadside installations, items of industrial heritage, riverine heritage, and other stand-alone features of interest (items not listed on the RMP or RPS) within villages and towns in County Kildare and ensure they are included in relevant Local Area Plans.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 11.24.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 11.24.

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**Proposed Material Alteration No. 11.25**

Add new paragraph to the end of section 11.14.3 as follows:

National Policy on Architecture, 'Places for People', will promote public engagement with architecture, empower the architectural profession (especially within the public service), raise design quality, and improve data and research on our built environment. It will outline the need to support architects and built environment professionals to work together to achieve a high-quality living environment for everyone, bringing economic, social, and environmental benefits to cities, towns, and rural communities across Ireland through the delivery of sustainable, high-quality buildings and public spaces.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 11.25.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 11.25.

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**Proposed Material Alteration No. 11.26**

Amend AH O23 as follows:

Maintain the views from Castletown House to the River Liffey and to protect the integrity of the designed landscape at Castletown Demesne, including the pathways, avenues, and the following views:

- Axial views between the Castletown House and the Conolly's Folly, Obelisk.
- Views between Castletown House and the Wonderful Barn including the trees and natural growth areas within same.
- Views across the river and to the linked demesnes of Donaghcumper and St. Wolstans.
- Views from the main avenue to, and across, the river towards Castletown, and up and down the river to Celbridge and New Bridges.

ensuring development does not inappropriately encroach on same.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 11.26.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 11.26.

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**Proposed Material Alteration No. 11.27**

Add new objective after AH O23 as follows and renumber objectives accordingly:

Require that planning applications in proximity to 'Views to be Preserved' are accompanied by a Visual Impact Assessment.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 11.27.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 11.27.

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**Proposed Material Alteration No. 11.28**

Amend AH O40 to read as follows:

Co-operate with Waterways Ireland in the management, maintenance and enhancement of the Royal Canal and Grand Canal and associated structures/features. Such projects shall be subject to an AA Screening Report, and where applicable, Stage 2 AA. They shall have a regard for any hydrological connection shared with a European Site and their qualifying interest species. The

project shall account for any potential likely significant effects and provide mitigation and monitoring where appropriate.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 11.28.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 11.28.

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**Proposed Material Alteration No. 11.29**

Add new objective after AH O40 as follows and renumber objectives accordingly:  
Support the implementation of the National Policy on Architecture, 'Places for People' prepared by the Department of Housing, Local Government and Heritage.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 11.29.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 11.29.

---

**Proposed Material Alteration No. 11.30**

Add new objective in section 11.15 as follows and renumber objectives accordingly:  
The Council will support appropriate and sensitive thermal upgrade of protected structures and other heritage buildings. These works shall be undertaken with the necessary planning permission / statutory declarations with the advice of Kildare County Council's Architectural Conservation Officer.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 11.30.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 11.30.

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**Proposed Material Alteration No. 11.31**

Add new action in section 11.16 as follows and renumber objectives accordingly:  
**Review and update Map V1 11.13, with respect to the extent of existing woodland within the Demesne Walls of Carton Demesne, during the life of the Plan.**

**Submissions/Observations**

The following relates to Submission No. 229

The submission strongly objects to any reduction of woodland inside Carton and proposes that any revision should increase the area of “Woodland to be Preserved”. This includes land on the Meath side of the border.

**Chief Executives Response**

It is recognised that Map V1 11.13 may not accurately reflect the extent of remaining woodland within Carton Demesne however, the purpose of the above action is to survey and accurately reflect the extent of same. While comments in relation to the ‘Meath side of the border’ are noted, the Kildare County Development Plan is restricted to the consideration of lands within the administrative boundary of County Kildare.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 11.31.

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**Proposed Material Alteration No. 11.32**

Amend AH O50 as follows:

**Resist the demolition of vernacular architecture built vernacular heritage, in particular thatched cottages, and farmhouses, and to encourage their sensitive reuse having regard to the intrinsic character of the structure and the potential to prolong the life cycle of the embodied carbon contained within the structure.**

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 11.32.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 11.32.

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**Proposed Material Alteration No. 11.33**

Amend the last few sentences of the second paragraph of section 11.18 as follows:  
~~Kildare Town has a defined boundary, an Urban Character Statement and policies to protect the character of the ACA (Maps 11.6).~~ **Boundaries for Architectural Conservation Areas have been defined for Athy, Ballitore, Celbridge, Kilcock, Kildare Leixlip, Maynooth, Monasterevin, Naas, Prosperous and Rathangan (Maps 11.1 – 11.12 refer). Statements of Character have also been prepared for Athy, Kildare and Naas Architectural Conservation Areas. Further Statements of Character will be**

prepared through the roll out of local area plans, as resources allow, or existing ones updated if required.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 11.33.

**Chief Executives Response**

N/A

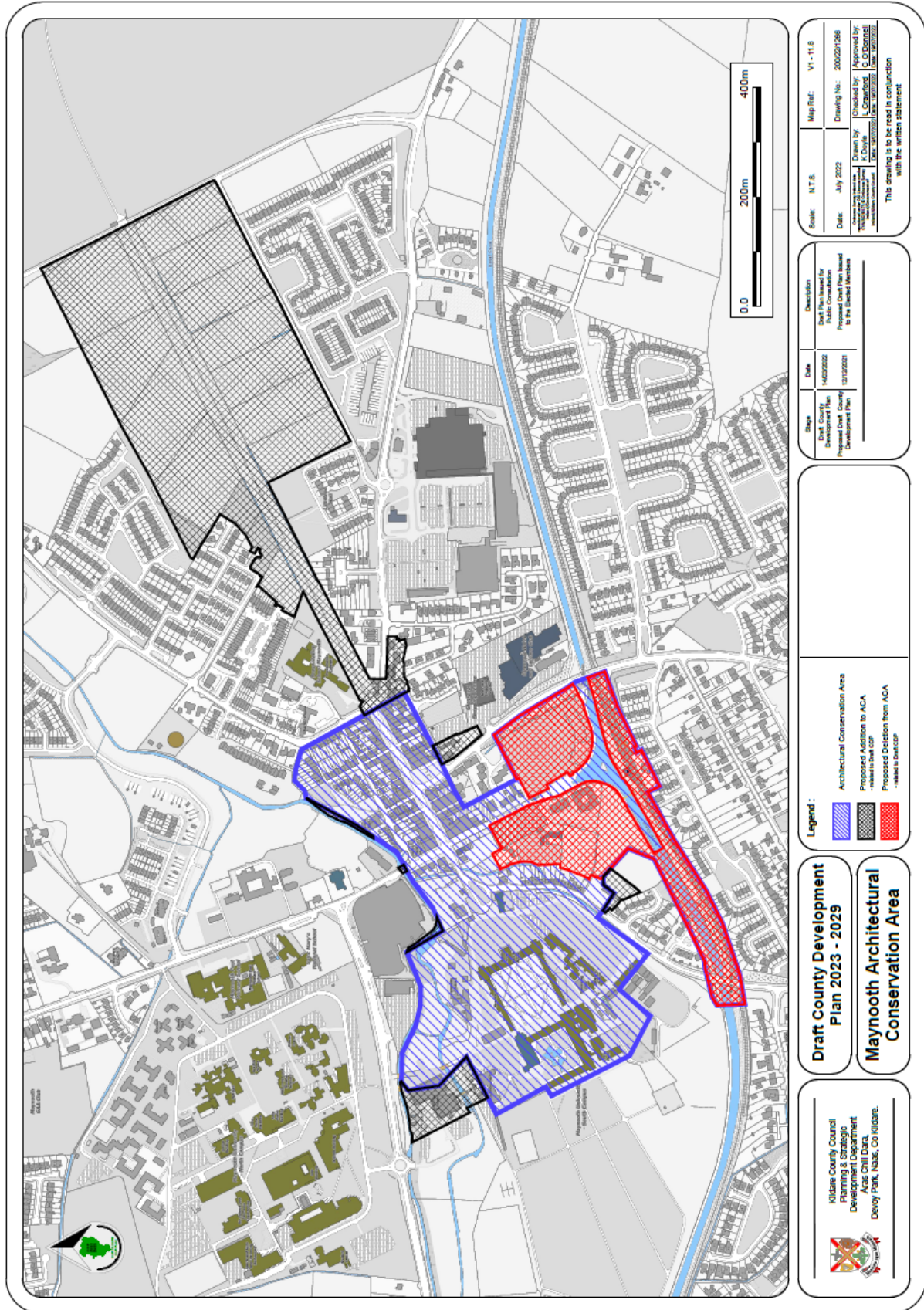
**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 11.33.

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**Proposed Material Alteration No. 11.34**

Amend the Maynooth Architectural Conservation Area (ACA) Map Ref: V1-11.8 as shown below where the purple hatching relates to the existing ACA, the area denoted by the red hatching relates to that area which is proposed to be omitted from within the ACA and the area denoted by the black hatching relates to those lands which are proposed to be included within the ACA boundary.



### **Submissions/Observations**

The following relates to Submission No. 229

It is submitted that the changes to the Maynooth Architectural Conservation Area (ACA) Map Ref: V1-11.8 are of great concern. The areas in red to be removed include the much-valued tree lined Leinster Street leading into the heart of Maynooth Harbour and onto the canal. In addition, the submission welcomes the inclusion of the area in black around Carton Avenue.

### **Chief Executives Response**

The submission is noted and accepted. Historically the trees along Leinster Street formed the boundary of the early 20th century Maynooth Presbytery which is now demolished, however, a portion of the original gate posts still exist.

Having regard to the foregoing, it is considered appropriate to include a minor amendment to the 'Architectural Conservation Area' of Maynooth as per this Proposed Material Alteration to include the trees along Leinster Street as well as the surviving gate posts.

### **Chief Executives Recommendation**

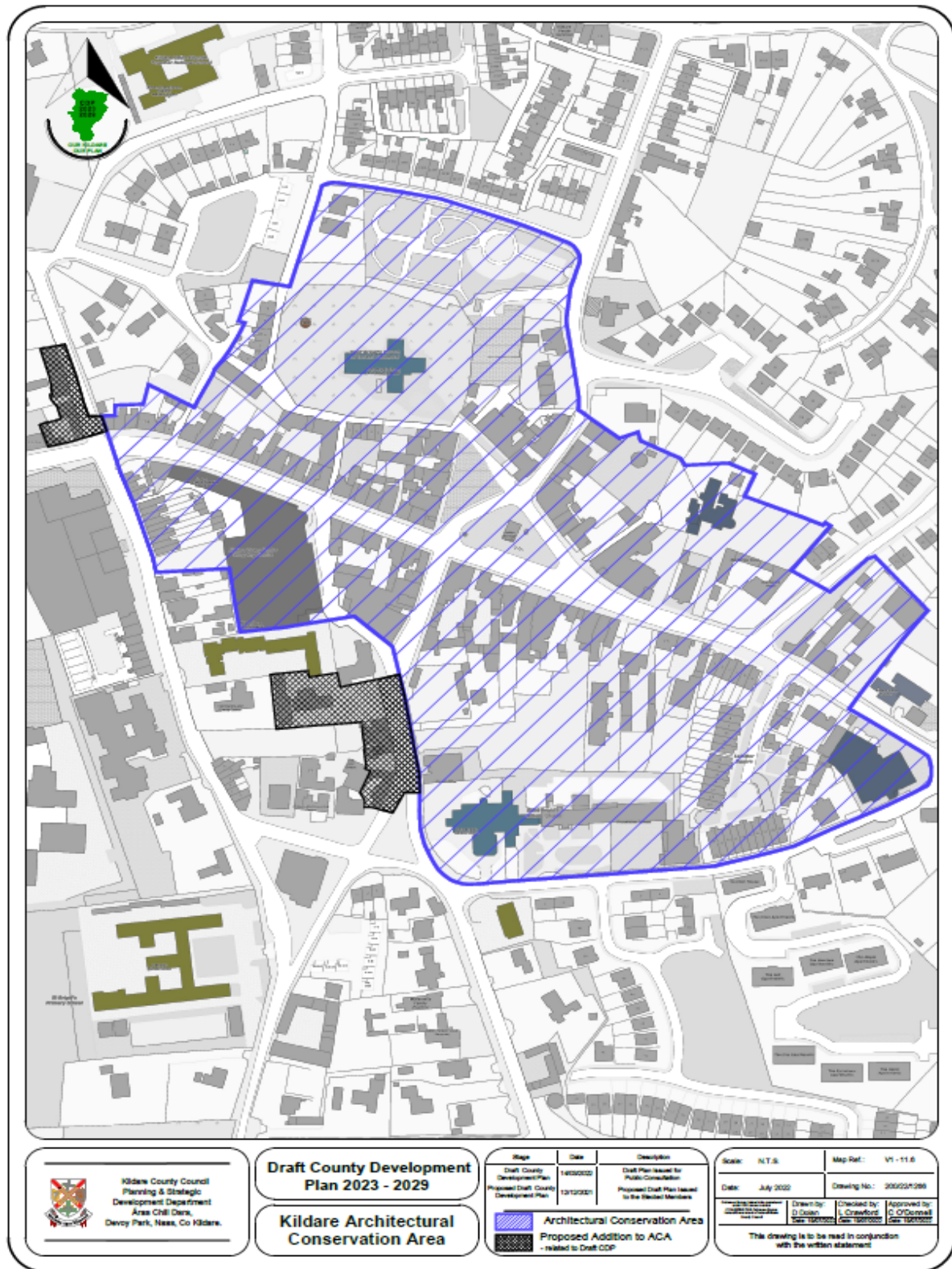
Accept Proposed Material Alteration No. 11.34 with the following minor amendment:

Amend the boundary of the 'Architectural Conservation Area' of Maynooth to include the trees along Leinster Street including the surviving gate posts to the early 20th century Maynooth Presbytery. See below relevant extract from Map V1 -11.8 which includes the trees along Leinster Street and the gate posts within the Maynooth ACA boundary. The relevant area is circled in blue for clarity only at this stage.



**Proposed Material Alteration No. 11.35**

Amend the Kildare Town Architectural Conservation Area (ACA) Map Ref: V1-11.6 as below where the purple hatching relates to the existing ACA and the area denoted by the black hatching relates to those lands that are proposed to be included within the ACA boundary.





**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 11.35.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 11.35.

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## Chapter 12: Biodiversity and Green Infrastructure

### **Proposed Material Alteration No. 12.1**

Amend the aim of chapter 12 to read as follows:

~~To contribute towards the protection, conservation and management of the County's unique biodiversity~~ **To protect, manage and enhance the County's biodiversity for future generations, including sites designated at national and EU level, protected species and habitats outside of designated sites and to promote the development of an integrated Green Infrastructure network in order to improve our resilience to climate change and to enable the role of Green Infrastructure in delivering sustainable communities.**

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.1

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.1

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### **Proposed Material Alteration No. 12.2**

Amend section 12.1 to read as follows:

~~Biodiversity or biological diversity simply refers to the variety of all living things on earth – including people, plants, animals, fungi and microorganisms and the interrelationship between them~~ **variability among living organisms from all sources including, inter alia, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part; this includes diversity within species, between species and of ecosystems (Convention on Biological Diversity, 1993).**

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.2

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.2

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### **Proposed Material Alteration No. 12.3**

Add new sentence at the end of the last paragraph in section 12.2 as follows:

**The Council recognises the important role of the environment through diversity, quality, integrity, and quality of life by promoting the protection, conservation, and enhancement of the natural environment as an integral part of all development.**

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.3

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.3

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**Proposed Material Alteration No. 12.4**

Amend Section 12.4.1 to include three additional bullet points as follows:

- Better respecting nature in public and business decision-making
- Ensuring better implementation and tracking of progress
- Improving knowledge, financing, and investments

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.4

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.4

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**Proposed Material Alteration No. 12.5**

Amend section 12.5.1 as follows:

**National Biodiversity Plan(s) National Biodiversity Action Plan (NBAP) 2017 - 2021**

~~Ireland's first National Biodiversity Plan was published in 2002. The second National Biodiversity Plan – Actions for Biodiversity 2011–2016 was published in November 2011. The Plan was developed in line with EU and International Biodiversity strategies and policies. It recognised that locally led action is critical in protecting biodiversity and ecosystem services and sets out the measures Ireland should take to ensure its conservation. The third National Biodiversity Action Plan 2017–2021 was published by the Department of Culture, Heritage, and the Gaeltacht in October 2017.~~ The National Biodiversity Action Plan 2017-2021 (NBAP) captures the objectives, targets and actions for biodiversity that will be undertaken by a wide range of government, civil society, and private sectors to achieve Ireland's Vision for Biodiversity, reflecting Objective 1 of the NBAP which is to 'Mainstream biodiversity into decision making across all sectors.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.5

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.5

### **Proposed Material Alteration No. 12.6**

Amend policy BI P1 to read as follows: **Integrate in the development management process the protection and enhancement of biodiversity and landscape features wherever possible, by minimising adverse impacts on existing habitats (whether designated or not) and by including mitigation and/or compensation measures, as appropriate by applying the mitigation hierarchy to potential adverse impacts on important ecological features (whether designated or not), i.e. avoiding impacts where possible, minimising adverse impacts, and if significant effects are unavoidable by including mitigation and/or compensation measures, as appropriate. Opportunities for biodiversity net gain are encouraged.**

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.6

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.6

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### **Proposed Material Alteration No. 12.7**

Amend objective BI O1 to read as follows:

**Require, as part of the Development Management Process, the preparation of Ecological Impact Assessments that adequately assess the biodiversity resource within proposed development sites, to avoid habitat loss and fragmentation and to integrate this biodiversity resource into the design and layout of new development and to increase biodiversity within the proposed development. Such assessments shall be carried out in line with the CIEEM (2018) Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine.**

### **Submissions/Observations**

Submission no. 87 refers as follows:

It is submitted that habitat loss and fragmentation could not be avoided with the proposed road through St. Catherine's Park (as per PMA 5.59).

Submission no. 88 refers as follows:

The submission references the CIEEM (2018) guidelines for adequately assessing the biodiversity resource within proposed development sites and submits that this bodies' guidelines should also be used for tree and other planting in semi-natural areas. The submission also refers to the Go Native Guidelines for planting projects in the countryside.

### **Chief Executives Response**

Submission nos. 87 and 88 have been noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration no. 12.7.

**Proposed Material Alteration No. 12.8**

Amend objective BI O2 to read as follows:

~~Encourage and promote~~ **Require, wherever possible, the retention and creation of green corridors within and between built up urban areas and industrial scale developments to protect wildlife habitat value including areas that are not subject to public access.**

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.8

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.8

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**Proposed Material Alteration No. 12.9**

Add new objective in section 12.5 as follows and renumber objectives accordingly:

**Move towards no net loss of biodiversity through strategies, plan, mitigation measures, appropriate offsetting and/or investment in Blue-Green infrastructure.**

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.9

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.9

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**Proposed Material Alteration No. 12.10**

Add new objective in section 12.5 as follows and renumber objectives accordingly:

**Apply the precautionary principle in relation to proposed developments in environmentally sensitive areas to ensure that all potential adverse impacts on a designated NHA or Natura 2000 Site arising from any proposed development or land use activity are avoided, remedied, or mitigated.**

**Submissions/Observations**

Submission No. 229 welcomes the new objective and states that Maynooth has suffered significant loss of biodiversity in recent years.

**Chief Executives Response**

Noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.10

**Proposed Material Alteration No. 12.11**

Add new objective in section 12.5 as follows and renumber objectives accordingly:  
**Pursue insofar as possible and practical, a policy of biodiversity net gain through strategies, plans, developments, mitigation measures, appropriate offsetting and/or investment in Blue-Green infrastructure.**

**Submissions/Observations**

Submission No. 229 welcomes the new objective and states that Maynooth has suffered significant loss of biodiversity in recent years.

**Chief Executives Response**

Noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.11

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**Proposed Material Alteration No. 12.12**

Amend action BI A3 to read as follows:

**Review the County Kildare Biodiversity Action Plan in the short term during ~~within~~ the lifetime of this Plan and leverage appropriate funding to establish a Biodiversity Officer for Kildare County Council.**

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.12

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.12

---

**Proposed Material Alteration No. 12.13**

Add new action in section 12.5 as follows and renumber actions accordingly:

**Collate and publish a list of County Biodiversity Sites as part of the review of the County Biodiversity Action Plan.**

**Submissions/Observations**

Submission No. 229 welcomes the new objective and states that Maynooth has suffered significant loss of biodiversity in recent years.

**Chief Executives Response**

Noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.13

**Proposed Material Alteration No. 12.14**

Amend policy BI P2 to read as follows:

~~Protect and maintain the favourable conservation status and conservation value of all natural heritage sites designated or proposed for designation in accordance with European and national legislation and agreements.~~ **Seek to contribute to maintaining or restoring the conservation status of all sites designated for nature conservation or proposed for designation in accordance with European and national legislation and agreements. These include Special Areas of Conservation (SACs), Special Protection Areas (SPAs), Natural Heritage Areas (NHAs), Ramsar Sites and Statutory Nature Reserves.**

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.14

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.14

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**Proposed Material Alteration No. 12.15**

Add new objective (before BI O5) as follows and renumber objectives accordingly:  
**Support the implementation of the National Raised Bog Special Areas of Conservation Management Plan 2017-2022.**

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.15

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.15

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**Proposed Material Alteration No. 12.16**

Amend objective BI O5 to read as follows:

**Avoid development that would adversely affect the integrity of any Natura 2000 site within and immediately adjacent to the county and promote favourable conservation status.**

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.16

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.16

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**Proposed Material Alteration No. 12.17**

Amend objective BI O6 to read as follows:

Ensure an Appropriate Assessment Screening, in accordance with Article 6(3) and Article 6(4) of the Habitats Directive, Art 6(4) of the Habitats Directive, Section 177A of the Planning and Development Act (2001-2022) or any superseding legislation and with DEHLG guidance (2009)....

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.17

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.17

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**Proposed Material Alteration No. 12.18**

Add new action in section 12.6.1 as follows and renumber actions accordingly:

Identify and provide appropriate buffer zones between Designated Sites and areas zoned for development.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.18

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.18

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**Proposed Material Alteration No. 12.19**

Amend policy BI P3 to read as follows:

~~Protect and maintain the favourable conservation status and conservation value of all natural heritage sites designated or proposed for designation in accordance with European and national legislation and agreements. These include Special Areas of Conservation (SACs), Special Protection Areas (SPAs), Natural Heritage Areas (NHAs), Ramsar Sites and Statutory Nature Reserves.~~ Ensure that any proposal for development within or adjacent to a Natural Heritage Area (NHA), Ramsar Sites and Nature Reserves is designed and sited to minimise its impact on the biodiversity,



ecological, geological and landscape value of the site, particularly plant and animal species listed under the Wildlife Acts and the Habitats and Birds Directive including their habitats.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.19

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.19

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**Proposed Material Alteration No. 12.20**

Amend objective BI O8 to read as follows:

Require the preparation of an Ecological Impact Assessment (EclA) by a suitably qualified professional for proposals for development within or adjacent to a Natural Heritage Area (NHA)/proposed Natural Heritage Areas (pNHA), to ensure the development is designed and sited to minimise its impact on the biodiversity, ecological, geological and landscape value of the site, particularly plant and animal species listed under the Wildlife Acts.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.20

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.20

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**Proposed Material Alteration No. 12.21**

Add new objective in section 12.6.2 as follows and renumber objectives accordingly:

Conserve, preserve and protect the integrity of and maintain the favourable conservation value/status within or adjacent to Ramsar Sites, Statutory Nature Reserves, Biogenetic Reserves, Wildfowl Sanctuaries, all existing and proposed NHAs. They should be designed and sited so as to minimise their impact on the ecological and landscape values of these sites under National and European legislation and International Agreements.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.21

**Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.21

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### **Proposed Material Alteration No. 12.22**

Add new action in section 12.6.2 as follows and renumber actions accordingly:

Work with the National Parks and Wildlife Service to identify an appropriate buffer surrounding Pollardstown Fen, based on best available scientific information, in order to protect the ecological integrity of the Fen as a pNHA and SAC and to prevent urban encroachment and environmental degradation of the site in order to support the qualifying interests of the site.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.22

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.22

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### **Proposed Material Alteration No. 12.23**

Amend objective BI O10 to read as follows:

Ensure that any new development proposal does not have a significant adverse impact on rare and threatened species, including those protected under the Wildlife Acts 1976 and 2012, the Birds Directive 1979 the Habitats Directive 1992 and the Flora Protection Order species and any species listed under the national red lists or that could be listed on a national red list.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.23

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.23

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### **Proposed Material Alteration No. 12.24**

Amend objective BI O12 to read as follows:

Possibly ~~Require~~ Require a derogation licence, where necessary, issued by the DHLGH, in the event of a proposed development impacting on a site known to be a breeding or resting site of species listed in the Habitats Regulations or the Wildlife Acts 1976–2012 Directive (Annex IV species).

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.24

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.24

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**Proposed Material Alteration No. 12.25**

Add new objective in section 12.7.1 as follows and renumber objectives accordingly: **Require all biodiversity data gathered in the preparation of planning applications is made available to the National Biodiversity Data Centre (NDBC).**

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.25

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.25

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**Proposed Material Alteration No. 12.26**

Add new objective in section 12.7.1 as follows and renumber objectives accordingly: **Conserve and protect habitats and species listed in the Annexes of the EU Habitats Directive (92143/EEC) (as amended), the Birds Directive (20091147/EC), Directive Annex 2, the Wildlife Acts 1976 to 2000, The Wildlife Acts 1976 (as amended) and the Flora Protection Order No 94 of 1999.**

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.26

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.26

---

**Proposed Material Alteration No. 12.27**

Add new objective in section 12.7.1 as follows and renumber objectives accordingly: **Work with bodies such as the NPWS and National Biodiversity Data Centre to ensure that species for which Kildare is a national stronghold such as Green-Flowered Helleborine Orchid, Yellowhammer and Linnet, which are nationally rare or**

declining, are supported to flourish and seek to ensure the habitat conditions favourable to such species are retained in the county.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.27

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.27

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**Proposed Material Alteration No. 12.28**

Add new objective in section 12.7.1 as follows and renumber objectives accordingly: Identify and protect areas of high nature conservation value (including but not limited to SAC/SPA/pNHA) and support the landscape features which act as ecological corridors/networks and stepping-stones, such as river corridors, hedgerows, and road verges so as to minimise the loss of habitats and features of the wider countryside which are of major importance for wild fauna and flora in accordance with Article 10 of the Habitats Directive.

**Submissions/Observations**

Submission No. 87 submits that the local landscape would be significantly impacted and fragmented if the proposed road and bridge go ahead through St. Catherine's Park.

**Chief Executives Response**

Noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No.12.28

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**Proposed Material Alteration No. 12.29**

Amend first sentence of section 12.8 to read as follows:

~~Many sites of biodiversity value within the County do not meet the criteria that would enable them to be designated at an international or national level;~~ County Kildare includes a number of sites of biodiversity value that meet the criteria for designation at an international or national level that are not designated sites.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.29

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.29

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**Proposed Material Alteration No. 12.30**

Add new objective in section 12.8.1 as follows and renumber objectives accordingly:  
Support the designation of County Biodiversity Sites, as NHA or SAC where appropriate.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.30

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.30

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**Proposed Material Alteration No. 12.31**

Add new objective in section 12.8.1 as follows and renumber objectives accordingly:  
Identify biodiversity corridors, watercourses, significant as well as native and indigenous hedgerows, or marginal habitat, between County Biodiversity Sites in order to appropriately landscape same in order to ensure population recovery and survival, abundance, productivity, genetic diversity and species richness.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.31

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.31

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**Proposed Material Alteration No. 12.32**

Amend action BI A7 to read as follows:

Identify and map County Biodiversity Sites in cooperation with the relevant statutory agencies, other relevant groups and the general public, not otherwise protected by legislation and to identify specific peatland areas of biodiversity interest for protection, including legal protection where mechanisms are available (including but not limited to Lullymore/Allen/Lodge Bog, Harristown/Dunshane Common, Kingsbog Common, and Suncroft Common).

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.32

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.32

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**Proposed Material Alteration No. 12.33**

Amend action BI A10 to read as follows:

Work with Teagasc and landowners throughout the county in order to identify suitable, appropriately designed 'Hare's Corner' projects which would create pocket sized habitats that are linked with compatible habitats in the wider landscape in order to enhance biodiversity.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.33

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.33

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**Proposed Material Alteration No. 12.34**

Amend the last sentence of the second paragraph in section 12.9.1 to read as follows:

This coupled with the fact that two thirds of hedges adjoin intensively managed farmland, means that there are implications for the overall biodiversity potential of the resource on farmland without extended field margins.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.34

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.34

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**Proposed Material Alteration No. 12.35**

Add new sentence at the end of the second paragraph in section 12.9.1 as follows:

Since the publication of the survey in 2006 Kildare's hedgerows have further deteriorated due to removal for development, over-management, and under-management.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.35

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.35

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**Proposed Material Alteration No. 12.36**

Add new sentence after the first sentence of the third paragraph under section 12.9.1 as follows:

Forests are acknowledged as important habitats for wildlife and Coillte’s forests play a key role in biodiversity protection and enhancement in County Kildare.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.36

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.36

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**Proposed Material Alteration No. 12.37**

Amend the second sentence of the fourth paragraph in section 12.9.1 to read as follows:

The planting or retention of mature trees and hedgerows can contribute to amenity and more attractive developments as well as providing important wildlife habitats.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.37

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.37

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**Proposed Material Alteration No. 12.38**

Amend the last paragraph in section 12.9.1 to read as follows:

When planting hedgerows, species indigenous to the area should be used. The

County Kildare Hedgerow Survey (2006) identified the predominant hedgerow species in Kildare. These species are listed in section 15.2.5, Chapter 15 46, Development Management Standards.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.38

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.38

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### **Proposed Material Alteration No. 12.39**

(A) Amend objective BI O15 as follows

Prevent, in the first instance, the removal of hedgerows to facilitate development. Where their removal is unavoidable, same must be clearly and satisfactorily demonstrated to the Planning Authority. In any event, removal shall be kept to an absolute minimum and there shall be a requirement for mitigation planting comprising a hedge of similar length and species composition to the original, established as close as is practicable to the original and where possible linking to existing adjacent hedges. ~~Native plants of a local provenance should be used for any such planting.~~ Removal of hedgerows and trees prior to submitting a planning application will be viewed negatively by the planning authority and may result in an outright refusal.

(B) Amend objective BI O16 as follows

Encourage the planting of woodlands, trees, and hedgerows as part of new developments and as part of the Council's own landscaping works ~~using native plants of local provenance.~~

### **Submissions/Observations**

Submission No. 17 refers:

It is submitted that a stricter requirement is implemented so that all existing hedgerow boundaries are retained (with allowances for openings for roads and footpaths only). In new sites with no existing native hedgerows, it is recommended that a minimum of 2 native hedgerow boundaries be incorporated into site boundaries of sites over 0.2ha be required.

The following relates to Submission No. 88.

The submission strongly objects to the deletion of text and submits that if Kildare County Council is serious about tackling biodiversity loss, it needs to recognize the threats that our native (and non-native) tree species are currently under.

It is submitted that the rising incidences of non-native tree pests and pathogens are threatening the health and sustainability of both our native and non-native trees and are having significant impacts on woodlands and forests in Ireland. Text from the Catalogue of pests and pathogens of trees on the Island of Ireland (Department of



Agriculture, Food and the Marine) are referenced to support the statement. The submission highlights that aside from the risk of importing additional pests and diseases, the importation of species which are native to Ireland risks the introduction of mal-adapted exotic genotypes which may hybridize with our native species.

The CIEEM guidelines should be used for the replacement of existing hedgerows or for new native woodland species or tree planting. Specifically, with regards to the need to specify that native plants are of both native Irish provenance and origin. Currently, nurseries are sending seed collected in Ireland to be grown on the continent for reimportation hence the necessity to specify that native plant species are of both Irish provenance and origin.

Additionally, it is submitted that specifications for the planting of native trees in semi-natural areas should state that they should not be from selected forestry stock. Characters such as stem straightness or speed of growth may be considered desirable forestry traits (e.g. The Irish Birch and Alder Improvement Programme. Teagasc 2017); but the widespread planting of this stock (with a narrow genetic base) in semi-natural areas may affect future resilience to climate change and disease.

### **Chief Executives Response**

#### **The following relates to Submission No. 17**

There are many policies, objectives and actions within the Plan which encourage the protection of hedgerows and the planting of native species. The Council along with the Heritage Officer and the Parks Department will continue to require their protection through the Development Management process and will encourage the planting of native species. It is not considered appropriate to prescribe minimum planting requirements for each individual site as each application for development is assessed on a case-by-case basis. It should be noted that new objectives are proposed to be included in the CDP as follows:

*After Objective BI O15: Require the retention and appropriate management of hedgerows. and to require infill planting where possible in order to ensure an uninterrupted green infrastructure network.*

*After HO O50: Recognise the biodiversity and ecosystem services value of established hedgerows within rural settings and where Chapter 3 - Housing 185 hedgerow must be moved to achieve minimum sight lines, a corresponding length of hedgerow of similar species composition (native and of local provenance) shall be planted along the new boundary, while allowing occasional hedgerow trees to develop. The note associated with Objective HO O50 is considered particularly relevant in this regard wherein it states that 'the need for the removal of extensive roadside hedgerow may indicate that the site is unsuitable for development.*

#### **The following relates to Submission No. 88.**

The content of the submission is noted. While there are many policies within the plan encouraging the planting of native species, sourcing plants of native origin are considered not to be practical or appropriate in all cases and many non-native tree

species can also have benefits for pollinators. It is however considered appropriate to state that ideally native plants of local provenance should be used.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.39, with the following minor amendment:

**(A)** Amend objective BI O15 as follows

Prevent, in the first instance, the removal of hedgerows to facilitate development. Where their removal is unavoidable, same must be clearly and satisfactorily demonstrated to the Planning Authority. In any event, removal shall be kept to an absolute minimum and there shall be a requirement for mitigation planting comprising a hedge of similar length and species composition to the original, established as close as is practicable to the original and where possible linking to existing adjacent hedges. Ideally, native plants of a local provenance and origin should be used for any such planting. Removal of hedgerows and trees prior to submitting a planning application will be viewed negatively by the planning authority and may result in an outright refusal.

**(B)** Amend objective BI O16 as follows

Encourage the planting of woodlands, trees, and hedgerows as part of new developments and as part of the Council's own landscaping works ideally using native plants of local provenance and origin.

---

### **Proposed Material Alteration No. 12.40**

Add new objective in section 12.9 as follows and renumber objectives accordingly:

Require the retention and appropriate management of hedgerows and to require infill or suitably sized transplanted planting where possible in order to ensure an uninterrupted green infrastructure network.

### **Submissions/Observations**

Submission No. 17 notes that the CDP tries to prevent the removal of hedgerows, however stronger requirements are needed to prevent the loss of existing hedgerows and also to gain new hedgerows in urban areas.

### **Chief Executives Response**

There are many policies within the Plan encouraging the protection of hedgerows and the planting of native species. The Council along with the Heritage Officer and the Parks Department will continue to require their protection through the Development Management process and will encourage the planting of native species.

It should be noted that in relation to green infrastructure in urban areas, it was previously agreed in the Chief Executive's Report on the Draft CDP to amend the following policies:

Policy BI P13; *Recognise the importance of Urban Green Infrastructure in addressing a broad range of urban challenges, such as conserving biodiversity connecting people with nature, adapting to climate change, supporting the green economy, and improving social cohesion and to seek to protect and enhance this*

*resource, particularly existing semi-natural areas or habitats (such as hedgerows, canals, rivers).*

*BI O45: Ensure that the Green Infrastructure Strategy and Network identified in this County Development Plan and Local Area Plans is used to inform the development management process to ensure that new residential areas, business/ industrial development tourism and other relevant projects contribute towards the conservation and protection of Kildare’s habitats and species, and the protection, management and enhancement of the existing Green Infrastructure in terms of design, layout and landscaping.*

It should also be noted that it was previously agreed in the Chief Executive’s Report on the Draft CDP, to amend the fourth paragraph of section 12.9.1 as follows: ‘...*The planting or retention of mature trees and hedgerows can contribute to amenity and more attractive developments as well as providing important wildlife habitats.*’

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.40

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### **Proposed Material Alteration No. 12.41**

Add new objective in section 12.9 as follows and renumber objectives accordingly:

**Ensure that when considering new forest proposals:**

- a) Landscapes of scenic value are not unduly eroded.
- b) Areas with environmental and archaeological protections are safeguarded.
- c) A mixture of broadleaf and native conifer species (yew, juniper, and Scot’s pine) are planted where possible so as to support a variety of flora and fauna species and to enliven forestry landscapes.
- d) Promote the avoidance of deforestation or commercial afforestation within Natura 2000 sites unless directly linked to the management of the site for its qualifying interests.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.41

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.41

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### **Proposed Material Alteration No. 12.42**

Add new objective in section 12.9 as follows and renumber objectives accordingly:

**Manage, maintain, enhance, preserve, promote, encourage, and facilitate, as far as practicable, the preservation, proper provision, and retention of the existing network**

of native ancient woodlands and semi- natural woodlands of amenity value especially broadleaf species.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.42

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.42

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**Proposed Material Alteration No. 12.43**

Add new objective in section 12.9 as follows and renumber objectives accordingly: Protect existing woodlands and trees and substantial areas of deciduous forest which are of amenity value and/or contribute to and interact with their landscape character and ensure that proper provision is made for their protection and management.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.43

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.43

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**Proposed Material Alteration No. 12.44**

Add new objective in section 12.9 as follows and renumber objectives accordingly: Natural regeneration of peatlands, river, canal and railway corridors, grass verges along public roads and existing and future greenways shall be encouraged and the use of “Wildflower mixes” shall not be permitted unless they can be certified as being native and of local provenance. Where tree planting occurs within semi-natural areas, native species of local provenance should ideally be used, however in the interests of species diversity, non-native species may also be considered. Reduced mowing of vegetation along peatlands, river, canal, and railway corridors is encouraged.

**Submissions/Observations**

The following relates to Submission No. 88.

The submission strongly objects to the inclusion of the following text in relation to tree planting within semi-natural areas in PMA No. 12.44: “however, in the interests of species diversity, non-native species may also be considered”.

It is stated that it equates to gardening of the landscape and that it has got nothing to do with conserving our native biodiversity which is under threat. The submission questions which species are being referenced and whether it is the kind that exists in urban gardens.

In relation to “wildflower mixes”, the submission refers to the Go Native Guidelines for planting projects in the countryside.

### **Chief Executives Response**

The content of the submission is noted. While there are many policies within the plan encouraging the planting of native species, sourcing plants of native origin are considered not to be practical or appropriate in all cases and many non-native tree species can also have benefits for pollinators.

Regarding the comments related to wildflower mixes, it is considered appropriate to amend Proposed Material Alteration No. 12.44 to specify that the use of “Wildflower mixes” shall not be permitted unless they can be certified as being of both native Irish provenance and origin.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.44, with the following minor amendment: Add new objective in section 12.9 as follows and renumber objectives accordingly:

Natural regeneration of peatlands, river, canal and railway corridors, grass verges along public roads and existing and future greenways shall be encouraged and the use of “Wildflower mixes” shall not be permitted unless they can be certified as being of both native Irish provenance and origin ~~and of local provenance~~. Where tree planting occurs within semi-natural areas, native species of local provenance and origin should ideally be used, however in the interests of species diversity, non-native species may also be considered. Reduced mowing of vegetation along peatlands, river, canal, and railway corridors is encouraged.

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### **Proposed Material Alteration No. 12.45**

Add new action in section 12.9 as follows and renumber actions accordingly:

Encourage initiatives supporting private and community-driven native tree and woodland planting schemes utilising available funding schemes.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.45

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.45

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### **Proposed Material Alteration No. 12.46**

Add new action in section 12.9 as follows and renumber actions accordingly:

Engage with the Forestry Division of the Department of Agriculture, Food, and the Marine to develop a suite of “Neighbourwood” exemplar projects with local communities throughout Kildare.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.46

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.46

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**Proposed Material Alteration No. 12.47**

Add new action in section 12.9 as follows and renumber actions accordingly:

Develop a dataset of best quality hedgerows in the County, i.e., hedgerow hotspots and ensure ongoing conservation of these biodiverse areas.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.47

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.47

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**Proposed Material Alteration No. 12.48**

Amend heading of section 12.10.1 to read as follows:

**12.10.1 Riparian zones (Floodplains and Buffer Zones)**

**Submissions/Observations**

Submission No. 17 supports a minimum of 10m free from development from a waters’ edge for riparian zones.

**Chief Executives Response**

Noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration 12.48

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**Proposed Material Alteration No. 12.49**

Amend policy BI P7 to read as follows:

Recognise and promote inland waters, natural environmental assets and to protect rivers, streams, and other watercourses and, wherever possible, maintain them in an

open state capable of providing suitable habitats for fauna and flora while discouraging culverting or realignment.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.49

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.49

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**Proposed Material Alteration No. 12.50**

Amend objective BI O22 to read as follows:

Require the preparation and submission of an Ecological Impact Assessment (EclA) including, but not limited to, bat and otter surveys for developments along river or canal corridors.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.50

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.50

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**Proposed Material Alteration No. 12.51**

(A) Amend BI O23 as follows:

Consult with Inland Fisheries Ireland (IFI) and Waterways Ireland in relation to any development (greenfield development or redevelopment of brownfield sites) that could potentially impact on the aquatic ecosystems and associated riparian habitats while taking account of 'Requirements for the Protection of Fisheries Habitat during Construction and Development Works at River Sites' (IFI, 2004) and 'Planning for Watercourses in the Urban Environment' (IFI, 2020)

(B) Amend BI O25 as follows:

Consult with Inland Fisheries Ireland (IFI) and Waterways Ireland in relation to any structures designed for crossing fisheries waters.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.51

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.51

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**Proposed Material Alteration No. 12.52**

Amend objective BI O24 to read as follows:

Have regard to the ~~Maintain~~ riparian buffer zones and potential uses as identified in Table 12.4

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.52

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.52

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**Proposed Material Alteration No. 12.53**

Amend the first sentence of objective BI O26 to read as follows:

Require that expert advice is sought from a suitably qualified bat expert, in developing lighting proposals along river and stream corridors or other important locations or corridors for wildlife, to mitigate impacts of lighting on bats and other species.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.53

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.53

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**Proposed Material Alteration No. 12.54**

Add a new objective under 12.10 (after BI O24) as follows and renumber objectives accordingly:

Ensure that any proposals for a National Peatlands Park will consider the important rivers and populations of native fish and other species, when draining the Bog of Allen area.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.54



**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.54

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**Proposed Material Alteration No. 12.55**

Add a new objective under 12.10 as follows and renumber objectives accordingly:  
Support Inland Fisheries Ireland's pilot projects to investigate the incorporation of habitat restoration measures on waters draining the Bog of Allen into flood management schemes.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.55

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.55

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**Proposed Material Alteration No. 12.56**

Amend the heading of section 12.11 and include new text at the end of the first paragraph to read as follows:

**12.11 Peatland, Wetlands and Ramsar Sites**

The drained and degraded bogs go from being carbon sinks to very large carbon sources. The restoration of peatlands to their natural state will have benefits in terms of nature conservation, climate change and flood prevention and alleviation.

Peatlands are wetlands where the substrate is predominantly peat including bogs which are fed by rain and fens which are fed by ground or surface water. Actively growing, intact, raised bog is an extremely rare habitat. Irish raised bogs are of international importance representing 50% of all the conservation-worthy raised bogs remaining in Europe. Total area of Peat bogs and Moors in County Kildare<sup>footnote</sup> is 10,389 ha (6% of Kildare land mass) of which 8.8% are protected.

Footnote: CORINE Landcover 2018

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.56

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.56

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**Proposed Material Alteration No. 12.57**

Amend KWS Site Code 95 and 92 in table 12.6 and add the following footnote after the table as follows:

KWS Site Code	Site Name	Easting	Northing	Ranking
95	Harristown Commons North cNHA	288100	213100	B
92	Harristown Commons South (Dunshane Common)	287873	212829	C+

**NOTE:** Candidate Natural Heritage Area (cNHA) is the name given to wildlife sites that are proposed by the NPWS and by third parties for consideration as NHAs. The cNHA sites have no legal protection until they are within the formal NHA designation process.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.57

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.57

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**Proposed Material Alteration No. 12.58**

Amend policy BI P8 as follows:

Ensure that Kildare's wetlands and watercourses are retained for their biodiversity and flood protection values and maintain good ecological status of wetlands and watercourses in support of the provisions of the Water Framework Directive and Ramsar Convention. ~~at a minimum to achieve and maintain at least good ecological status for all wetlands and watercourses in the county by, at the latest, 2027 in line with the Water Framework Directive and Ramsar Convention.~~

**Submissions/Observations**

The following relates to Submission No. 201.

The submission requests the inclusion of the following additional text:

"Ensure that Kildare's Wetlands, including ponds, and water courses are retained for their biodiversity, climate change mitigation properties, and food value..."

**Chief Executives Response**

It is considered appropriate to only refer to 'wetlands' and not to specifically state which types of wetlands are included.

Given the ecological benefits of wetlands and watercourses it is considered appropriate to include additional text to highlight their climate change mitigation properties.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.58, with the following minor amendment: Amend policy BI P8 as follows:

Ensure that Kildare's wetlands and watercourses are retained for their biodiversity, climate change mitigation properties and flood protection values and maintain good ecological status of wetlands and watercourses in support of the provisions of the Water Framework Directive and Ramsar Convention. ~~at a minimum to achieve and maintain at least good ecological status for all wetlands and watercourses in the county by, at the latest, 2027 in line with the Water Framework Directive and Ramsar Convention.~~

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### **Proposed Material Alteration No. 12.59**

Amend objective BI O31 as follows:

Protect wetland sites that have been rated A (International), B (National) C+ (County) and C (Local) importance as identified in the County Kildare Wetlands Survey 2012-2014, (See Tables 12.5 & 12.6). Any development within the zone of influence of these listed wetland sites should be subject to EclA and where appropriate, hydrological impact assessment.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.59

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.59

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### **Proposed Material Alteration No. 12.60**

Amend objective BI O32 as follows:

Protect and conserve wetlands from ~~Prevent~~ infilling, and drainage, fragmentation, degradation, and resist development that would destroy, fragment, or degrade any wetland where possible, of wetlands identified as part of the County Kildare Wetland Survey 2012-2014, (See Table 12.6)

### **Submissions/Observations**

The following relates to Submission No. 217.

The submission states that, as mentioned in the County Kildare Wetland Survey 2012-2014, development proposals should be assessed in terms of the need for an appropriate buffer zone surrounding wetland sites and the importance of hydrology in how wetland sites function and how indirect impacts on a wetland system can be caused by activities occurring at some distance from the wetland.

### **Chief Executives Response**

It is considered that the proposed new objective as per Proposed Material Alteration No. 12.66 (see below), objective LR O25 in Chapter 13 (see below) and the proposed new action as per Proposed Material Alteration No. 12.18 (see below) adequately address Submission No. 217.

**Note;** Proposed Material Alteration No. 12.66 sets out to add a new objective under 12.11 as follows:

Ensure that development proposals or activities that may impact on sensitive water habitats, in particular wetlands (identified as part of the County Kildare Wetland Survey 2012-2014, (See Table 12.6), shall not be permitted without the introduction of mitigation measures agreed in writing with the Council to eliminate negative environmental impacts.

LR O25: Contribute towards the protection of waterbodies and watercourses, including rivers, streams, associated undeveloped riparian strips, wetlands and natural floodplains, from inappropriate development. This will include buffers free of development in riverine and wetland areas, as per chapter 12.

Proposed Material Alteration No. 12.18

Add new action in section 12.6.1 as follows: Identify and provide appropriate buffer zones between Designated Sites and areas zoned for development.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.60

---

### **Proposed Material Alteration No. 12.61**

Amend objective BI O33 as follows:

Ensure that an ecological impact assessment is undertaken in conjunction with proposals involving the drainage or reclamation of wetland wetlands identified in Table 12.6. Ecological assessment of all developments on peatlands shall consider peatland stability, carbon emissions balance, Hydrology and Ecology.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.61

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.61

---

### **Proposed Material Alteration No. 12.62**

Add new objective under 12.11 as follows and renumber objectives accordingly:

Require the preparation and submission of a Hydrological Report/Assessment for significant developments within and in close proximity to protected raised bogs and to take account of same in the assessment of impacts on the integrity of peatland ecosystems.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.62

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.62

---

**Proposed Material Alteration No. 12.63**

Add new objective under 12.11 as follows and renumber objectives accordingly:  
Work with relevant stakeholders on suitable peatland sites in order to demonstrate best practice in sustainable peatland conservation, management and restoration techniques to promote their heritage and educational value subject to ecological impact assessment and appropriate assessment screening.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.63

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.63

---

**Proposed Material Alteration No. 12.64**

Add new objective under 12.11 as follows and renumber objectives accordingly:  
Work with relevant agencies such as EMRA, BnM, the NPWS, Coillte and adjacent councils to prepare a comprehensive after use framework plan for large cutaway bog sites and associated workshops, office buildings and industrial sites which provide for future sustainable environmental needs and are a significant resource for amenities when peat harvesting ends.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.64

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.64

---

**Proposed Material Alteration No. 12.65**

Add new objective under 12.11 as follows and renumber objectives accordingly:  
**Protect, conserve, and manage the character and appearance of ecological and archaeological heritage and amenity values of peatland landscapes and historic/ancient walkways through bogs, by promoting high environmental standards.**

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.65

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.65

---

**Proposed Material Alteration No. 12.66**

Add new objective under 12.11 as follows and renumber objectives accordingly:  
**Ensure that development proposals or activities that may impact on sensitive water habitats, in particular wetlands (identified as part of the County Kildare Wetland Survey 2012-2014, (See Table 12.6), shall not be permitted without the introduction of mitigation measures agreed in writing with the Council to eliminate negative environmental impacts.**

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.66

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.66

---

**Proposed Material Alteration No. 12.67**

Add new action under 12.11 as follows and renumber actions accordingly:  
**Review and update the County Kildare Wetland Survey 2012-2014 during the lifetime of the plan.**

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.67

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.67

---

**Proposed Material Alteration No. 12.68**

Add new action under 12.11 as follows and renumber actions accordingly:

Run a public awareness campaign related to the diverse and valued wetland resource of the county, to include, inter alia, the provision of important ecosystem services.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.68

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.68

---

**Proposed Material Alteration No. 12.69**

Add new action under 12.11 as follows and renumber actions accordingly:

Provide training for Local Authority staff on wetland issues when assessing development proposals and planning applications.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.69

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.69

---

**Proposed Material Alteration No. 12.70**

Amend fourth sentence of the third paragraph in 12.12 to read as follows:

It is important to note that, as native species, noxious weeds (some noxious weeds are native species), and as such, are part of our natural biodiversity and are utilized by a range of invertebrate and bird species.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.70

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.70

---

**Proposed Material Alteration No. 12.71**

Amend policy BI P9 as follows:

Implement and Ssupport measures for the prevention and/or eradication of invasive species within the county and the control of noxious weeds.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.71

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.71

---

**Proposed Material Alteration No. 12.72**

Amend action BI A17 as follows:

Prepare a programme of mapping of invasive species in the county and explore the development of a web portal to allow residents of County Kildare to report invasive species in the County, during the lifetime of this Plan.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.72

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.72

---

**Proposed Material Alteration No. 12.73**

Add new action in section 12.12 as follows and renumber actions accordingly:

Determine, as a priority, whether there is a potential threat of invasive species to the protected sites within the County, and to begin a dedicated programme of eradication, beginning with the Natura 2000 sites.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.73



**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.73

---

**Proposed Material Alteration No. 12.74**

Add new action in section 12.12 as follows and renumber actions accordingly:

Begin a dedicated campaign to build awareness of invasive species amongst all residents of the county. Additionally, this programme will provide training to Community Groups on appropriate control and removal measures for responsive species.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.74

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.74

---

**Proposed Material Alteration No. 12.75**

Amend the second last sentence of the first paragraph and table 12.7 of section 12.13 to read as follows:

An audit of the Geological Heritage of County Kildare was carried out in 2005, which identified 202 geological sites of interest in the county.

Site Name	Geological Interest	Location
Louisa Bridge Springs (Cold and Warm)	Hydrogeology	Leixlip
Louisa Bridge Springs (Warm)	Hydrogeology	Leixlip
Rathcore Spring	Hydrogeology	Herbertstown

**Submissions/Observations**

The following relates to Submission No. 215.

Geological Survey Ireland acknowledges the inclusion of Louisa Bridge Springs (Warm) and Rathcore Spring CGSs within Table 12.7.

**Chief Executives Response**

Noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.75

---

**Proposed Material Alteration No. 12.76**

Add new objective in section 12.13 as follows and renumber objectives accordingly:  
**Promote, encourage, and support the provision of access to geological and geomorphological features of interest in cooperation/consultation with landowners (where appropriate/practicable).**

**Submissions/Observations**

The following relates to Submission No. 215.

Geological Survey Ireland acknowledges the inclusion of Louisa Bridge Springs (Warm) and Rathcore Spring CGSs within Table 12.7, and Material Alteration No. 12.76.

**Chief Executives Response**

Noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.76

---

**Proposed Material Alteration No. 12.77**

Add new objective in section 12.13 as follows and renumber objectives accordingly:  
**Where appropriate support the restoration of Sites of Geological Importance (identified in Table 12.7).**

**Submissions/Observations**

The following relates to Submission No. 215.

Geological Survey Ireland acknowledges the inclusion of Louisa Bridge Springs (Warm) and Rathcore Spring CGSs within Table 12.7, and Material Alteration No. 12.77.

**Chief Executives Response**

Noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.77

---

**Proposed Material Alteration No. 12.78**

Delete action BI A18 as follows and renumber actions accordingly:  
~~Publish the findings of the audit of Geological Heritage of County Kildare on completion.~~

**Submissions/Observations**

Geological Survey Ireland supports PMA 12.78.

**Chief Executives Response**

Noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.78

**Proposed Material Alteration No. 12.79**

Amend policy BI P11 as follows:

~~Recognise the importance of Green Infrastructure in Kildare and to put measures in place to protect this valued biological resource.~~ Identify and map the key elements of the green infrastructure network in Kildare; and seek to protect, enhance, and expand the County’s green infrastructure network, through informed, evidence-based methods, which do not threaten the integrity of existing native biodiversity.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.79

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.79

---

**Proposed Material Alteration No. 12.80**

Delete action BI A19 as follows and renumber actions accordingly:

~~Protect and maintain a Green Infrastructure network in the county.~~

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.80

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.80

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**Proposed Material Alteration No. 12.81**

Include additional text at end of first paragraph of section 12.14.4 as follows:

Many social, economic, and environmental benefits can be achieved especially when the Green Infrastructure is proximate to where people live and work. Existing areas of green infrastructure mostly coincide with important areas for biodiversity and in the main these areas should be avoided, where possible. An intention of route selection should be to examine alternatives to the use of existing Green Infrastructure.

Any new walking and cycling trails within existing areas of Green Infrastructure will require environmental assessments to be carried. Transport infrastructure (including walking and cycling trails) provides potential opportunities to act as new Green Infrastructure corridors.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.81

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.81

---

**Proposed Material Alteration No. 12.82**

Amend objective BI O41 as follows:

Develop a strategy, to identify a series of greenbelt/green spaces (in addition to those identified in this CDP) to retain and protect between the growing settlements within Kildare during the lifetime of the Plan with particular attention to the undeveloped areas between Celbridge, Leixlip and Maynooth and to collaborate with South Dublin County Council, where appropriate.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.82

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.82

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**Proposed Material Alteration No. 12.83**

Amend action BI A22 as follows:

Work with Bord Na Mona and other stakeholders to prepare a Green Infrastructure Masterplan that will inform the delineation of core areas, stepping stones and corridors (long distance peatways) as identified in Sections 12.14.6, 12.14.7 and 12.14.8, that may inform the designation of an interconnected Bog of Allen Nature Reserve, Special Amenity Area Order and/or National Peatlands Park.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.83

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.83

**Proposed Material Alteration No. 12.84**

Include a new sub section within 12.14.6 as follows:

**The River Barrow**

The River Barrow SAC is very large and is the most extensive SAC within County Kildare. The River Barrow is the 2nd longest river in Ireland, and this SAC extends over 192 km from the Slieve Bloom Mountains SPA/NHA through 5 counties to the Waterford Estuary SAC. It has significant migrations of a number of fish species between the marine and freshwater habitats and 23 separate habitats/species listed as qualifying interests. It is the only SAC within County Kildare that is specifically designated for salmon, lamprey species and otter.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.84

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.84

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**Proposed Material Alteration No. 12.85**

Amend the last sentence of the first paragraph in section 12.14.6.5 as follows:

Even where intensive scale peat extraction has occurred, many areas are characterised as wetlands, important in regulating water run-off and these and other areas have demonstrated a certain natural resilience and are naturally re-wilding and forming very important habitat in the form of species rich open areas or first generation woodland (scrub-woodland comprised of birch, sally, alder, buckthorn including purging buckthorn and pine) that are very rich in species diversity – wildflowers, moths, butterflies, insects, birdlife and mammals.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.85

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.85

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**Proposed Material Alteration No. 12.86**

Amend the second sentence of the last paragraph in section 12.14.6.5 as follows:

This masterplan should, at a minimum, include the following 'core areas' with appropriate buffer zones of scale designed to protect their special interest and setting— one should centre around Lullymore Heritage Park, Lullybeg Wetlands,

Butterfly Reserve, Lodge Bog ~~with an extensive buffer zone~~; a second core area would focus on Ballynafagh Bog, Ballynafagh Lake and Hodgestown Bog; a third area would focus on Killinthomas Wood (Coillte owned), Ballydermot Bog East; a fourth would focus on Ummeras.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.86

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.86

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**Proposed Material Alteration No. 12.87**

Delete the last sentence of the last paragraph in section 12.14.6.5 as follows:  
It is expected that 50% of the Peatland Area will remain free from any development.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.87

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.87

---

**Proposed Material Alteration No. 12.88**

Amend section within 12.14.6.8 as follows:  
This area is proposed to form part of the ~~for a Peatlands~~ National Peatlands Park, which is supported by the Council.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.88

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.88

---

**Proposed Material Alteration No. 12.89**

Amend the fourth bullet point in section 12.14.7 as follows:

Protected Demense demesne landscapes such as Carton and Castletown House and attendant demesnes – including the avenues/vistas towards the Wonderful Barn and the Conolly's Folly, Obelisk.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.89

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.89

---

**Proposed Material Alteration No. 12.90**

Amend Green Infrastructure Maps (Map Refs: V1-12.3 to 12.6) to include; Please see Appendix at the end of this chapter where Map Refs 12.3 to 12.6 are identified in A3 format.

- The Pluckerstown stream which flows from Pollardstown Fen to the Slate River
- The Botkoge
- Headwaters of the Finnelly river
- Cushina river
- The Athy stream

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.90

**Chief Executives Response**

N/A

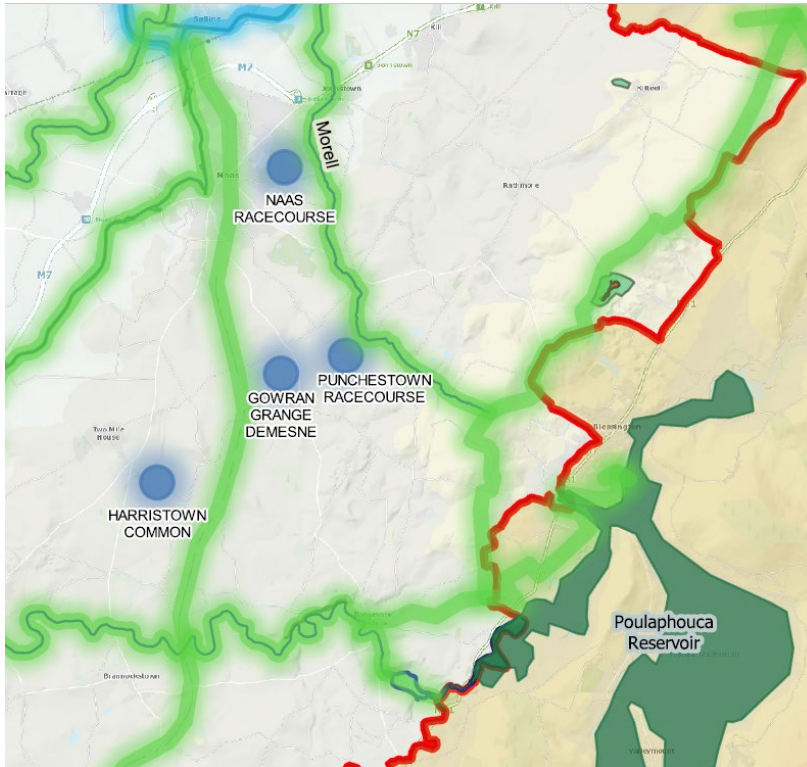
**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.90

---

**Proposed Material Alteration No. 12.91**

Amend Map Ref V1-12.3 to show Gowran Grange Demesne as a 'stepping-stone'.



**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.91

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

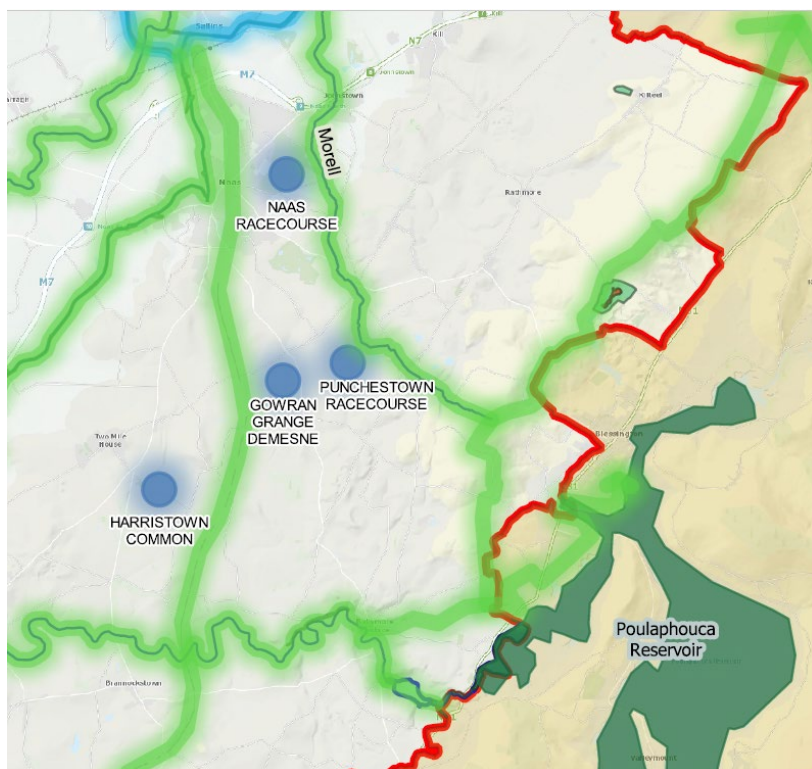
Accept Proposed Material Alteration No. 12.91

---

**Proposed Material Alteration No. 12.92**

Amend Map Ref V1-12.3 to clearly label **Punchestown Racecourse** as a ‘stepping-stone’.





### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.92

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.92

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### **Proposed Material Alteration No. 12.93**

Amend policy BI P13 as follows:

Recognise the importance of Urban Green Infrastructure in addressing a broad range of urban challenges, such as conserving biodiversity connecting people with nature, adapting to climate change, supporting the green economy, and improving social cohesion and to seek to protect and enhance this resource, particularly existing semi-natural areas, or habitats (such as hedgerows, canals, rivers).

### **Submissions/Observations**

The following relates to Submission No. 201.

The submission requests the inclusion of the following additional text:

"... or habitats (such as hedgerows, canals, rivers, ponds)."

### **Chief Executives Response**

Given the ecological and landscape benefits of ponds it is considered appropriate to amend the policy to reference ponds.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.93, with the following minor amendment:  
Amend policy BI P13 as follows:

Recognise the importance of Urban Green Infrastructure in addressing a broad range of urban challenges, such as ~~conserving biodiversity~~ connecting people with nature, adapting to climate change, supporting the green economy, and improving social cohesion and to seek to protect and enhance this resource, particularly existing semi-natural areas, or habitats (such as hedgerows, canals, rivers, ponds).

---

**Proposed Material Alteration No. 12.94**

Amend objective BI O45 as follows:

Ensure that the Green Infrastructure Strategy and Network identified in this County Development Plan and Local Area Plans is used to inform the development management process to ensure that new residential areas, business/ industrial development tourism and other relevant projects contribute towards the conservation and protection of Kildare’s habitats and species, and the protection, management and enhancement of the existing Green Infrastructure in terms of design, layout and landscaping.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 12.94

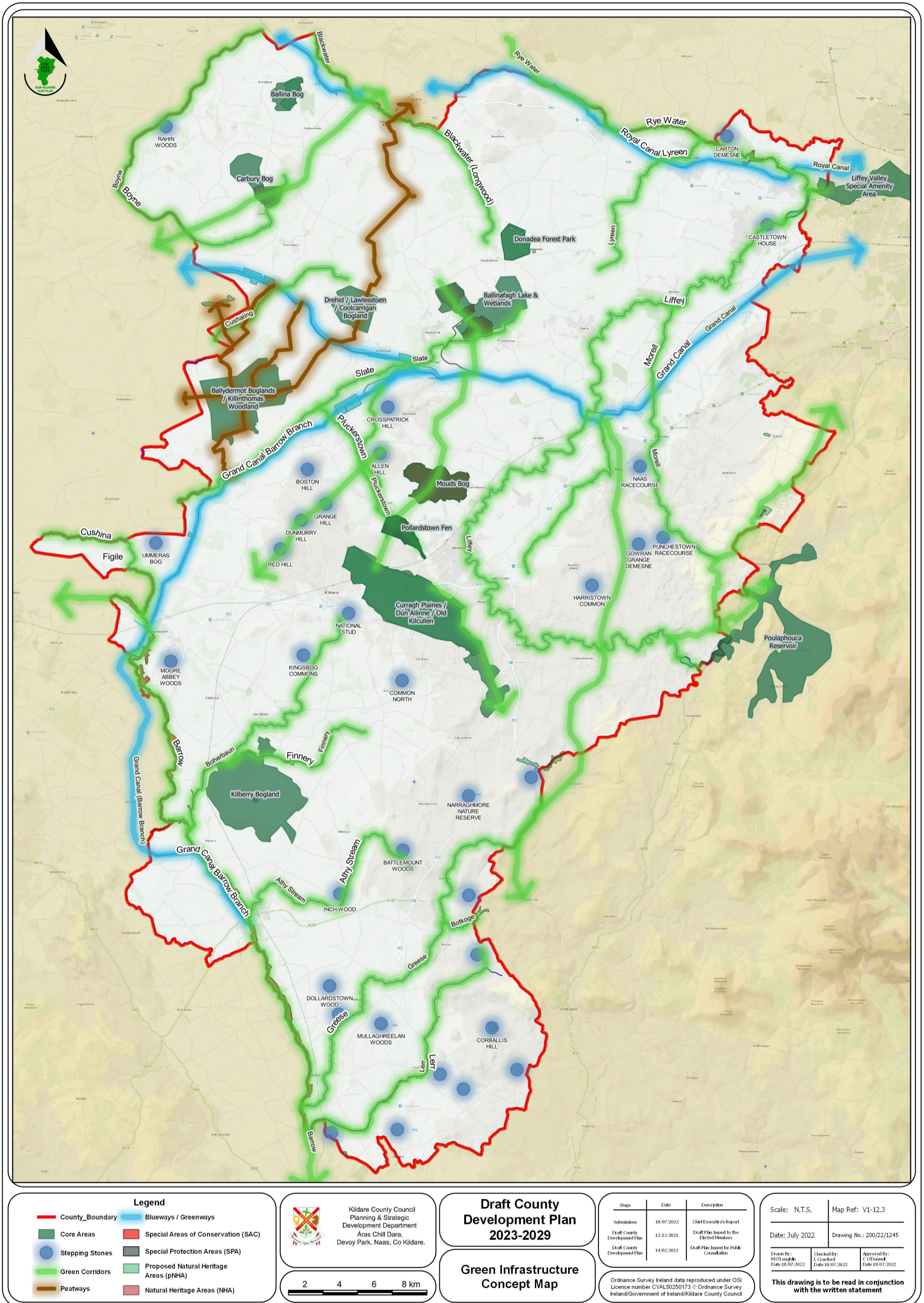
**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 12.94

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Legend	
County_Boundary	Blueways / Greenways
Core Areas	Special Areas of Conservation (SAC)
Stepping Stones	Special Protection Areas (SPA)
Green Corridors	Proposed Natural Heritage Areas (pNHA)
Peatways	Natural Heritage Areas (NHA)

Kildare County Council  
 Planning & Strategic Development Department  
 Áras Chill Dara, Devoy Park, Naas, Co Kildare.

2 4 6 8 km

**Draft County Development Plan 2023-2029**

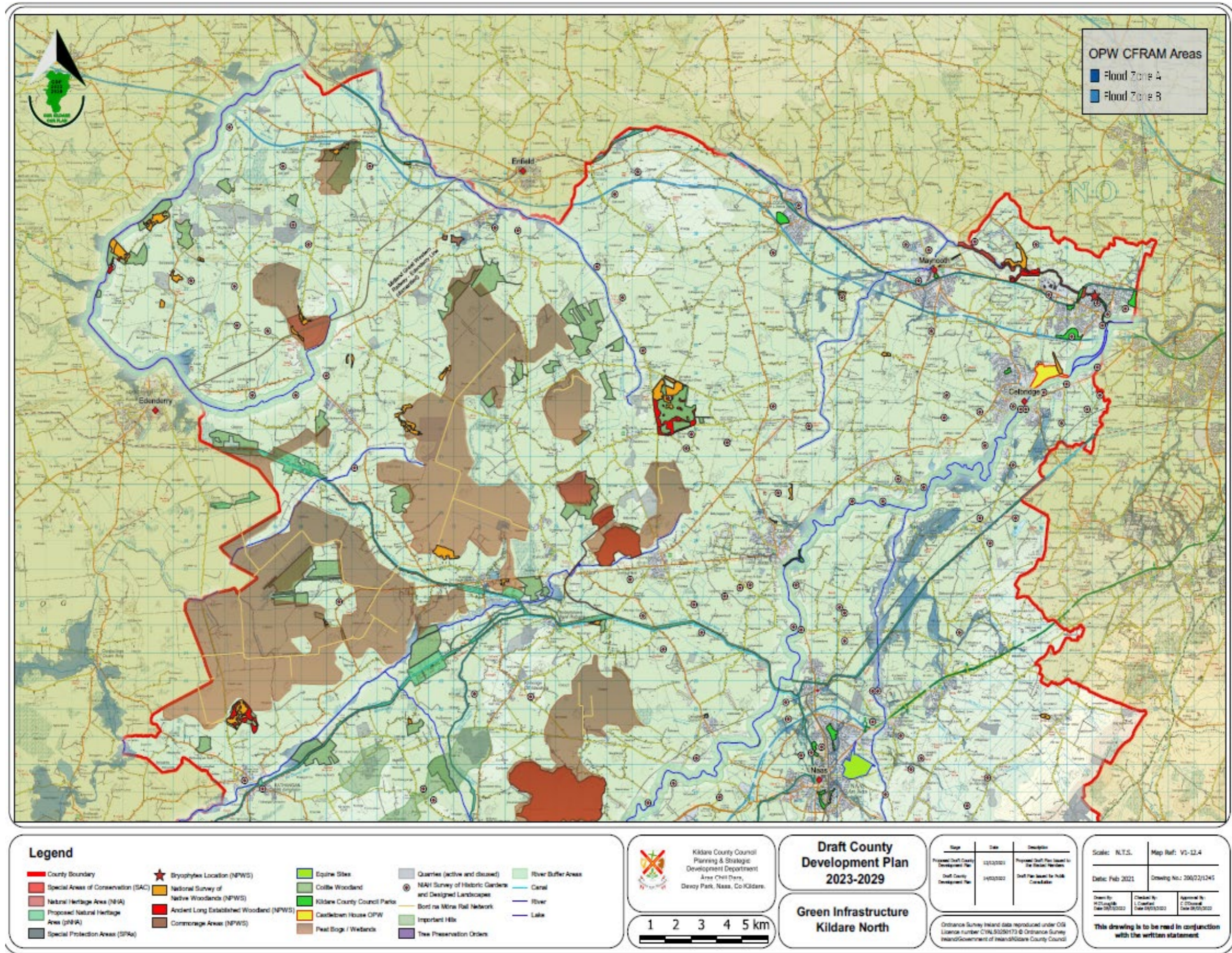
**Green Infrastructure Concept Map**

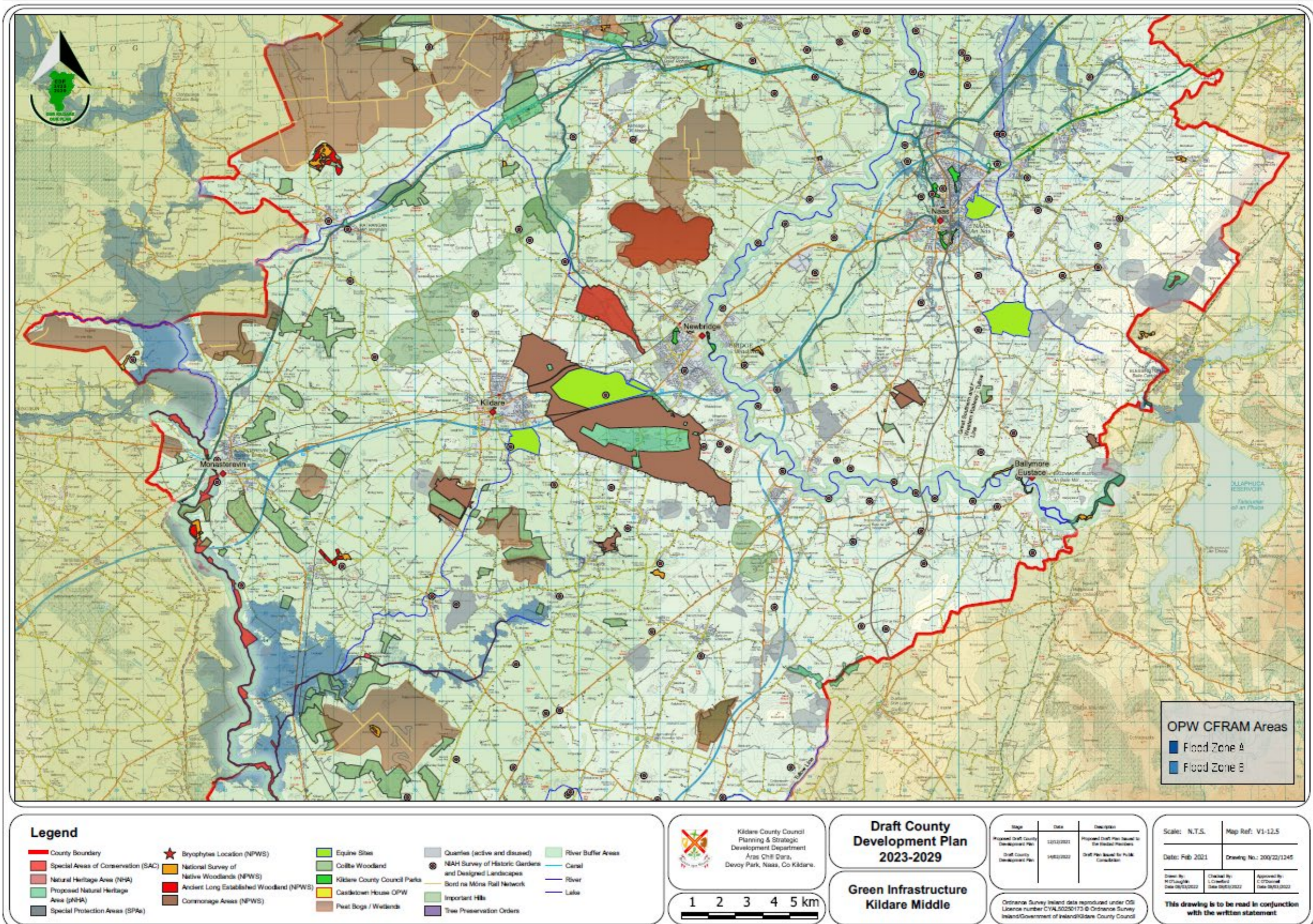
Stage	Date	Description
Submitters	18/07/2022	Chief Executive's Report
Draft County Development Plan	12/12/2021	Draft Plan Issued to the Elected Members
Draft County Development Plan	14/02/2022	Draft Plan Issued for Public Consultation

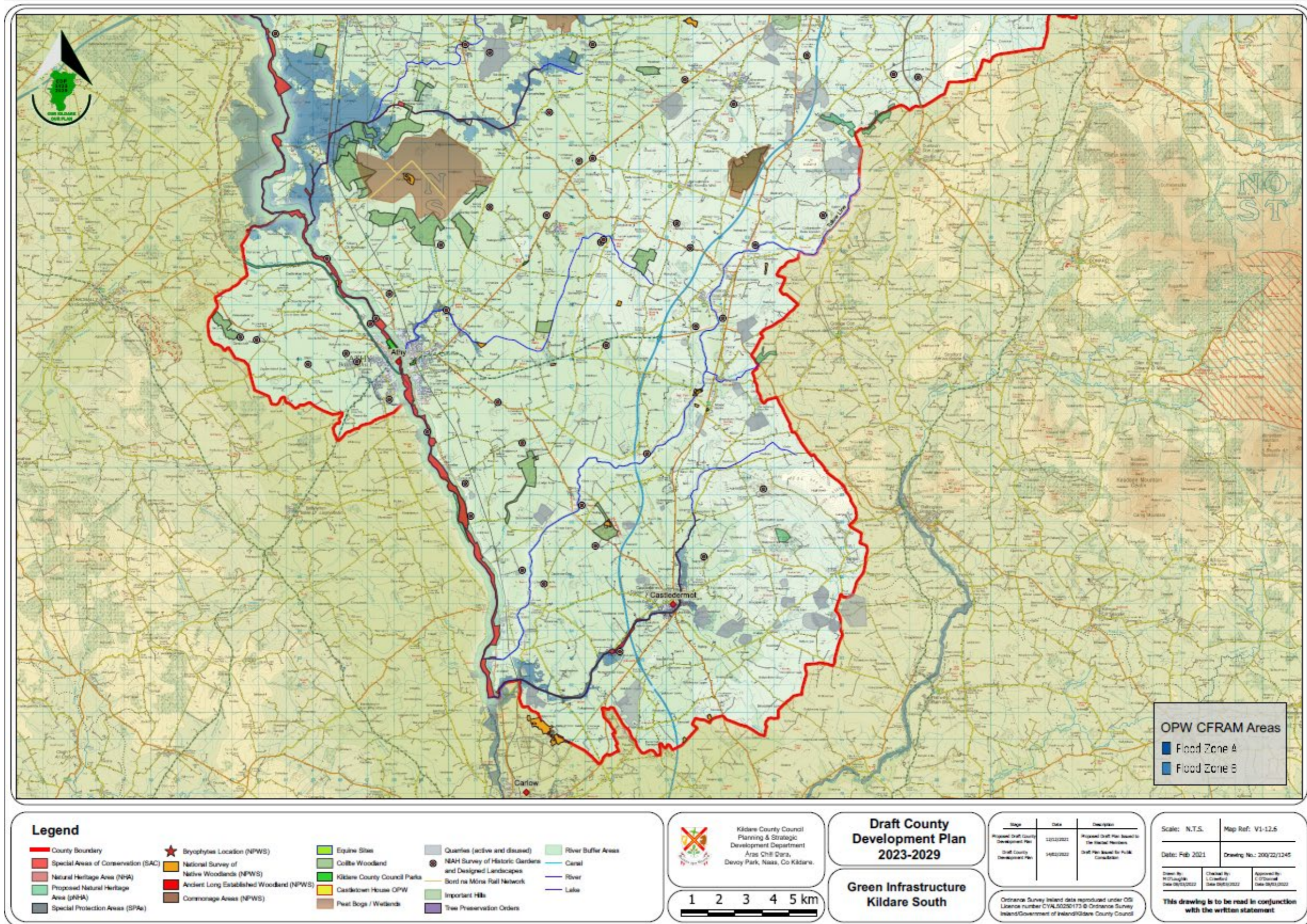
Ordnance Survey Ireland data reproduced under OSI Licence number CYAL50250173 © Ordnance Survey Ireland/Government of Ireland/Kildare County Council

Scale: N.T.S.	Map Ref: V1-12.3
Date: July 2022	Drawing No.: 200/22/1245
Drawn By: M O'Loughlin Date 18/07/2022	Checked By: L Cranford Date 18/07/2022
Approved By: C O'Donnell Date 18/07/2022	

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









## Chapter 13: Landscape, Recreation and Amenity

### **Proposed Material Alteration No. 13.1**

Amend LR O4 as follows:

Ensure that local landscape features, including historic features and buildings, hedgerows, shelter belts and stone walls, are retained, protected and enhanced where appropriate, so as to preserve the local landscape and character of an area, whilst providing for future development.

#### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.1.

#### **Chief Executives Response**

N/A

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.1.

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### **Proposed Material Alteration No. 13.2**

Amend LR O10 as follows:

Recognise that the lowlands and the transitional area are made up of a variety of working landscapes, which are critical resources for sustaining the economic and social well-being of the county and include areas of significant landscape and ecological value, which are worthy of protection. Such landscapes include the internationally recognised landscape of Punchestown and its environs.

#### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.2.

#### **Chief Executives Response**

N/A

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.2.

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### **Proposed Material Alteration No. 13.3**

Amend LR O12 as follows:

Recognise that boglands, including cutaway and cut-over bogs, are critical natural resources for ecological and environmental reasons, particularly for climate mitigation and adaptation. Development proposals for boglands that reduce biodiversity and increase methane emissions greenhouse gas will be strictly limited will not be considered. Appropriate environmental assessment should be carried out for any development proposals which impact on boglands.

#### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.3.



**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.3.

---

**Proposed Material Alteration No. 13.4**

Amend LR O13 as follows:

Recognise that some cutaway and cut-over boglands may represent degraded landscapes and/or brownfield sites and thus are may potentially be fit to absorb a variety of development provided that the development proposal does not increase Green House Gas emissions or damage protected habitats or species. Projects which result in increases in ammonia emissions to watercourses will not be considered.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.4.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.4.

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**Proposed Material Alteration No. 13.5**

Add new objective after LR O15 as follows and renumber objectives accordingly:

Require the undertaking of a peatland stability assessment, carbon emissions balance assessment and hydrological and ecological impact assessments, as appropriate, when developing project proposals for development on peatlands.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.5.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.5.

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**Proposed Material Alteration No. 13.6**

Amend LR A1 as follows:

Review and update the County Landscape Character Assessment, within two years of the adoption of this Plan, having regard to the European Landscape Convention Florence 2000, in accordance with all relevant legislation and guidance documents and to ensure consistency with the forthcoming National and Regional Landscape Character Assessment. All landscape character designations will be fully reviewed

having regard to updated best practice guidance, LCAs of adjoining Local Authorities and other local relevant considerations, including clusters of biodiversity rich areas and the Council's Green Infrastructure Strategy.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.6.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.6.

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### **Proposed Material Alteration No. 13.7**

Amend LR T1 as follows:

Endeavour to increase the territory of County Kildare designated to increase nature from 3% to by 27% from its current base of 3% by the end of this Plan period, in response to the Government's commitment to designate 30% of the territory of Ireland for nature by 2030 and in accordance with the EU Biodiversity Strategy 2030. This may be achieved, in part, by the development of the proposed ~~Midlands Peatlands~~ National Peatlands Park (see objectives in Section 13.6). Such endeavours, such as the development of the National Peatlands Park, shall be subject to an AA Screening Report, and where applicable, Stage 2 AA. They shall have a regard for any hydrological connection shared with a European Site and their qualifying interest species. The project shall account for any potential likely significant effects and provide mitigation and monitoring where appropriate.

Update the graphics below LR T1 and LR T2 to reflect the proposed material alteration.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.7.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.7.

---

### **Proposed Material Alteration No. 13.8**

Amend LR T2 as follows:

On average, increase newly planted forest by 161 hectare per annum, in line with the Government's Climate Action Plan (2019) 2021 and the emerging Forestry Programme (expected to be published in 2023).

Update the graphics below LR T1 and LR T2 to reflect the proposed material alteration.

### **Submissions/Observations**

The following relates to Submission No. 56.

The submission suggests the inclusion of a section on reforesting KCC owned land with native species of trees to create more bio-habitats and capture carbon from the environment. It is also suggested to encourage studs to reforest parts of their land through a Kildare wide reforestation programme.

### **Chief Executives Response**

It is considered that Action LR T2 (as per Proposed Material Alteration No. 13.8 above) and Objective LR A13 (as set out below) adequately address the issue related to reforesting KCC owned land.

***LR A13** - Identify public land for the planting of woodlands under the Woodland Creation on Public Lands scheme, as well as public land for community gardens, and other measures to improve biodiversity (including bee and insect houses), and parkland meadows within the county's open spaces and parks to promote the development of multifunctional amenity areas with enhanced biodiversity value in every urban settlement, where possible.*

Regarding encouraging studs to reforest parts of their land, it is considered that RD O21 (as set out below) adequately addresses this issue.

***RD O21** - Encourage appropriately located forestry and forestry related development, as a means of diversifying from traditional farming activity.*

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.8.

---

### **Proposed Material Alteration No. 13.9**

Add new sentence after the first sentence in the first paragraph of Section 13.4.4 as follows:

*The River Liffey and the River Barrow valleys are of significance in terms of landscape and amenity value and as such are sensitive to development. The River Barrow is a designated Special Areas of Conservation (SAC).*

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.9.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.9.

---

### **Proposed Material Alteration No. 13.10**

Amend LR O19 as follows:

*Co-operate with all relevant stakeholders including the Department of Defence, the Department of Housing, Local Government and Heritage, the racehorse industry, the*

~~owners with sheep grazing rights~~ those with sheep grazing rights and the various interests currently with rights to the Curragh in the implementation of the Curragh Conservation, Management and Interpretation Plan, designated as a cNHA<sup>4</sup>.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.10.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.10.

---

**Proposed Material Alteration No. 13.11**

Add new objective after LR O25 as follows and renumber objectives accordingly:  
Support the recreational amenity of wetlands.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.11.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.11.

---

**Proposed Material Alteration No. 13.12**

Add new objective in Section 13.6 as follows and renumber objectives accordingly:  
Support and facilitate Waterways Ireland and other relevant stakeholders with the provision of additional mooring and berthing facilities at appropriate locations throughout the County.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.12.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.12.

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**Proposed Material Alteration No. 13.13**

Add new objective in Section 13.6 as follows and renumber objectives accordingly:  
Normally only permit development proposals associated with water sports adjacent to waterways (including lakes) where the proposed facilities are compatible with the existing use of water including non-recreational uses, which will not result in damage to important features of archaeological heritage or Natura 2000 sites and where they can be satisfactorily integrated into the landscape so that they will not have an unacceptable impact on visual or environmental amenities especially in areas of high amenity or scenic importance.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.13.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.13.

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**Proposed Material Alteration No. 13.14**

Add new objective in Section 13.6 as follows and renumber objectives accordingly:  
Protect, enhance and improve existing public rights of way and where possible, provide additional access to inland waterways through agreement, permissive access and/or the acquisition of land for public rights of way and parking and lay-by facilities.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.14.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.14.

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**Proposed Material Alteration No. 13.15**

Add new objective in Section 13.6 as follows and renumber objectives accordingly:  
Ensure any proposed walking or cycling route does not significantly impact the following:

- Special Areas of Conservation (SACs)
- Special Protection Areas (SPAs)
- Natural Heritage Areas (NHAs)
- Other areas of importance for the conservation of flora and fauna.
- Known sites of Flora Protection Order species
- Zones of Archaeological Potential.

- The vicinity of a recorded monument.
- Sensitive landscape areas as identified in Chapter 13 of this Plan.
- Scenic views and prospects.
- Protected Structures.
- Established rights of way and walking routes.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.15.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.15.

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**Proposed Material Alteration No. 13.16**

Add new objective in Section 13.6 as follows and renumber objectives accordingly: **Established walking routes shall be identified prior to any new forestry planting, new infrastructural, energy/telecommunications or golf course developments.**

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.16.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.16.

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**Proposed Material Alteration No. 13.17**

Add new objective in Section 13.6 as follows and renumber objectives accordingly: **Take the potential impact of proposed development into account when considering/assessing applications for permission in the vicinity of established walking routes that might impinge on walking routes (including long distance or potential walking routes).**

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.17.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.17.

**Proposed Material Alteration No. 13.18**

Add new objective in Section 13.6 as follows and renumber objectives accordingly:  
**All developments that would be visible from the canal network shall be required to submit a visual assessment of the proposal relative to the canal in order to determine any negative impacts on the visual amenity and environmental quality of the canal.**

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.18.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.18.

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**Proposed Material Alteration No. 13.19**

Add new objective in Section 13.6 as follows and renumber objectives accordingly:  
**Identify and assess the impact of the development of cycle and walkways on built and archaeological heritage in the location and design of all cycleways and greenways.**

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.19.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.19.

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**Proposed Material Alteration No. 13.20**

Add new objective in Section 13.6 as follows and renumber objectives accordingly:  
**Allow for narrower cycleways and greenways when located within highly sensitive ecological areas along the length of the route, as appropriate.**

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.20.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.20.

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**Proposed Material Alteration No. 13.21**

Add new objective in Section 13.6 as follows and renumber objectives accordingly:  
Applications or proposals for recreational / amenity activities involving natural areas such as watercourses, bogs, etc... shall be accompanied by a management plan indicating projected numbers of users, hours of operation, seasons of operation, and an undertaking to protect the natural environment in the form of a risk assessment with proposed amelioration measures in respect of flora, fauna, hydrology, geology and soils.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.21.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.21.

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**Proposed Material Alteration No. 13.22**

Add new objective in Section 13.6 as follows and renumber objectives accordingly:  
New cycling trails and pedestrian routes should first be subject to the undertaking of feasibility assessment. Where feasibility is established, a Corridor and Route Selection Process will be undertaken where appropriate, for relevant new infrastructure in two stages”, Stage 1 – Route Corridor Identification, Evaluation and Selection and Stage 2 – Route Identification, Evaluation and Selection.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.22.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.22.

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**Proposed Material Alteration No. 13.23**

Add new action in Section 13.6 as follows and renumber actions accordingly:  
Develop Monitoring and Management Plans for Greenways, Blueways, Peatways and Trails, in their ownership, with the protection and enhancement of biodiversity at their core, to ensure the success of these routes and environmental sustainability.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.23.



**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.23.

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**Proposed Material Alteration No. 13.24**

Add new action in Section 13.6 as follows and renumber actions accordingly:  
**Liaise with Waterways Ireland and other agencies to investigate the feasibility of creating inland Marinas / mooring facilities on canals at Lullymore / Lodge, Ummeras, and Ticknevin Bogs.**

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.24.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.24.

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**Proposed Material Alteration No. 13.25**

Add new action in Section 13.6 as follows and renumber actions accordingly:  
**Progress the implementation of the Liffey Valley Linear Park, prepare a map of the extent of the routes and identity policies that support the development of the linear park for inclusion in relevant Local Area Plans.**

**Submissions/Observations**

The following relates to Submission No. 221.

The submission states that prior to the incorporation of 13.25 above, the approximate extent of this Linear Park be identified by the Planning Authority. Any lands that are within private ownership and are to form part of this linear park should be identified for the benefit of the respective landowners.

**Chief Executives Response**

The extent of the Liffey Valley Linear Park will be identified and developed in collaboration with Fingal County Council, South Dublin County Council, relevant government departments, existing landowners, and other relevant stakeholders as outlined in objective LR O55 of the draft Plan. It is therefore considered premature for KCC to identify the extent of the Linear Park prior to the incorporation of PMA 13.25.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.25.

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**Proposed Material Alteration No. 13.26**

Add the following new paragraph at the end of Section 13.6.1:

Commonage and other rough grazing land should be regarded primarily as an important recreational, environmental and amenity resource.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.26.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.26.

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**Proposed Material Alteration No. 13.27**

Amend the title of Section 13.6.4 as follows:

13.6.4 Greenways, Blueways, Peatways, and Trails and Peatland Railways

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.27

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.27.

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**Proposed Material Alteration No. 13.28**

Add new paragraph before the second last paragraph of Section 13.6.4 as follows;

It is acknowledged that Kildare's strong tradition associated with the peatlands has resulted in some attractive industrial rail lines which cross some of the county's local roads and afford scenic qualities and remnants of our past. Some continue to be utilised by Bord na Móna. Consideration should be given to reserving the line of such railways / rights of way for possible future re-use. The national rail network which traverses the county also provides an opportunity for individuals to attain an overall perspective of the quality of the landscape of Kildare.

**Submissions/Observations**

The following relates to Submission No. 231

The submission acknowledges the amendment to PMA No. 13.28 and does not propose any further amendment to it and also refers to an associated objective being PMA 13.44.

**Chief Executives Response**

Noted

### **Chief Executives Recommendation**

Accept Proposed Material Alteration 13.28.

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### **Proposed Material Alteration No. 13.29**

Amend LR P4 as follows:

Protect and maintain the existing recreation infrastructure in County Kildare and support the diversification of the rural economy through the development of the recreational potential of the countryside in accordance with the forthcoming National Outdoor Recreation Strategy, subject to all relevant and cumulative environmental assessments and planning conditions.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.29.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.29.

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### **Proposed Material Alteration No. 13.30**

Amend LR O37 as follows:

Promote and enhance public access for all to the upland areas, rivers, lakes, and other natural amenities of County Kildare, in conjunction with the relevant landowners and agencies, while protecting environmental sensitivities, and ecological corridors and built heritage.

### **Submissions/Observations**

The following relates to Submission No. 201.

The submission requests the inclusion of the following additional text:

"Promote and enhance public access for all to the upland areas, rivers, lakes, ponds, and other..."

### **Chief Executives Response**

The following relates to Submission No. 201.

It is considered that the existing reference to 'other natural amenities' in LR O37 includes ponds and therefore no further changes are considered necessary.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.30.

---

### **Proposed Material Alteration No. 13.31**

Amend LR O38 as follows:

Ensure the biodiversity value of all sites are considered and protected in the development of outdoor recreational facilities including greenways through the preparation of an Ecological Impact Assessment, to include the impacts of

recreational disturbance to ground-nesting birds, particularly within cutover and cutaway bogs which shall guide the location and design of such facilities.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.31.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.31.

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**Proposed Material Alteration No. 13.32**

Amend LR O40 as follows:

Support and facilitate ~~investigate the feasibility of developing~~ development of a Midlands Peatlands National Peatlands Park in consultation with Offaly and Laois County Councils, Bord na Móna, Coillte, NPWS, local landowners and all other relevant stakeholders to include areas of (inter alia) high nature value, amenity, education/science and eco-tourism potential.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.32.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.32.

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**Proposed Material Alteration No. 13.33**

Amend LR O41 as follows:

Support the proposed Umeras Peatlands Park development of Umeras Community Development and explore links between the bog and nearby blueways and greenways, whilst ensuring nearby properties would not be negatively affected, in consultation with Offaly County Council, Waterways Ireland and all other relevant stakeholders. The proposed development shall be subject to an AA Screening Report, and where applicable, Stage 2 AA. They shall have regard for any hydrological connection shared with a European Site and their qualifying interest species. The project shall account for any potential likely significant effects and provide mitigation and monitoring where appropriate.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.33.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.33.

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**Proposed Material Alteration No. 13.34**

Amend LR O42 as follows:

Lead and support the extension and interconnection of Greenways, Blueways, Peatways and trails within and outside County Kildare in consultation with Coillte, Bord na Móna and all other relevant stakeholders, subject to AA screening and where applicable, Stage 2 AA so as to ensure and protect the favourable status of European sites and their hydrological connections. Such developments will have regard for protected species and provide mitigation where applicable.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.34.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.34.

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**Proposed Material Alteration No. 13.35**

Amend LR O43 as follows:

Investigate the feasibility of connecting the Barrow Blueway with Portarlinton, Co. Laois along the Mountmellick Grand Canal and Peatways, and, where considered feasible, to undertake all necessary works, subject to all appropriate consents, in consultation with Laois County Council and Waterways Ireland.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.35.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.35.

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**Proposed Material Alteration No. 13.36**

Amend LR O46 as follows:

Explore the feasibility of developing ~~Support the development of the Turas Columbanus walking trail in conjunction with all relevant stakeholders and neighbouring Local Authorities, subject to obtaining all relevant assessments and consents.~~ Support the development of the Turas Columbanus walking trail in conjunction with all relevant stakeholders and neighbouring Local Authorities, subject to obtaining all relevant assessments and consents.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.36.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.36.

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**Proposed Material Alteration No. 13.37**

Amend LR O47 as follows:

Facilitate the development of a walking route between Ballymore Eustace, Golden Falls, Poulaphouca/Blessington Greenway, Russborough and Barrettstown, in cooperation with landowners and government agencies, subject to AA screening and where applicable, Stage 2 AA so as to ensure and protect the favourable status of European sites and their hydrological connections. Such developments will have regard for protected species and provide mitigation where applicable.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.37.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.37.

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**Proposed Material Alteration No. 13.38**

Amend LR O49 as follows:

Support the development of ancillary infrastructure for Greenways and cycle routes (i.e. trailheads, signage, rest areas, parking, lighting, toilets, etc.) in line with the Greenways and Cycle Routes Ancillary Infrastructure Guidelines (2018) of the Department of Transport, Tourism and Sport in co-operation with landowners, Waterways Ireland, Government Departments and other Local Authorities. For the provision of larger infrastructure, regard will be given to European sites, their hydrological connections and qualifying interest species where potential likely significant effects exist may occur.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.38.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.38.

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**Proposed Material Alteration No. 13.39**

Add a new objective after LR O52 and renumber objectives accordingly:

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

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.39.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.39.

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**Proposed Material Alteration No. 13.40**

Amend the second bullet point of LR O56 as follows:

Progress the implementation of the following flagship projects identified in the report 'Towards a Liffey Valley Park Strategy' (2006) or any superseding plan, while ensuring that environmental and built heritage sensitivities are not negatively impacted upon.

- The acquisition and development of the Donaghcumper land into a public park with the opportunity to create a linkage with Castletown estate in co-operation with the OPW and all other relevant stakeholders.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.40.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.40.

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**Proposed Material Alteration No. 13.41**

Amend LR O58 as follows:

Preserve the pedestrian and cycle link between the River Liffey and the Grand Canal at the Leinster Aqueduct and to explore making the existing underpass fully accessible as recommended in the report 'Towards a Liffey Valley Park Strategy.'

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.41.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.41.

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**Proposed Material Alteration No. 13.42**

Amend LR O59 as follows:

Preserve, protect, promote and improve for the common good, existing rights of way which contribute to general amenity, particularly those which provide access to archaeological sites and National Monuments and amenities, including upland areas and water corridors, and to create new ones or extend existing ones where appropriate either by agreement with landowners or through the use of compulsory powers, without adversely affecting landscape conservation interests, **subject to AA screening and where applicable, Stage 2 AA so as to ensure and protect the favourable status of European sites and their hydrological connections. Such developments will have regard for protected species and provide mitigation where applicable.**

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.42.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.42.

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**Proposed Material Alteration No. 13.43**

Amend LR O64 as follows:

Encourage the planting of pollinator friendly trees and plants, where appropriate, to improve pollinator populations within state and publicly owned land, ~~peatlands, river, canal and railway corridors, grass verges along public roads and existing and future greenways,~~ public parks and public open spaces in towns and villages, including **as part of mixed use and residential developments, in accordance with the All Ireland Pollinator Plan 2015-2020.**

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.43.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.43.



**Proposed Material Alteration No. 13.44**

Add new objective after LR O65 as follows and renumber objectives accordingly:  
Support the protection and retention of peatland railway lines including narrow gauge railway lines and rolling stock where possible to support amenity use of the peatlands.

**Submissions/Observations**

The following relates to Submission No. 231:

The submission from Bord na Mona refers to its obligation to carry out rehabilitation and decommissioning, render safe or remove for disposal/recovery any soils, subsoils, buildings, plant or equipment, or any waste, materials or substances or other matter that may result in environmental pollution. The submission also refers to an associated objective being PMA 13.28. The submission does not propose any further amendment to PMA 13.44.

**Chief Executives Response**

Noted

**Chief Executives Recommendation**

Accept Proposed Material Alteration 13.44.

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**Proposed Material Alteration No. 13.45**

Amend paragraph three of Section 13.7.5 as follows:

New playgrounds have been provided in Kill, Sallins, Eadestown, Caragh, Timahoe and Castledermot. A new skatepark was provided in Newbridge in 2019 and a pilot scheme is underway in Celbridge for the development of an outdoor ~~teen~~ youth facility. This pilot scheme will inform the development of other play facilities in County Kildare.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.45.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.45.

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**Proposed Material Alteration No. 13.46**

Amend the following actions as follows:

- (A) LR A16: Develop an outdoor ~~youth~~ teen facility in Celbridge as a pilot scheme to inform the development of other play facilities in County Kildare.
- (B) LR A21: Deliver Cherry Avenue Park in Kildare Town as a recreation and amenity centre to include (inter alia) dedicated facilities for the youth. ~~teenagers~~

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.46.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.46.

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**Proposed Material Alteration No. 13.47**

Amend part ii) and add new text as part iv) and part v) to LR O67 as follows:  
Ensure that new developments are compatible with the availability and size of passive and active open space and recreational facilities,

- ii) accessible to all, regardless of age, physical mobility, disability or social disadvantage, and
- iv) includes disabled parking bays, and
- v) includes accessible play recreational facilities/equipment.

**Submissions/Observations**

The following relates to Submission No. 263.

The submission requests the following additional text to objective LR O67:

- (iv) inclusion of Disabled Parking Bays
- (v) accessible play recreational facilities/equipment.

**Chief Executives Response**

Objective LR O67 (as per Proposed Material Alteration No. 13.47) includes the additional text proposed by Submission No. 263.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.47.

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**Proposed Material Alteration No. 13.48**

Amend LR O71 as follows:

Facilitate additional non-mainstream facilities for the youth teenagers and sport facilities that lend themselves to lifelong participation for the elderly older people through the provision of suitable facilities in all towns and villages.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.48.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.48.

**Proposed Material Alteration No. 13.49**

Add new objective after LR O83 as follows and renumber objectives accordingly:

Explore the feasibility of developing an Urban Neighbourhood Park by integrating the existing local park at Abbeyland and undeveloped strategic open space as a River Liffey Park in Clane.

**Submissions/Observations**

The following relates to Submission No. 219

The submission supports the proposed amendment.

The following relates to Submission No. 221

The submission fully supports the development of a public park on the undeveloped strategic open space lands in Clane and has for some years been seeking to bring forward proposals with the Local Authority. The submission states that these proposals require the full coordination from the various internal departments of Kildare County Council, particularly the Parks and Transport Departments and this collaboration should be outlined as part of the proposed new objective.

**Chief Executives Response**

The objective outlined under PMA No. 13.49 clearly states that ‘It is an objective of the Council to explore the feasibility of developing an Urban Neighbourhood Park...’ The Council includes the various internal departments of Kildare County Council, and is not limited to the Planning Department. It is therefore not considered necessary to stipulate full coordination from the various internal departments of Kildare County Council as part of any objective.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.49.

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**Proposed Material Alteration No. 13.50**

Add new objective before LR O85 as follows and renumber objectives accordingly:

Support and facilitate, the establishment of a community run nursery to grow native plants, at an appropriate location.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.50.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.50.

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**Proposed Material Alteration No. 13.51**

Add new objective after LR O85 as follows and renumber objectives accordingly:  
**Support and facilitate allotments/ community gardens on roofs of buildings where they do not pose a safety risk to the users of such spaces. Each proposal shall be assessed on its own merits.**

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.51.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.51.

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**Proposed Material Alteration No. 13.52**

Add new objective after LR O85 as follows and renumber objectives accordingly:  
**Support and facilitate allotments/ community gardens on vacant, underutilised and derelict sites throughout the county.**

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.52.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.52.

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**Proposed Material Alteration No. 13.53**

Amend LR O87 as follows:

**Minimise the environmental impact of external lighting at sensitive locations within the Green Infrastructure network to mitigate adverse impacts on sensitive fauna and protected species, and to achieve a sustainable balance between the recreational needs of an area, the safety of walking and cycling routes and the protection of light sensitive species such as bats.**

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.53.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.53.

### **Proposed Material Alteration No. 13.54**

Amend part (b) of LR A17 as follows:

(b) Support new and additional ~~the need for~~ playgrounds/play facilities for communities in Brannockstown, Kildangan, Cutbush, Straffan, Johnstown Bridge, Carbury, Derrinturn, Donadea, Maynooth, Leixlip, Celbridge, Robertstown, Kilmeague, Two Mile House, Newbridge, Athgarvan, Kildare, The Curragh, Calverstown, Kilberry, Ballitore, Kilkea and Maganey and Ardclough and to deliver same, if deemed appropriate, during the lifetime of this Plan.

### **Submissions/Observations**

The following relates to Submission Nos. 3 and 57.

It is submitted that more public parks and playgrounds are required all over north Kildare with better lighting, CCTV and car parks beside playgrounds. The playgrounds need to be located in new housing estates and not in old settled estates.

Public parks (similar to Alymer and Monread Park in Naas) need to be provided for in Celbridge, Maynooth, Confey and Leixlip.

Request to invest in a new, larger second playground in Leixlip. Currently there is only one small playground located close to the amenities centre. Request for a larger playground in West Leixlip for all new estates being built.

### **Chief Executives Response**

The Kildare Open Space Strategy (2021), identified a hierarchy of open space within the county, including three categories of open space types, which will influence future open space provision in County Kildare (Appendix 3 refers).

It is an objective of the Council to provide or facilitate the development of suitable sites of appropriate scale for recreational and amenity use, through this Plan and the Development Management process in accordance with the forthcoming National Outdoor Recreation Strategy, the Ready, Steady, Play! A National Play Policy (2004) and the TeenSpace: National Recreation Policy for Young People (2007). Such land shall be easily accessible to the public and located in or adjacent to areas of existing or proposed residential use, or close to centres of rural communities (LR O66).

Also of relevance to the submission is Objective LR O80, which aims to identify potential sites for regional type parks in the Naas-Newbridge-Allenwood, Celbridge-Maynooth-Leixlip and Athy areas, and to commence the process of delivery of same, as outlined in the Council's Kildare Open Space Strategy, 2021 and Objective LR O81, which seeks to implement the recommendations of the Kildare Open Space Strategy 2021 and make provision for a hierarchy of public parks, open spaces and outdoor recreation areas within towns and villages.

In addition to the above, it is considered that action LR A17 (as per Proposed Material Alteration No. 13.54) wherein the Council is committing to supporting new and additional playgrounds/ play facilities for communities throughout Kildare, including Leixlip, objective LR O67 (as per Proposed Material Alteration No. 13.46), objective LR O82, objective LR O56 and objective TM O116 adequately address the issues raised. The precise location of any new/additional play facilities shall be determined having regard to the availability of suitable sites. A separate Part 8

legislative process would then follow which would include an opportunity for submissions to be made which would then be considered prior to the finalisation of any Part 8 scheme.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.54.

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### **Proposed Material Alteration No. 13.55**

Delete LR A18 and renumber actions accordingly:

~~Progress plans for the provision of a regional swimming pool in North Kildare in conjunction with other relevant bodies.~~

### **Submissions/Observations**

Submission No. 263 requests the inclusion of the word “accessible” in action LR A18.

### **Chief Executives Response**

Action LR A18 (Chapter 13) and Objective SC O13 (Chapter 10) are similar with the exception of the reference to objective in Chapter 10 and action in Chapter 13.

It is considered appropriate to avoid duplication to delete Action LR A18 - Chapter 13 (as per Proposed Material Alteration No. 13.55) and move Objective SC O13 (Chapter 10) to an action within the same section in Chapter 10 (as per Proposed Material Alteration No. 10.12.)

It should be noted that SC O13 (as per Proposed Material Alteration No. 10.12.) includes the word “accessible”, as follows:

‘Progress plans for the provision of a new fully accessible regional swimming pool in North Kildare in conjunction with other relevant bodies.’

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.55.

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### **Proposed Material Alteration No. 13.56**

Add new action before LR A21 as follows and renumber actions accordingly:

Support sustainable management of our parks and residential areas which will include areas of reduced mowing.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 13.56.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 13.56.

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## Chapter 14: Urban Design, Placemaking and Regeneration

### **Proposed Material Alteration No. 14.1**

Add third paragraph to Section 14.2 as follows:

A critical element of healthy placemaking is the need to incorporate high-quality architecture into our built environment. This is recognised in Places for People (2022) Ireland’s updated national policy on architecture. It outlines ways to promote and embed quality in architecture and the built and natural environment over the coming years, and also aims to improve data and research on our built environment. The National Policy on Architecture is seen to represent another critical policy mechanism in assisting the implementation of key priorities such as Project Ireland 2040 (NPF and NDP), the Climate Action Plan 2021, Housing for All, Heritage Ireland 2030 and Town Centre First.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 14.1.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 14.1.

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### **Proposed Material Alteration No. 14.2**

Amend UD P1 as follows:

Apply the principles of people-centred urban design and healthy placemaking as an effective growth management tool to ensure the realisation of more sustainable, inclusive, and well-designed settlements resilient to the effects of climate change and adapted to meet the changing needs of growing and aging populations including aging and disabled persons.

### **Submissions/Observations**

The following relates to Submission No. 263.

The submission requests that the wording of UD P1 be amended to include persons with disability, as follows: ‘... and adapted to meet the changing needs of growing populations including aging and disabled persons.’

### **Chief Executives Response**

UD P1 (as per Proposed Material Alteration No. 14.2) includes the amendments proposed by Submission No. 263.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 14.2.

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**Proposed Material Alteration No. 14.3**

Add new paragraph to Section 14.5.2 as follows:

Kildare County Council has adopted a design-led approach in managing settlement expansion and in providing for the rejuvenation of historic urban cores. To this end, the Council has developed a flexible suite of placemaking strategies that can be applied to a range of different spatial and developmental contexts. This emphasis on 'placemaking' highlights the importance of the role of urban design in achieving town and village renewal and in providing for plan-led settlement growth and expansion. As illustrated in Table 14.1, the various strategies are designed to be supported by objectives of the Development Plan or relevant Local Area Plans, thereby grounding these strategies in evidence-based policy and providing them with a robust level of statutory support. Several of the placemaking strategies outlined in Table 14.1 are also designed so that they can be presented as comprehensive supporting documents alongside future applications for funding for regeneration and development projects by the Council.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 14.3.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 14.3.

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**Proposed Material Alteration No. 14.4**

Amend part (ii) of UD O6 as follows:

(ii) Preparing and implementing Town/Village Renewal Masterplans for settlements of all sizes across the county.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 14.4.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 14.4.

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**Proposed Material Alteration No. 14.5**

Delete UD O8 from Chapter 14, amend and relocate to Chapter 2:

~~Address new settlement areas already in the planning process, in the appropriate Local Area Plan process and to ensure that future new settlements are considered in conjunction with the Regional Spatial and Economic Strategy and Metropolitan Area Strategic Plan to support new distributed growth in Co. Kildare during the lifetime of this Plan to inform the next CDP.~~



**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 14.5.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 14.5.

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**Proposed Material Alteration No. 14.6**

Replace UD O11 with the following new objective:

~~Investigate the feasibility of a pilot scheme for a Kildare town to reduce vacancy levels, in conjunction with all relevant stakeholders.~~ **Review the Athy pilot scheme and implement similar town and village renewal schemes on a phased basis for the settlements of County Kildare in order to reduce vacancy levels in conjunction with all relevant stakeholders.**

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 14.6.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 14.6.

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**Proposed Material Alteration No. 14.7**

Amend UD A1 as follows:

**Continue to seek funding from relevant agencies and Government sources including the Rural and Urban Regeneration and Development Funds (RRDF/URDF) to secure financial support for all town and village renewal projects in the county and to explore possibilities for community-led and social financing opportunities.**

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 14.7.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 14.7.

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**Proposed Material Alteration No. 14.8**

Amend UD A2 to include **“Naas to Newbridge Strategic Employment Zone”**.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 14.8.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 14.8.

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**Proposed Material Alteration No. 14.9**

Amend UD A3 as follows:

Prepare and implement on a phased basis Town/Village Renewal Masterplans for the following settlements: Naas, Maynooth, Newbridge, Leixlip, Celbridge, Monasterevin, Athgarvan, Castledermot, Rathangan, Derrinturn, Straffan, Allenwood, Coill Dubh (inc. Coolearagh), Johnstownbridge, Kilmeague, Ardclough and a combined plan for the Curragh settlements (Ballysax, Brownstown, Curragh Camp, Cutbush, Maddenstown, Suncroft) and Robertstown (public amenities area).

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 14.9.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 14.9.

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**Proposed Material Alteration No. 14.10**

Amend the first sentence of UD A5 as follows:

Continue to tackle vacant residential vacancy and derelict sites within town centres through various initiatives, including the following:

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 14.10.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 14.10.

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**Proposed Material Alteration No. 14.11**

Add sentence to the end of the last paragraph of Section 14.8 as follows:

For more information relating to the application of the Guidelines on Urban Development and Building Heights in a Kildare Context refer to Section 3.7.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 14.11.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 14.11.

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## Chapter 15: Development Management Standards

### **Proposed Material Alteration No. 15.1**

Amend the last paragraph of Section 15.1.5:

The Planning and Development Regulations, 2001 (as amended), specify mandatory thresholds above which Environmental Impact Statements (EIS) Assessment Reports (EIARs) are required in relation to certain types and scales of development proposals. Where it appears to the Planning Authority that a development proposal that falls below the threshold set out in the Planning and Development Regulations would be likely to have a significant environmental effect, a subthreshold/discretionary EIS EIAR can be requested by the Planning Authority. All planning applications will undergo Environmental Impact Assessment screening or preliminary assessment.

### **Submissions/Observations**

The following relates to Submission No. 17

Request that a sub-section to this standard set out in Section 15.1.5, requiring that all sites over 0.5ha must submit an Ecological Impact Assessment (EclA) to ensure a broader scale of sites are assessed.

The following relates to Submission No. 247

It is submitted that it is neither feasible nor the intention of the EIA Directive that ‘all planning applications’ are screened for EIA. Screening of EIA is where the development is ‘likely to have a significant effect on the environment’. Screening is a formal process, and this proposed MA should be qualified with a criterion.

### **Chief Executives Response**

The following relates to Submission No. 17

Guidelines for Ecological Impact Assessment in the UK and Ireland Terrestrial, Freshwater, Coastal and Marine, 2018 (CIEEM) state that EclA can be applied to project of widely varying scales. The EclA principles and process outlined in this guidance are relevant to all developments that may impact on ecological features – this term is used throughout to cover habitats, species and ecosystems. The Planning Department along with the Heritage Officer reference these guidelines and consider applications for developments on a case-by-case basis. In the absence of clear guidance at present, it is not considered appropriate to prescribe thresholds for requiring a EclA.

Through the Development Management process, it is determined whether a EclA is required and the level of detail required in an EclA will be proportionate to the scale of the development and complexity of its potential impacts and to the characteristics of the receiving environment.

The following relates to Submission No. 247.

The content of the submission is noted. It is considered appropriate to include a footnote to Proposed Material Alteration No. 15.1, as follows;

**Footnote;** The criteria for determining whether a development would or would not be likely to have significant effects on the environment is set out in schedule 7 of the Planning and Development Regulations, 2001 (as amended).

### **Chief Executives Recommendation**

Accept Proposed Material Alteration 15.1 with a minor amendment and footnote  
Amend the last paragraph of Section 15.1.5:

~~The Planning and Development Regulations, 2001 (as amended), specify mandatory thresholds above which Environmental Impact Statements (EIS) Assessment Reports (EIARs) are required in relation to certain types and scales of development proposals. Where it appears to the Planning Authority that a development proposal that falls below the threshold set out in the Planning and Development Regulations would be likely to have a significant environmental effect, a subthreshold/ discretionary EIS EIAR can be requested will be required by the Planning Authority. All planning applications will undergo Environmental Impact Assessment screening or preliminary assessment.~~

Footnote; The criteria for determining whether a development would or would not be likely to have significant effects on the environment is set out in schedule 7 of the Planning and Development Regulations, 2001 (as amended).

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### **Proposed Material Alteration No. 15.2**

Amend the third paragraph of Section 15.1.7 as follows:

~~The Council will endeavour to facilitate~~ encourage and actively facilitate pre-planning discussions through individual meetings / planning clinics/ emails/phone calls/remote meetings as deemed appropriate. The carrying out of consultations shall not prejudice the performance by the Council of any other of its functions under the Planning and Development Act 2000 (as amended), or any regulations made under the Act, and cannot be relied upon in the formal planning process or in legal proceedings.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.2.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.2.

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### **Proposed Material Alteration No. 15.3**

(A) Amend Section 15.2.1 as follows:

#### **15.2.1 Site Coverage and Plot Ratio**

~~Site coverage standards are intended to avoid the adverse effects of overdevelopment particularly in urban areas thereby safeguarding sunlight and daylight within or adjoining a proposed layout of buildings. Traditionally, site coverage and plot ratio were used as tools to measure and control the extent of development.~~ Site coverage relates to the percentage of the development site

covered by buildings and structures (excluding the public roads and footpaths) and is calculated using the formula below:

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

Plot ratio refers to the relationship between the extent of development proposed as a quotient of the total site area and is calculated using the formula below:

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

~~The maximum site coverage shall be 50% for residential development, 75% for industrial and 66% for retail and commercial development. Within town centre zones, the maximum site coverage shall be 80% for all development.~~

Appropriate site coverage and plot ratio will now be considered on a qualitative basis, rather than quantitative, having regard to the quality of design, response to site context (including sensitivity to Architectural Conservation Areas where applicable) and potential impacts on the surrounding environment. Higher site coverage levels of development may be permissible in certain limited circumstances such as:

- ~~Locations adjacent to public transport corridors~~
- ~~to facilitate areas identified~~ Locations identified for regeneration purposes
- ~~areas where~~ When an appropriate mix of both residential and commercial uses are proposed.
- Where exceptional design is achieved, meeting the requirements of Chapter 14.6 of this Plan and the Urban Design Manual –A companion document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas and the Sustainable Urban Housing; Design Standards for New Apartment Guidelines (2020) where applicable.

~~These site coverage standards shall be acceptable only where consistent with other standards such as open space requirements, car parking, plot ratio, building lines and building heights, fire safety and building regulations together with the amenity of adjoining dwellings / properties.~~

In considering applications for redevelopment of existing sites, due regard will be given to the established site coverage.

(B) Delete Section 15.2.2 Plot Ratio.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.3.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.3.

#### **Proposed Material Alteration No. 15.4**

Amend the first paragraph of Section 15.2.3 as follows:

##### **15.2.23 Overlooking / Separation Distances**

~~In general, a minimum distance of 22 metres between opposing above-ground floor level windows (including extensions to existing houses) will be required for habitable rooms, normally resulting in a minimum rear garden depth of 11 metres.~~ **Traditionally a minimum distance of 22m is required between directly opposing first floor windows. However, where sufficient alternative private open space (e.g., to the side) is available, and in cases of innovative design, (e.g., where overlooking into habitable rooms does not occur), this figure may be reduced, subject to the maintenance of privacy and the protection of adjoining residential amenities and privacy, the quality of design and adherence to the Sustainable Urban Housing: Design Standards for New Apartment Guidelines (2020) where applicable.**

#### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.4.

#### **Chief Executives Response**

N/A

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.4.

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#### **Proposed Material Alteration No. 15.5**

Amend the second paragraph of Section 15.2.4:

~~All new developments are required to comply with~~ **have regard to the recommendations of Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (B.R.209, 2011) and British Standard (B.S.) 8206 Lighting for Buildings, Part 2, 2008: Code of Practice for Day Lighting or other updated relevant documents. Where an applicant cannot fully meet all of the requirements of the daylight provisions, this must be clearly identified and a rationale for any alternative, compensatory design solutions must be set out, which will be considered by the planning authority on a case-by-case basis.**

#### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.5.

#### **Chief Executives Response**

N/A

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.5.

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#### **Proposed Material Alteration No. 15.6**

Amend Section 15.2.5 as follows:

**Planting and landscaping should be used to incorporate new buildings into their surroundings and provide privacy between dwellings. New planting should consist of**

local native plant types with consideration given to providence and origin of plants indigenous to the area. and The planting should be incorporated into the site to enhance overall appearance, and to conserve biodiversity (Refer to Table 15.2) and to contribute to the green infrastructure of the area.

The Planning Authority will require the following in relation to site development and landscaping works:

- ...
- A detailed replanting proposal shall be submitted should the removal of hedges / trees be required during development, those to be removed shall be identified on drawings. This proposal should provide for the replacement of, at minimum, an equal amount of similar indigenous native hedgerows and the planting of a minimum of five mature / established trees per tree felled. ~~These shall be incorporated into the overall design of the scheme.~~
- ...
- Where a large site adjoins a green corridor, public open space or area of high ecological value, any new public open space on the site should be contiguous to same and encourage visual continuity and expansion of the green infrastructure/biodiversity network. The appropriate grading or transition of public open space towards a green biodiversity corridor shall be factored into the consideration.
- Landscaping works ~~shall should~~ incorporate nature based drainage systems ~~sustainable urban drainage systems~~ such as biodiversity areas or wetlands, which can reduce surface water run-off. Green roofs, walls, street trees and permeable surfaces will be encouraged.
- Street trees shall be encouraged into developments where possible and facilitated by way of appropriately designed tree pits.
- ...
- ~~Mounding will generally not be acceptable.~~
- Leylandii trees Cupressocyparis ‘Leylandii’, Cupressocyparis ‘Castlewellan Gold’ and Laurel Prunus laurocerasus shall no longer be permitted as part of landscaping proposals for any new development. Leylandii because of their nuisance and safety risk they pose when not managed and Laurel due the invasive nature of this species.
- The planting of species listed as of concern by invasive species Ireland, including species such as Cherry Laurel Prunus Laurocerasus and also species of a potential invasive nature as outlined by invasive species Ireland such as Cornus sericea L. shall neither be permitted in rural nor urban areas.

### **Submissions/Observations**

The following relates to Submission No. 17

Submission states that an objective should be included that all existing native hedgerows be retained, with allowances for openings for road and footpath only. In new sites, it is recommended that a minimum of 2 native hedgerow boundaries on sites over 0.2ha. This should be incorporated into Section 15.2.5 and 15.4.5 and cross referenced with Chapter 12 of the CDP.

The following relates to Submission No. 229



The submission welcomes the new paragraph to ban the planting of Leylandii and Laurel.

The following relates to Submission No. 201

The submission requests the inclusion of the following additional text to the fifth bullet: "...such as biodiversity areas or wetlands (including ponds)..."

### **Chief Executives Response**

The following relates to Submission No. 17

There are many policies within the Plan encouraging the protection of hedgerows and the planting of native species. The Council along with the Heritage Officer and the Parks Department will continue to require their protection through the Development Management process and will encourage the planting of native species. It is not considered appropriate to prescribe minimum planting requirements for each individual site as each application for development is assessed on a case-by-case basis. It should be noted that new objectives are to be included in the CDP as follows:

*After Objective BI O15: Require the retention and appropriate management of hedgerows. and to require infill planting where possible in order to ensure an uninterrupted green infrastructure network.*

*After HO O50: Recognise the biodiversity and ecosystem services value of established hedgerows within rural settings and where Chapter 3 - Housing 185 hedgerow must be moved to achieve minimum sight lines, a corresponding length of hedgerow of similar species composition (native and of local provenance) shall be planted along the new boundary, while allowing occasional hedgerow trees to develop. The note associated with Objective HO O50 is considered particularly relevant in this regard wherein it states that 'the need for the removal of extensive roadside hedgerow may indicate that the site is unsuitable for development.*

The following relates to Submission No. 229.

It is not considered appropriate to define the extent of hedgerow in terms of metres which may be considered appropriate to remove as this will vary on a case-by-case basis having regard to the specific hedgerow. The note associated with Objective HO O50 is considered particularly relevant in this regard wherein it states that 'the need for the removal of extensive roadside hedgerow may indicate that the site is unsuitable for development'.

New Objective after HO O50 Recognise the biodiversity and ecosystem services value of established hedgerows within rural settings and where Chapter 3 - Housing 185 hedgerow must be moved to achieve minimum sight lines, a corresponding length of hedgerow of similar species composition (native and of local provenance) shall be planted along the new boundary, while allowing occasional hedgerow trees to develop.

The following relates to Submission No. 201.

It is considered appropriate to only refer to ‘wetlands’ and not to specifically reference the types of wetlands.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.6.

**Proposed Material Alteration No. 15.7**

Rename Table 15.2 as 15.2(a) and add two new rows to the Table. Also include two new tables and supporting text after Table 15.2 (a) as follows:

Common name	Height (max)	Suitable for public open spaces	Suitable for streets and confined spaces	Suitable for tubs, containers and raised beds etc.	Guide to planting: See key below
Grey Willow	10m	Yes	No	No	AHDV
Purging/ Common Buckthorn	8m	Yes	No	No	HP

**Table 15.2 (a) - Native Trees and Shrubs**

**Key – Table 15.2 (a) (Native Trees and Shrubs)**

- A** Grows in a wide variety of soils
- C** Climber
- H** Suitable for hedging
- I** Suitable as an individual tree
- D** Tolerates or prefers damp conditions
- P** Tolerates smoke or pollution
- S** Tolerates shades
- V** Invasive

<b>STREET TREES</b>	
<b>Species</b>	<b>Flowering</b>
Juneberry Tree Amelanchier x grandiflora ‘Robin Hill’	April
Hawthorn Crataegus monogyna ‘Stricta’	May
Pillar Crab Malus tschonoskii	May
Callery Pear Pyrus calleryana ‘Chanticleer’	April-May
Rowan Sorbus acuparia varieties	May-June
Lime Tilia x europaea ‘Euchlora’ (cultivars as many can grow to large tree size proportions that will exceed allotted roadside space)	June-July

**Table 15.2 (b) - Street Trees (Source: Pollinator friendly planting code, NBDC).**

<b>OPEN SPACE TREES</b>	
Horse Chestnut	Aesculus hippocastum
Juneberry	Amelanchier species (not A. lamarki which may be invasive)
Indian Bean Tree	Catalpa bignonioides
Hawthorn	Crataegus species
Apple	Malus species / cultivars
Foxglove Tree	Paulownia tomentosa
Wild Cherry	Prunus avium
Bird Cherry	Prunus padus
Japanese Flowering Cherry	Prunus serrulate 'Tai Haku'
Pear	Pyrus species and cultivars
Rowan	Sorbus species/cultivars
Willow	Salix

**Table 15.2 (c) - Open Space Trees**

The trees outlined above are fast growing and excellent for pollinating insects producing large quantities of nectar and pollen. Choice of appropriate species / cultivar for the right situation requires careful consideration. Priority should be given to native species. However, recommended non-native species include:

- Salix aegyptiaca (early spring flowering)
- Salix alba (spring flowering)
- Salix abla 'Liempde' Salix alba var. vitellina
- Lime
- Tilia (Tilia Americana 'Redmond', Tilia cordata, Tilia x europea, Tilia platyphyllos, Tilia tomentosa).

The range and diversity of Tilia is large therefore a small selection is recommended. These are outlined above.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.7.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.7.

**Proposed Material Alteration No. 15.8**

Amend the second bullet point of Section 15.2.6 as follows:

- Use of permeable paving/surfaces, bio-retention areas, tree pits, rain gardens, swales and other nature based sustainable urban drainage system methods, (SuDS), such that rainfall is not directed immediately to surface water drains.

~~Such methods can serve to reduce the risk of flooding, by minimizing run-off and maximizing efficient management of surface water thus helping to mitigate the impacts of climate change.~~

### **Submissions/Observations**

The following relates to Submission No. 201.

The submission requests the inclusion of the following additional text to the fifth bullet: " use of permeable paving/surfaces, ponds, bio-retention.."

### **Chief Executives Response**

It is considered appropriate to specifically reference the use of ponds as a nature based drainage system method to reduce the risk of flooding.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.8 with the following minor amendment: Amend the second bullet point of Section 15.2.6 as follows:

- ~~Use of permeable paving/surfaces, ponds, bio-retention areas, tree pits, rain gardens, swales and other nature based sustainable urban drainage system methods, (SuDS), such that rainfall is not directed immediately to surface water drains. Such methods can serve to reduce the risk of flooding, by minimizing run-off and maximizing efficient management of surface water thus helping to mitigate the impacts of climate change.~~

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### **Proposed Material Alteration No. 15.9**

Add new standard in Section 15.2.6 as follows:

~~The use of artificial grass in all new residential developments shall not be permitted, save in exceptional circumstances including for children's play areas.~~

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.9.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.9.

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### **Proposed Material Alteration No. 15.10 (A – E)**

(A) Amend Section 15.3 as follows:

~~This Plan advocates a collaborative and multi-disciplinary approach to achieving high quality urban design and placemaking outcomes. A prerequisite for this is that development proposals are anchored in a comprehensive understanding of the form and character of the receiving environment. As such, it is considered that design statements are a vital tool which can assist all parties involved in the development management process in assessing the suitability of proposed design solutions for specific sites.~~

(B) While a design statement can be prepared for all development proposals, the Planning Authority will require one to be submitted alongside applications for the following:

- .....
- Sites within or adjacent to designated Architectural Conservation Areas.
- **Development proposal affecting Protected Structures.**
- Sites with a steep and / or varying topography.
- ....

(C) Furthermore, the Planning Authority has the discretion to require a design statement to be prepared for any proposed development which it considers may have a significant impact on **the receiving environment including**

- **the visual sensitivities of an area**
- the landscape character, ~~and/or the~~
- **environmental sensitivities of an area.** ~~For medium to larger scale developments a finalised design statement submitted alongside a planning application should be reflective of the outcomes of meaningful pre-application discussions with the Planning Authority.~~

(D) While the level of detail to be included in a design statement shall be proportionate to the scale and complexity of the development proposed, it should generally be a focused and concise document and should not duplicate information that is already included in the planning application. ~~The primary intention of the design statement is to provide the applicant with an opportunity to explain the thought process behind a development proposal and justify why the selected design solution is the most suitable in terms of the design and massing of built form and the quality of spaces created, and in particular its contribution to placemaking and the identity of an area.~~

(E) The following details should be included in a design statement:

- A clear explanation of the design process, ~~the design~~ **including options considered**, ~~and how the development proposal was selected.~~
- A demonstration of how the development adheres to the relevant provisions of the **County** Development Plan, including explicit reference to the Urban Design Standards Checklist, as outlined in Table 14.2.
- **Any relevant** ~~The statement must also show how it complies with the contents of any Local Area Plan, Masterplan, or other placemaking strategy affecting the site.~~
- Where relevant, the design statement should demonstrate how the development adheres to the guidance and principles set out in the 'Urban Design Manual' (DoEHLG, 2009), particularly to show where and how the 12 Criteria (as per the 'Urban Design Manual – A Best Practice Guide') have **each** been considered. ~~Each of the 12 Criteria is of equal importance and all must be considered in an integrated manner.~~
- A site and area appraisal including photographs of the site and its surroundings accompanied by illustrations such as photomontages, perspectives, and sketches, along with summaries of relevant studies and details of any recent consultations.

- In urban areas, a demonstration of the design statement should explicitly demonstrate how the development responds to the established urban structure, movement and accessibility, land uses, density, urban grain, visual context and built form.
- A demonstration of how existing and new green infrastructure features will be integrated into the scheme.
- Detailed proposals for open space illustrating how the provision of such areas have been designed in from the beginning and demonstrate how existing and new green infrastructure features will be integrated into the scheme.
- A comprehensive high quality open space and landscape design plan including specifications, prepared by suitably qualified professionals.
- A statement setting out how energy efficiency and other climate mitigation measures have been incorporated into the proposed development.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.10.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.10.

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### **Proposed Material Alteration No. 15.11**

Amend the first paragraph of Section 15.4 as follows:

Well-designed and integrated housing developments can make a huge significant contribution to the quality of life and wellbeing of residents and therefore improve the overall long-term sustainability of a settlement as a whole. In delivering high-quality housing for a growing population Kildare County Council seeks to ensure that such development occurs in a manner which places the principles of people-centred urban design and healthy placemaking at the heart of the development management process.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.11.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.11.

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**Proposed Material Alteration No. 15.12**

Amend the fourth bullet point of Section 15.4.1 as follows:

- Retaining and integrating the existing green infrastructure features & enhanced biodiversity features (for example bird boxes, hedgehog streets etc.) into the layout and design of the open space.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.12.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.12.

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**Proposed Material Alteration No. 15.13**

Delete the last sentence of the first paragraph and the second paragraph of Section 15.4.4 and add a new paragraph at the end of the section as follows:

~~If the Housing Mix statement forms part of a subsequent application, the overall scheme would need to be taken into account and a detailed statement on the breakdown of all units and the changes proposed will be required.~~

~~A Housing Mix Statement will also be required for applications that fall below the threshold outlined in Objective HO O16, where the number of units permitted under previous applications on the landholding, when taken in conjunction with the number proposed in the subject application, would cumulatively meet or exceed the threshold.~~

A cumulative approach to the assessment of housing mix will be applied. A Housing Mix Statement may be required for sub-threshold application where, when taken in conjunction with another application/development, the above threshold is reached. In determining an appropriate mix, a Housing Mix Statement will be required to consider other applications/previous developments in the same location in its assessment.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.13.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.13.

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### **Proposed Material Alteration No. 15.14**

Amend the following paragraphs of Section 15.4.5 as follows:

The layout of the open space should be designed in such a way as to be a focal point within the development and shall where present, incorporate existing natural features such as streams, mature trees and established vegetation. Car parking arrangements should be fully integrated into the landscaping scheme so that they do not overly dominate the streetscape or detract from the aesthetics and useability of public open space.

Street trees should be designed into new developments, and developments should incorporate a high level of active frontages and passive supervision of all public open space. Built form on corner sites should be dual aspect and have a responsive design appropriately addressing their more prominent location. Boundaries between public open space, semi-private open space and private open space should be clearly delineated.

The layout of residential housing should avoid backing onto historic field boundaries which contain mature trees and/or established hedgerow. Such features shall, as far as practical, be fully addressed by the development, and integrated into the open space provision as a design and green infrastructure feature. Furthermore, any development adjacent to a high amenity area (such as the Curragh) will require a soft boundary and/or approval by the Heritage Officer for boundary treatments. Further requirements in relation to soft landscaping features are outlined in Section 15.2.5.

~~s outlined in the Urban Design Manual and DMURS, residential developments will be required to create a strong level of urban enclosure where the built form fully addresses street frontages with façades being predominantly solid, allowing for intermittent gaps only. Accordingly, t~~The need for boundary treatments such as railings or walls around residential developments should be limited to an absolute minimum. In situations where a design solution cannot mitigate against the presence of such physical boundaries, high railings and walls should be avoided and boundaries should take the form of a low wall (rendered, natural stone or brick), railing, or a planted native hedgerow, to incorporate hedgehog streets, depending on the characteristics and location of the site.

~~The requirement for new residential development to integrate seamlessly with the surrounding urban environment also means that m~~Monumental or overbearing entrances to housing developments will not be permitted. The design of bespoke entrances, in situations where they are deemed by the Council to be acceptable or necessary, should be refined and understated.

Gated developments will not be permitted as they reduce social inclusion and integration within the existing community and generally fail to address the existing streetscape.

### **Submissions/Observations**

The following relates to Submission No. 17

Submission states that an objective should be included that all existing native hedgerows be retained, with allowances for openings for road and footpath only. In



new sites, it is recommended that a minimum of 2 native hedgerow boundaries on sites over 0.2ha. This should be incorporated into Section 15.2.5 and 15.4.5 and cross referenced in Chapter 12 of the CDP.

### **Chief Executives Response**

There are a series of robust policies and objectives within the Plan encouraging the protection and/or retention of hedgerows and the planting of native species to augment existing hedgerows. The Council through the Heritage Officer and the Parks Department will continue to require their protection through the Development Management process and will encourage the planting of native species. It is not considered appropriate to prescribe minimum planting requirements for each individual site as each application for development is assessed on a case-by-case basis.

It should be noted that new objectives are to be included in the CDP as follows:

After Objective BI O15: *Require the retention and appropriate management of hedgerows. and to require infill planting where possible in order to ensure an uninterrupted green infrastructure network.*

After HO O50: *Recognise the biodiversity and ecosystem services value of established hedgerows within rural settings and where Chapter 3 - Housing 185 hedgerow must be moved to achieve minimum sight lines, a corresponding length of hedgerow of similar species composition (native and of local provenance) shall be planted along the new boundary, while allowing occasional hedgerow trees to develop.* The note associated with Objective HO O50 is considered particularly relevant in this regard wherein it states that ‘the need for the removal of extensive roadside hedgerow may indicate that the site is unsuitable for development.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.14.

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### **Proposed Material Alteration No. 15.15**

Amend the first bullet point after Table 0.3 as follows:

- ~~Dual aspect shall be incorporated into all dwelling units.~~ **Apartment schemes shall deliver a minimum of 33% or 50% of units (depending on circumstances) as dual aspect, in accordance with the criteria as set out in ‘Sustainable Urban Housing; Design Standards for New Apartments’**

### **Submissions/Observations**

The following relates to Submission No. 174 which proposes to add the following text amendment to PMA No. 15.15. The additional text proposed is highlighted in red below.

**“Apartment schemes shall deliver a minimum of 33% or 50% of units (depending on circumstances) as dual aspect, in accordance with the criteria as set out in Sustainable**

Urban Housing; Design Standards for New Apartments. Duplex units which achieve dual aspect should be counted in the overall level of provision within a proposal.”

The reasoning for the above amendment is that it is considered that duplex apartment units designed as dual aspect are valid contributors to the overall ratio achieved within a development. Duplex units are typically located within terraces or smaller blocks in comparison to standard apartment buildings, nevertheless, these constitute apartment development as qualified by the Apartment Guidelines 2020.

### **Chief Executives Response**

The Guidelines state the following in para 3.16 ‘In duplex type **or** smaller apartment blocks that form part of mixed housing schemes in suburban areas, dual aspect provision is generally achievable.’ Also, Para 15.6.7 of the Draft Plan states ‘Balconies and terraced areas are the primary form of private open space for apartment **and** duplex type schemes.’ Apartments and duplexes are considered separate entities and therefore duplex units, which achieve dual aspect should not automatically be counted in the overall level of provision within a proposal.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration 15.15.

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### **Proposed Material Alteration No. 15.16**

Amend bullet points of Section 15.4.6 as follows:

- Private open space should be designed and configured so that it is usable for the proposed residents. ~~Long narrow rear gardens or awkward shapes are therefore not acceptable.~~
- Utility boxes should be screened from public view particularly for terraced units.
- Windows in the gable / side walls of dwellings will not be permitted where the window would closely overlook the ~~curtilage~~ private open space of the adjoining dwelling. ~~or where the window would not provide adequate light or aspect to a habitable room.~~ However, windows featuring opaque glazing may be acceptable in certain instances.
- In relation to storage spaces the following requirements shall be applied:

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.16.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.16.

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### **Proposed Material Alteration No. 15.17**

Amend the fourth, tenth and eleventh paragraphs of Section 15.4.12 as follows:  
The following basic principles shall be applied:

- A flexible approach will be taken to the assessment of alternative design concepts and high quality contemporary designs will be encouraged. A different approach may apply in the case of a Protected Structure, structures with significant heritage or within an Architectural Conservation Area.
- ~~New extensions shall match or complement the style and materials used in the main house, unless there are good architectural reasons for doing otherwise.~~
- An adequate area of private open space, relative to the size of the dwelling should be retained, generally not less than 25sq.m. ~~The physical extensions to the floor area of a dwelling should not erode its other amenities. In all cases a minimum private rear garden area (Section 15.6.7 refers) must be retained except in exceptional circumstances where it can be demonstrated that there are exceptional circumstances to reduce the private open space and there will be no negative impact on neighbouring residential amenity.~~

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.17.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.17.

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### **Proposed Material Alteration No. 15.18**

Amend the first paragraph of Section 15.4.15:

Placenames are an important part of our cultural heritage and placemaking. The Council actively seeks to ensure that our rich heritage is protected and enhanced through the naming of new residential developments. The naming of residential and other developments shall reflect local heritage by incorporating local placenames or names of geographical, historical or cultural significance to the site location. It is the preference of the Council to promote the use of the Irish Language in the first instance for the naming of new residential developments in the County. Names of developments shall include the use of the Irish Language, where appropriate and sensible. ~~The Council promotes and encourages the use of Irish Language for the naming of new residential developments in the County. Names of developments shall include the use of the Irish language.~~ Developers shall have regard to the Council's policy, Naming of New Residential Developments (2018). The Council will endeavour to review this document within two years of the making of this Plan.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.18.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.18.

**Proposed Material Alteration No. 15.19**

Amend the second paragraph of Section 15.4.16:

The Council's policy on the taking in charge of residential developments is set out in the Taking in Charge Policy Statement (June 2008) which is currently under review and should be considered from the outset (either in its current form or as subsequently amended), from the initial pre-application stage through to the post construction phase of a development.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.19.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.19.

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**Proposed Material Alteration No. 15.20**

Add new bullet point at the end of the fourth paragraph of Section 15.5.2 as follows:

Any application for childcare facilities shall have regard to the following:

- Signage should be minimized and designed into the scheme.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.20.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.20.

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**Proposed Material Alteration No. 15.21**

Add new paragraph at the end of Section 15.5.2 as follows:

The omission of a crèche previously permitted within a residential development will not generally be favourably considered.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.21.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.21.

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**Proposed Material Alteration No. 15.22**

Amend the second sentence of the second paragraph of Section 15.5.3 and add a new bullet to the end of the paragraph as follows:

~~Appropriate locations are generally determined by the Department of Education; however, the~~ **The Planning Authority will encourage them in built up areas and / or clustered with other community infrastructure to enable dual usage of facilities. New schools at edge of town locations should be serviced by safe sustainable travel infrastructure. Any application for education facilities shall have regard to the following:**

- **Boundary treatment to be sensitive to the location and a landscape plan carried out by a suitably qualified landscape architect.**

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.22.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.22.

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**Proposed Material Alteration No. 15.23**

Amend the title of Section 15.5.4 as follows:

**15.5.4 Health Facilities & Veterinary Clinic**

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.23.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.23.

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**Proposed Material Alteration No. 15.24**

Add sub-heading before the last paragraph of Section 15.5.4 as follows:

**Veterinary Clinics**

**In the case of veterinary surgeries, full details of all services provided on site shall be submitted, car parking for clients/patients and including details of overnight facilities (e.g., kennels/staff accommodation) and out of hours services together with noise mitigation measures, where appropriate.**

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.24.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.24.

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### **Proposed Material Alteration No. 15.25**

Amend Section 15.6.4 as follows:

Natural / Semi-Natural Green Space (e.g., undeveloped, or previously developed land with habitats such as woodland or wetland areas) and Green Corridors (linear green spaces such as canal and river corridors) also provide valuable open space ~~enhancing~~ **conserving biodiversity, and enhancing** natural drainage, and carbon storage.

### **Submissions/Observations**

The following relates to Submission No. 201.

The submission requests the inclusion of the following additional text: "... or wetland areas (including ponds)"

### **Chief Executives Response**

It is considered appropriate to only refer to 'wetlands' and not to specifically state which types of wetlands are included.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.25.

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### **Proposed Material Alteration No. 15.26**

Amend Section 15.6.6 as follows:

The provision of accessible open space is a key part of the provision of high-quality green infrastructure for communities. Public open space must be carefully designed as an integral part of the layout of all residential schemes / mixed schemes from the outset, being addressed at the initial design stages. All applications for residential developments shall include a landscape plan, **which shall be prepared in accordance with the Parks Section 'Open Space & Landscaping Pre-Planning Guidance for Applicants' document.** It is vital that landscape architects are involved in the early stages of the design process and attend any pre-planning discussions with the Planning Authority.

Open space **shall** be provided within the development site as follows:

- On greenfield sites, the minimum area of open space that is acceptable within the site is ~~20%~~ **15%** of the total site area. This may include Natural / Semi-Natural Green Spaces incorporating the planting of native species and pollinator friendly areas which enhance biodiversity up to a maximum of 8%.
- On institutional sites a minimum requirement of ~~25%~~ **20%** of the site area may be required. This may include Natural / Semi-Natural Green Spaces incorporating the planting of native species and pollinator friendly areas which enhance biodiversity up to a maximum of 10%.

### **Submissions/Observations**

The following relates to Submission No. 17.

Requests that Public Open Space for Residential Development gives maximum space to enhance biodiversity of public open space. A minimum standard should also be specified.

The following relates to Submission No. 174.

Submission no. 174 proposes to add the following text to PMA No. 15.26. The additional text proposed is highlighted in red below.

Open space **shall** be provided within the development site as follows:

- On greenfield sites, the minimum area of open space that is acceptable within the site is ~~20%~~ 15% of the total site area. This may include Natural / Semi-Natural Green Spaces incorporating the planting of native species and pollinator friendly areas which enhance biodiversity up to a maximum of 8%. **Flexibility may be applied on the 15% rate where it is evident that a high-quality approach to landscape provision is secured and/or where a site adjoins a major public amenity.**
- On institutional sites a minimum requirement of ~~25%~~ 20% of the site area may be required. **Flexibility of this requirement may be applied where institutional lands are located in close proximity to existing public open space / parks and at highly accessible locations where increased residential density would be required by national policy objectives.** This may include Natural / Semi-Natural Green Spaces incorporating the planting of native species and pollinator friendly areas which enhance biodiversity up to a maximum of 10%.

The submission states that the reason for the above amendments is that innovative green infrastructure initiatives have been included as part of certain schemes, which often provide a wider benefit to existing adjacent communities and therefore a degree of flexibility should be provided in relation to the 15% rate.

It is also submitted that a 20% open space requirement for institutional lands would reduce the developable areas of sites for houses which in turn could lead to an unintended consequence of a mix of typologies which would not be in keeping with the wider objectives of the Plan. On this basis, the above change to the Proposed Material Alteration is recommended.

The following relates to Submission No. 176.

Additional text in PMA No. 15.26 refers to compliance with the Parks Section ‘Open Space & Landscaping Pre-planning Guidance’ being a requirement of any future application. The submission states that this document has not been part of the public consultation process whereby these standards can be commented on, and it is therefore not considered appropriate that adherence to this guidance document be required in the new Development Plan.

Submission no. 176 proposes to amend the following text in PMA No. 15.26. The amended text proposed is highlighted in red below.

Amend Section 15.6.6 as follows:

**The provision of accessible open space is a key part of the provision of high-quality green infrastructure for communities. Public open space must be carefully designed**

as an integral part of the layout of all residential schemes / mixed schemes from the outset, being addressed at the initial design stages. All applications for residential developments shall include a landscape plan, ~~which shall be prepared in accordance with the Parks Section 'Open Space & Landscaping Pre-Planning Guidance for Applicants' document.~~ It is vital that landscape architects are involved in the early stages of the design process and attend any pre-planning discussions with the Planning Authority.

Open space shall be provided within the development site as follows:

- On greenfield sites, the minimum area of open space that is acceptable within the site is ~~20%~~ 15% of the total site area. This may include Natural / Semi-Natural Green Spaces incorporating the planting of native species and pollinator friendly areas which enhance biodiversity up to a maximum of 8%.
- On institutional sites a minimum requirement of ~~25%~~ 20% of the site area may be required. This may include Natural / Semi-Natural Green Spaces incorporating the planting of native species and pollinator friendly areas which enhance biodiversity up to a maximum of 10%.

### **Chief Executives Response**

The Sustainable Residential Development in Urban Areas Guidelines 2009 are very clear in their recommended quantitative standards, which state that in greenfield sites, public open space should be provided at a minimum rate of 15% of the total site area and in institutional lands, a minimum requirement of 20% of the total site area should be specified.

Section 15.6.6 of the Draft Plan provides flexibility within the above standards may be considered for smaller developments and brownfield and/or regeneration sites.

It is considered the existing wording of PMA No. 15.26 is clear, unambiguous and accords with the relevant Section 28 Guidelines.

Submission no. 176 is noted, and it is acknowledged that the Parks Section "Open Space & Landscaping Pre-planning Guidance' is a document that has not been part of the public consultation process. It is therefore considered that any proposal should 'have regard' to the document rather than it being a mandatory requirement to adhere to.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration 15.26 with the following minor amendment;  
Amend Section 15.6.6 as follows:

The provision of accessible open space is a key part of the provision of high-quality green infrastructure for communities. Public open space must be carefully designed as an integral part of the layout of all residential schemes / mixed schemes from the outset, being addressed at the initial design stages. All applications for residential developments shall include a landscape plan, ~~which shall be prepared in accordance with~~ ~~to~~ the Parks Section 'Open Space & Landscaping Pre-Planning Guidance for Applicants' document. It is vital that landscape architects are involved in the early stages of the design process and attend any pre-planning discussions with the Planning Authority.



### **Proposed Material Alteration No. 15.27**

Amend the second paragraph of Section 15.6.7 as follows:

Exceptions may be permissible in relation to the development of inner urban infill where there is a need to protect the established pattern of streets and spaces and the redevelopment of brownfield / regeneration sites. Flexibility will be considered for well-designed development proposals. ~~The private amenity space requirements may be relaxed in part or whole, on a case-by-case basis, subject to overall design quality, which may include generous internal proportions and internal recreation and amenity facilities.~~

### **Submissions/Observations**

Submission No. 17 refers:

Requests that Section 15.6.7 Private Open Spaces should be assigned minimum standards for native green spaces. It is requested that a minimum of 1 native tree for every 60sqm of private open space. Private open space over 0.2ha to have 10% to 33% of native green space. Suitable trees for smaller space include Holly, Rowan, Spindle, Strawberry Tree.

The changes made in this CDP are commended, however it is submitted that we need to push green infrastructure harder in the urban environment to help mitigate against climate change and biodiversity loss.

### **Chief Executives Response**

The contents of submission no. 17 are noted with respect to PMA 15.27 however the exceptions referred to relate to inner urban infill in order to encourage the redevelopment of brownfield/ regeneration sites. Having regard to same it is not considered appropriate in such instances to require the recommended planting as the available space for development may not lend itself to the suggested quantum of planting at all times. There are numerous policies and objectives throughout the Draft Plan which encourage the planting of native tree species throughout the county.

### **Chief Executives Recommendation**

Accept Proposed Material Amendment 15.27.

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### **Proposed Material Alteration No. 15.28**

Amend the last two bullet points of the third paragraph and paragraph four of Section 15.6.7:

- In certain development circumstances, the requirements set out above may not be appropriate (e.g., housing requirements for special needs, housing for ~~the elderly~~ **older people** / sheltered housing) particularly where the development is within a 10-minute walking distance of a public park or other amenity.
- A reduced minimum standard **may** ~~will~~ be accepted for 1 and 2-bedroom houses for older people, where it is demonstrated that the design of the dwelling is specifically designed **and safeguarded** for older people.

~~Private open space associated with apartments and duplexes is important to ensure a suitable level of amenity for occupiers. Balconies and terraced areas are the primary form of private open space for apartment and duplex type schemes. Such~~

spaces shall be accessible from the main living area and comprise balconies / terraces.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.28.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.28.

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**Proposed Material Alteration No. 15.29**

Add new bullet point after first bullet point and amend fourth bullet point of section 15.7.2 as follows:

- New cycle parking shall be designed in accordance with the National Cycle Manual (2011 and any subsequent updates).
- ~~The cycle parking standards set out in Table 15.5 shall apply and cycle parking provision shall be in accordance with Section 5.4.1 of this Plan.~~ The cycle parking standards set out in Table 15.5 shall be taken as minimum standards.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.29.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.29.

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**Proposed Material Alteration No. 15.30**

Amend Table 0.5 as follows:

**Table 015.5 - Minimum Cycle Parking Standards**

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.30.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.30.

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**Proposed Material Alteration No. 15.31**

Add new bullet in Section 15.7.6 as follows:

- In accordance with the Spatial Planning and National Roads Guidelines for Planning Authorities, DECLG (2012), the creation of additional access points from new development or the generation of increased traffic from existing accesses to national roads to which speed limits greater than 50kph apply shall be avoided.

**Submissions/Observations**

The following relates to Submission No. 133.

TII submission to the Draft Plan recommendation no. 13 related to the inclusion of a reference to official national roads policy. It is noted that Proposed Material Alteration No. 15.31 reflects that recommendation, and it is welcomed on that basis.

**Chief Executives Response**

Noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.31.

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**Proposed Material Alteration No. 15.32**

Amend the last two rows of Table 15.8 in Section 15.7.7 and add the following new paragraph directly below the table:

Urban / County Road	18.5m
Distributor	18.5m

**Table 15.8 - Building Lines from Public Roads in Rural Areas**

Where developments are proposed within an area adjacent to a National or Regional Road, the Planning Authority will have regard to the requirements of Transport Infrastructure Ireland and The National Roads Design Office in relation to Building Lines.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.32.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.32.

---

**Proposed Material Alteration No. 15.33**

Amend the first bullet point and add a new bullet point to Section 15.7.8 as follows:

- Car parking standards are set out in Table 15.9 below to guide proposed development. Other than 'Residential' parking Parking standards are maximum

standards. Residential development in areas within walking distances of town centres (800 metres i.e. a 10-minute walk) and high-capacity public transport services (including but not limited to Dart+ services, Bus Connects routes and any designated bus only or bus priority route) should be designed to provide for fewer parking spaces, having regard to the need to balance demand for parking against the need to promote more sustainable forms of transport, to limit traffic congestion and to protect the quality of the public realm from the physical impact of parking.

- The use of shared car schemes will be encouraged in appropriate town centre and urban locations.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.33.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.33.

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### **Proposed Material Alteration No. 15.34**

Amend Table 15.9 of Section 15.7.8 as follows:

<b>Residential</b>	
House	.... 4 units bedrooms or greater

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.34.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.34.

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### **Proposed Material Alteration No. 15.35**

Add new sub bullet point below the second main bullet point under Table 15.9 and amend the third main bullet point under Table 15.9 as follows:

- Additionally, the maximum provision of parking should not be viewed as a target. Lower rates of parking and car-free developments should be considered in the first instance, particularly where such developments are close to and can avail of public transport. In addition, the Council will have regard to:
  - The nature of the uses of the site and likely durations of stays;
  - Park and Stride initiatives;
- The Council will normally require the provision of car parking spaces within the

~~curtilage of the site or convenient to the development. The provision should be based on the extent to which the development is likely to generate demand for additional parking spaces.~~

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.35.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.35.

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### **Proposed Material Alteration No. 15.36**

Include the following as a new fourth bullet point after Table 15.9:

- ....car-borne traffic within a development
- The safe movement of walkers and cyclists shall be prioritized with a requirement to provide safe segregated cycling/walking routes where developments include substantial parking requirements.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.36.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.36.

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### **Proposed Material Alteration No. 15.37**

Add a new sub-bullet directly under main bullet point under Table 15.10 of Section 15.7.8 and amend second and third sub-bullet points as follows:

- New residential development should take account of the different criteria regarding car parking including:
  - A reduction of car parking standards will be considered on a case-by-case basis, having regard to 'Sustainable Urban Housing: Design Standards for New Apartments (2020)' where applicable.
  - ...
  - Vehicular parking for apartments, where appropriate, should generally be at basement or undercroft level. Where this is not possible, parking for apartments and terraced housing should be in informal groups overlooked by residential units;
  - The visual impact of large areas of parking should be reduced by the use of screen planting including semi mature native trees while connecting to existing green infrastructure networks, where possible, low walls and the use of different textured or coloured paving for car parking bays; and

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.37.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.37.

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**Proposed Material Alteration No. 15.38**

Amend the fourth bullet point of Section 15.7.9 as follows:

Require all lighting design strategies to be developed to minimise impacts on biodiversity, particularly bats, in accordance with Section 5.13 of this Plan.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.38.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.38.

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**Proposed Material Alteration No. 15.39**

Amend the first paragraph of Section 15.8 as follows:

Sustainable Drainage Systems are the most appropriate way to managing surface water run-off, as they mimic natural drainage processes to reduce the effect on the quality and quantity of runoff from developments whilst also providing amenity and biodiversity benefits. Nature Based Surface Water Management solutions should be considered in the first instance as they are measures which are inspired and supported by nature.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.39.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.39.

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### **Proposed Material Alteration No. 15.40**

Amend the third bullet point of Section 15.8 as follows:

- Proposals for surface water management shall be in compliance with the Greater Dublin Drainage Strategy (GDSDS), in particular Volume 2 Chapter 6 Stormwater Drainage Design Criteria, and CIRIA SuDS Manual (C753) and with Nature-Based Solutions to the Management of Rainwater and Surface Water Runoff in Urban Areas Best Practice Interim Guidance Document (2021, DHLGH).

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.40.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.40.

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### **Proposed Material Alteration No. 15.41**

Amend the first bullet point and add two new bullet points to the end of Section 15.9.2 as follows:

In relation to industrial development the following should be taken into consideration:

- Individual buildings should exhibit a high quality of modern architectural design and finish (including the use of colour). Prominent corner-face of buildings shall be appropriately articulated;
- ...
- Signage shall be an appropriate scale and designed into the scheme.
- Any mechanical plant or air handling units shall be appropriately screened.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.41.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.41.

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### **Proposed Material Alteration No. 15.42**

Add new bullet point before the first bullet point, amend the second, third and fifth bullet points and add two new bullet point at the end of the first group of bullet point under section 15.9.3 as follows:

The masterplan shall be consistent with the policies and objectives of this Plan and shall include the following:

- Prominent corner / face of buildings shall be appropriately articulated.
- ...

- A Green Infrastructure Plan which retains and enhances where possible existing wetland habitat, hedgerow, woodlands, meadows and habitats of species protected under European legislation and National Wildlife Acts & provides for wildlife corridors.
- Creates new green infrastructure assets such as public open space, green roofs, green walls, tree planting, street trees and natural pollination zones;
- ...
- Incorporates Nature Based Sustainable urban Drainage Systems (SuDS) such as ponds, bioretention areas, detention basins, infiltration basins, filter strips, street trees, wetlands, swales and rain gardens.
- ...
- Signage shall be an appropriate scale and designed into the scheme.
- Any mechanical plant or air handling units shall be appropriately scaled.

### **Submissions/Observations**

The following relates to Submission No. 201.

The submission requests the inclusion of the following additional text to bullet 4: "public open spaces, wildlife ponds, green roofs..."

### **Chief Executives Response**

Given the ecological and landscape benefits of ponds, it is considered appropriate to include 'ponds' to the list of new green infrastructure assets that the masterplan for new Business and Technology Parks should consider.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.42, with the following minor amendment:

- Creates new green infrastructure assets such as public open space, ponds, green roofs, green walls, tree planting, street trees and natural pollination zones;
- 

### **Proposed Material Alteration No. 15.43**

Add the following new bullet point to the end of section 15.9.3.1 as follows:

The design and siting of individual units in Business and Technology Parks shall comply with the principles of any Design Statement prepared as part of the masterplan for the overall site. In general,

- ....
- Any mechanical plant or air handling units shall be appropriately screened.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.43.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.43.

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### **Proposed Material Alteration No. 15.44**

Amend the first bullet point of the 'Note' below Section 15.9.6 as follows:

#### **Note:**

- The Council favours the use of existing licensed authorised and planning compliant quarries over proposals for extraction from green field sites.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.44.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.44.

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### **Proposed Material Alteration No. 15.45**

Amend the last two bullet points in section 15.9.7 and add a new bullet point after the last bullet point as follows:

Planning applications for home based economic activity shall contain (at a minimum) the following details, though the Council may require additional information, as necessary, on a case-by-case basis;

- ...
- Arrangements for the storage of refuse and collection of waste; and
- Appropriate levels of screening / landscaping; and
- Whether or not the proposed development will be open to visiting members of the public.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.45.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.45.

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### **Proposed Material Alteration No. 15.46**

Amend the first and fourth bullet points of Section 15.9.8 as follows:

- In the construction and layout of agricultural buildings, the Council will require that buildings be sited as unobtrusively as possible, working with the contours of the land and that the finishes and colours used blend into the surroundings. The Council accepts the need for agricultural buildings and associated works (walls, fences, gates, entrances, yards etc.) to be functional, but they will be required to be sympathetic to their surroundings in scale, materials, and finishes. Buildings

~~should relate to the landscape and not the skyscape. Traditionally this was achieved by having the roof darker than the walls;~~

- ~~• ...~~
- The removal of hedges to accommodate agricultural developments shall only be permitted with the written agreement of the Planning Authority and shall only be considered as a last resort. It is important that hedgerows are retained in order to maintain and enhance existing green infrastructure networks in the interests of biodiversity. When retaining boundary hedgerows, the council requires suitably sized infill planting where possible. A landscaping plan is required as part of an application for agricultural development and should include screening and shelterbelt planting, composed principally of native species as listed in section 15.2.5 Chapter 15, Development Management Standards.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.46.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.46.

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### **Proposed Material Alteration No. 15.47**

Amend Section 15.10.2 as follows:

~~A Construction and Demolition Waste Management Plan, prepared in accordance with the Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects (Department of the Environment, Heritage and Local Government, 2006), and any updated version of these guidelines, shall be submitted as part of development proposals for projects above any of the following thresholds:~~

- ~~• New residential development of 10 units or more.~~
- ~~• New developments other than above, including institutional, educational, health and other public facilities, with an aggregate floor area of more than 1,250 sq. m.~~
- ~~• Demolition / renovation / refurbishment projects generating more than 100 cubic metres in volume of Construction and Demolition waste; and~~
- ~~• Civil engineering projects generating more than 500 cubic metres of waste materials used for development works on the site.~~

~~A Construction and Demolition Waste Management Plan, as a minimum, should include provision for the management of all construction and demolition waste arising on site, and make provision for the reuse of said material and / or the recovery or disposal of this waste to authorised facilities by authorised collectors. Where appropriate, excavated material from development sites should be reused on the subject site.~~

Construction & Demolition waste management is now a priority objective under the new National Waste Management Plan for a Circular Economy. Detailed waste management plans will be required to be produced and delivered on for all new

development regardless of their size in accordance with the latest EPA Guidelines, where the emphasis will be on waste minimisation and reuse, followed by sustainable and environmentally friendly disposal to suitably licensed facilities.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.47.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.47.

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**Proposed Material Alteration No. 15.48**

Amend the first paragraph of Section 15.10.3 as follows:

Provision of “Bring Bank” facilities shall be required in conjunction with significant new commercial / retail developments (particularly convenience supermarkets) or extensions to same, and in conjunction with large scale residential and mixed- use developments. The Council shall move towards ensuring that bring bank facilities are accessible to as many members of the public as possible.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.48.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.48.

---

**Proposed Material Alteration No. 15.49**

Include new sentence at the end of section 15.11.1 as follows:

It is the preference of the Planning Authority that the spacing between turbines should be kept to a minimum in order to reduce the visual impact and footprint of the development on the landscape, and where possible the distance between turbines should not be greater than the distance between a dwelling house and a turbine.

**Submissions/Observations**

The following relates to Submission No. 228

The submission considers the inclusion of the new sentence in Section 15.11.1 to be unnecessary in the context of the extensive guidance provided in the Draft Revised Wind Energy Development Guidelines (December 2019) and states that alterations of the Plan that deviate from evidence-based methodologies and national guidelines should not be supported.

The following relates to Submission No. 231

The submission notes the addition of a new sentence at the end of section 15.11.1 as set out above and requests that the amendment be removed. The reason for this is that spacing between turbines is determined by a number of factors that feed into the design process for Wind Energy Development, namely constraints (environmental, technical, etc.), proximity to sensitive receptors, wind direction, adjacent developments, etc. States that many of these are addressed in the Wind Energy Development Guidelines 2006 and Wind Energy Ireland's 'Best Practice Guidelines for the Irish Wind Industry'. The proposed alteration does not comply with the requirements of these Guidelines.

**Chief Executives Response**

It is noted that the sentiment of the PMA may be considered to be inconsistent with Section 28 Guidelines and in this regard, it is recommended that a minor alteration be made to the PMA in this regard.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.49 with the following minor amendment:

Include new sentence at the end of section 15.11.1 as follows:

It is the preference of the Planning Authority that the spacing between turbines should be kept to a minimum in order to reduce the visual impact and footprint of the development on the landscape, and where possible the distance between turbines should not be greater than the distance between a dwelling house and a turbine, subject to technical considerations and site conditions.

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**Proposed Material Alteration No. 15.50**

Add new sub-section directly under Section 15.11.1 as follows:

**15.11.2 Solar Energy Proposals**

All applications for proposed solar farm developments shall have due regard to the considerations listed in Section 7.6 'Solar Energy' in Chapter 7.

**Submissions/Observations**

The following relates to Submission No. 228.

At present there are no national planning guidelines to steer the development of solar farm proposals. The submission recognises the challenge for the Council to achieve a reasonable balance between responding to the Climate Emergency and adhering to Government policy on renewable energy, while also enabling the sustainable development of solar projects. In this context the submission notes the requirements set out under material alteration No. 7.17 and the reference to same under proposed material alteration No. 15.50.

The following relates to Submission No. 247.

Please refer to Submission No. 247 in relation to Proposed Material Alteration No. 7.17.

**Chief Executives Response**

The comments made in Submission No. 228 are noted.

Please refer to the Chief Executive’s Response to Submission No. 247 in relation to Proposed Material Alteration No. 7.17.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.50.

---

### **Proposed Material Alteration No. 15.51**

Amend Section 15.11.2 as follows:

~~In determining applications proximate to overhead power lines the planning authority will have regard to the clearance distances as recommended by the Electricity Supply Board (ESB):~~

- ~~• For development in proximity to a 10kv or a 38kv overhead line, no specific clearance is required by the ESB.~~
- ~~• For development in proximity to a 110kv overhead line, a clearance distance of 20 metres either side of the centre line or 23 metres around a pylon is recommended.~~
- ~~• For development in proximity to a 220kv overhead line, a clearance distance of 30 metres either side of the centre line or around a pylon is required.~~

In relation to development proposals proximate (within 23 metres) to overhead electrical infrastructure, developers / applicants should contact ESB in advance of completing or finalising designs etc. (i.e. prior to pre-planning stage), so as to ensure that the relevant clearances are maintained from any overhead electricity infrastructure. The Council will have regard to those clearances.

### **Submissions/Observations**

The following relates to Submission No. 228.

The submission welcomes the proposed wording and highlight that it is vital that the utmost caution be exercised when designing or working in the vicinity of overhead lines and encourages contacting ESB Networks early in the design process.

### **Chief Executives Response**

The importance of contacting ESB Networks early in the design process is acknowledged and it is considered that this Proposed Material Alteration adequately addresses this requirement.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.51.

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### **Proposed Material Alteration No. 15.52**

Add new bullet point after the second bullet point of section 15.11.3 as follows:

Planning applications for new facilities should include:

- ...
- Site sharing and clustering of equipment will be encouraged.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.52.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.52.

**Proposed Material Alteration No. 15.53**

Amend the last paragraph of Section 15.12 as follows:

Developers of Seveso sites and any sites within the consultation distances of these industries (See Section 4.14) adjacent to Seveso sites are encouraged to consult with the HSA at the pre-planning stage to assess the impacts of their proposals.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.53.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.53.

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**Proposed Material Alteration No. 15.54**

Add new bullet point at the end of Section 15.13.3 as follows:

- Proposals for shopping centres should include naming and advertising details.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.54.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.54.

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**Proposed Material Alteration No. 15.55**

Amend Section 15.13.6 as follows:

**15.13.6 Motor Service Areas / ~~Petrol Filling Stations~~**

**Submissions/Observations**

The following relates to Submission No. 133.

The submission noted that Proposed Material Alteration No. 15.55 proposes a heading of “Motor Service Areas” to capture both Motorway Service Areas and Fuel Filling Stations and submits that this proposed alteration is acceptable.

### **Chief Executives Response**

Noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.55.

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### **Proposed Material Alteration No. 15.56**

Amend part (ii) of section 15.13.6 and the last paragraph of section 15.13.8 as follows:

(A) Part (ii) of section 15.13.6.

(ii) Petrol Fuel Filling Stations

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

The essential purpose of petrol fuel filling stations is to provide facilities for the sale of fuels for vehicles. The Council however recognises the more diverse role of petrol fuel filling stations in recent times, and the expansion from merely fuel depots to the provision of a wide range of convenience and other goods and services, including functioning as rest areas.

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

- Detailed proposals with respect to, inter alia, the following; ~~for the service station will be required, including~~ method of disposal of wastewater from carwash areas, traffic management including details regarding the queuing of vehicles to access EV-charging points, surface water outlet and oil interceptors etc. The development shall be designed and operated to avoid adverse effects on existing road drainage in the area.
- A high standard of overall design, architectural layout, and material content to ensure an attractive development that integrates with and complements or enhances its surroundings. Where proposals include a ~~The~~ forecourt canopy, it should be justified given the strategies to reducing carbon fuel sales and integrated into the overall design and sited so that it does not dominate the surrounding buildings.
- Air pump and ancillary services shall be provided as part of any proposal.
- ...
- The modification of standard corporate designs may be required by the Council in order to reduce the visual impact of the development in sensitive environments. In such instances, standard petrol fuel filling station canopies can be replaced with more sympathetic canopies designed to the satisfaction

of the Council, such as light steel and glass or slated roofs with no attached advertising.

- ...
- The retail floor space of the shop shall not exceed 100 sq.m net; where permission is sought for a floor space in excess of 100 sq.m net, the sequential approach to retail development shall apply in accordance with the Retail Planning Guidelines, DECLG (2012) i.e. the retail element of the proposal shall be assessed by the planning authority in the same way as would an application for retail development (without petrol/diesel fuel filling facilities) in the same location.
- ...
- The safe movement of walkers and cyclists shall be prioritised over vehicle movements with a layout of segregated routes to protect vulnerable road users at points of entry/egress and within the site with dishings as required.

(B) Amend the last paragraph of Section 15.13.8.

Sales hatches may be acceptable where shopfronts are removed from the public footpath and a specific need is demonstrated (e.g., late opening petrol fuel filling stations).

And any other consequential amendments throughout the Plan, as appropriate.

#### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.56.

#### **Chief Executives Response**

N/A

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.56.

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#### **Proposed Material Alteration No. 15.57**

Amend the sixth bullet point of Section 15.13.7 as follows:

- The design shall be required to respect the character of the street and the buildings; and particularly within Architectural Conservation Areas.

#### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.57.

#### **Chief Executives Response**

N/A

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.57.

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### **Proposed Material Alteration No. 15.58**

Amend the third main bullet point of Section 15.14.2 as follows:

- ~~The Council will discourage, through its advice and guidelines and through the imposition of conditions in planning permissions, or refusal of permission in certain cases, the following:~~
  - ~~The removal of features or alterations to existing shopfronts where they are considered by the Council to be of historical or architectural interest, or of townscape value;~~

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.58.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.58.

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### **Proposed Material Alteration No. 15.59**

Amend the first bullet point of Section 15.14.5 as follows:

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

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.59.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.59.

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### **Proposed Material Alteration No. 15.60**

Amend Section 15.15, Section 15.15.1, 15.15.2 and 15.15.3 as follows:

- (A) Add a new bullet point after the first bullet point, amend last sub-bullet point, and add two new bullet points and a table at the end of section 15.15
- **Proposals for signage on or at national roads will be assessed against Chapter 3 of the Spatial Planning and National Roads Guidelines for Planning Authorities (DoECLG, 2012) and TII Policy on the Provision of Tourist & Leisure Signage on National Roads (March 2011).**

- The Kildare County Council’s Shopfront Guidelines (2013) sets out the Council’s approach to effectively manage signage (refer to Section 15.14.3 also). All applications for signage shall be considered having regard to this policy document in terms of:
  - Impact on built heritage and streetscape; and
- The Council will carefully and sensitively manage the proliferation of advertising structures, visual clutter and brand advertising in particular in historic town and villages centres and approaches to all towns and villages in County Kildare in order to ensure the public realm is enhanced and protected.
- Public Health Act curtailments regarding the advertisement of alcohol products in respect of proximity to schools shall be strictly adhered to.

<b>Type of Sign</b>	<b>Restriction On use</b>	<b>Design Criteria</b>
Fingerpost Sign	<p>Not permitted along motorways / interchanges or national routes</p> <p>Directional signs for major tourist attractions and community purposes will be considered but product advertising will not be permitted.</p> <p>Generally, only one sign per establishment will be permitted.</p> <p>Only the primary route to the facility shall be signed.</p> <p>The sign should be located within 2km of the facility or at a relevant junction.</p>	
Backlit Signs	Generally appropriate.	Lettering should generally not exceed 400mm in height
Billboard	May be permitted in limited circumstances for a specified time period, where it can be demonstrated that the development will enhance the area e.g. by screening an unsightly site or derelict structure	

<b>Type of Sign</b>	<b>Restriction On use</b>	<b>Design Criteria</b>
Use of Gable/Side of Buildings for the Exhibition of Advertising Structures	Not Permitted	
Digital Boards/Signs	Generally not appropriate. Not permitted in an ACA or on or close to a Protected Structure. Not permitted on major roads unless signage relates to the signage strategy or traffic management and safety.	Applications should set out the details for the material, finishes and colours of the signage structure, maximum luminance of the advertisement display between dusk and dawn.  Only static images without movement shall be permitted,  No more than one advertisement shall be displayed every ten seconds and fade transition shall be applied.
Bus Shelter	Generally appropriate	Purpose of illumination should be to light the shelter.
Fascias and Box Signs	Generally appropriate	Should not be internally illuminated. Lettering should not exceed more than 400mm in height.
Projecting Sign	Generally not appropriate	Should not be internally illuminated
Public Information Panels	Generally appropriate	Should not obstruct footpath/cycle paths. Advertising permitted on public information panels will be restricted and should constitute not more than 50% of the total area.
Neon Signs	Generally not appropriate	Should not be displayed in village centres, in ACAs or on or near A Protected Structure
Signs above Parapet	Not Permitted	
Moving Vane Signs	Not Permitted	
Free Standing Advertising Displays	Not permitted on or over footpaths	

Type of Sign	Restriction On use	Design Criteria
Totem	Not generally permitted where nameplate signage on a façade of a building is sufficient in scale and design and clearly visible from a public road.  In general, due to the size of this type of signage it is not acceptable within an ACA or within the curtilage of a Protected Structure.	Limit of 1 no. Totem Sign per specific site. Must be high quality material/finish.  Position of sign should not interfere with vehicular and pedestrian sightlines.
Trailer/Mobile Trailer Signs/Parked Mobile Advertising	Not Permitted	
Window Signs	Generally appropriate	Should not occupy more than 25% of the window. Signs in windows should not be internally illuminated
Structures on Public Footpaths and Public Areas	Not Permitted	
Sundry Advertising Devices	Not Permitted	Includes pavement signs or sandwich boards, spotlights, flags, bunting, banners, neon moving message signs, fly posting and barrage/ balloons

**Table 15.11 – Advertising Signage**

**(B)** Delete sections 15.15.1, 15.15.2 and 15.15.3.

~~**15.15.1 Impact on natural heritage, areas of high amenity and landscape sensitivity factors. Fingerpost Signage**~~

- ~~• Such signs will not be permitted along motorways / interchanges or national routes.~~
- ~~• Proposed signage will be subject to the considerations in Section 15.15 above and the following additional considerations:~~
  - ~~○ Directional signs for major tourist attractions and community purposes will be considered but product advertising will not be permitted.~~
  - ~~○ Generally, only one sign per establishment will be permitted.~~
  - ~~○ Only the primary route to the facility shall be signed.~~
  - ~~○ The sign should be located within 2km of the facility or at a relevant junction.~~

### **15.15.2 Totem Signage**

- ~~• The use of totem pole advertisement displays will be carefully considered and will not generally be permitted where nameplate signage on a façade of a building is sufficient in scale and design and clearly visible from a public road.~~
- ~~• In general, a proliferation of these structures shall be strictly controlled in the commercial/industrial zoned areas of the County and particularly in smaller settlements.~~
- Where the requirement for a totem sign can be justified, their height and width shall not be excessive and they should be sympathetic to the surroundings, in particular in town and village centres, within or near Architectural Conservation Areas, close to sites of heritage interest and where they adjoin residential areas.
- ~~• The information displayed on the totem pole should not be excessive or appear unduly visually obtrusive.~~
- ~~• The number of totem structures, serving a specific site, shall be limited to 1 no. sign, and should not be located in a position that would interfere with vehicular and pedestrian sightlines.~~

### **15.15.3 Outdoor Advertising Structures**

- ~~• Outdoor advertising structures, including trailer type structures, will not generally be permitted within the county, whether freestanding or attached to buildings. In particular, the use of gables or sides of buildings for the exhibition of advertising structures will not be permitted.~~
- ~~• Billboards or similar types of advertisements may be permitted in limited circumstances for a specified time period, where it can be demonstrated that the development will enhance the area e.g. by screening an unsightly site or derelict structure.~~
- ~~• The use of free standing signs / advertising boards on or over public footpaths will not be permitted.~~

### **Submissions/Observations**

The following relates to Submission No. 133.

TII submission to the Draft Plan recommendation No. 15 sought the inclusion of national roads considerations in the assessment of signage proposals. It is noted that Proposed Material Alteration No. 15.60 (A) reflects that recommendation, and same is welcomed on that basis.

### **Chief Executives Response**

Noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.60.

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### **Proposed Material Alteration No. 15.61**

Insert new section after Section 15.15 as follows:

### **15.16 Outdoor Dining**

- The siting of outdoor dining and associated structures on a public footpath is subject to a licence in accordance with Section 254 of the Planning and Development Act 2000 (as amended). Planning permission is required where the outdoor dining structures are located on private land.
- Kildare County Council's Licensing of Outdoor Dining and Seating Guidelines and Checklist Document (2021) set out the Council's approach to effectively managing outdoor dining. All applications shall be considered having regard to these guidelines.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.61.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.61.

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**Proposed Material Alteration No. 15.62**

Add new paragraph to Section 15.16.1 as follows:

Bats will often roost in basements or attics of old buildings and could potentially be disturbed during works to protected structures. Bats are protected under the Wildlife Acts 1976 to 2012. It is an offence to intentionally disturb, injure or kill a bat or disturb its resting place and any work on a roost must be carried out with the advice of the National Parks and Wildlife Service. Bats are also protected under the EU Habitats Directive (92/43/EEC), Annex IV. It is important that expert advice is sought in determining the presence of bat species in older buildings to address the requirement of derogation licence that will be required if bats are found to be present.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 15.62.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 15.62.

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## Chapter 16: Monitoring and Implementation

### **Proposed Material Alteration No. 16.1**

Amend the first sentence of the third paragraph of Section 16.1:

The Council's key priorities over the life of the Development Plan will be to secure the full quantum of new housing provision for the county as set out in the Core Strategy, accompanied by the timely delivery of servicing and community infrastructure, along with transitioning the county to a model of low carbon society and tackling the loss of biodiversity.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 16.1.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 16.1.

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### **Proposed Material Alteration No. 16.2**

Amend the description of 'Resilience' in the table under Section 16.2.3:

Resilience	The Covid-19 Pandemic has most recently shown the importance of resilience and adaptability. Resilience is a principle that also underpins the Plan and is described as 'the ability of a system, community or society exposed to hazards to resist, absorb, accommodate and recover from the effects of a hazard in a timely and efficient manner, including through the preservation and restoration of its essential basic structures and functions'. (United Nations Office for Disaster Risk Reduction (UNISDR), 2009). Protecting biodiversity can help us adapt to the hazard of climate change. Healthy ecosystems will be more resilient to climate change and more able to maintain the supply of ecosystem services on which our prosperity and wellbeing depend. Resilience is therefore built into the strategic policies and recommendations of each of the cross-cutting themes: quality of life, sustainability, climate action, and inclusivity.
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### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 16.2.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 16.2.

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### **Proposed Material Alteration No. 16.3**

#### **(A) Amend Second bullet point of section 16.3.3**

- Application of the Vacant Site Levy<sup>add footnote</sup> to key residential and regeneration sites.

Footnote: Action 15.2 of Housing for All identifies the introduction of a new tax to activate vacant land for residential purposes as part of the pathway to increasing new housing supply, which will in time replace the Vacant Site Levy. The Residential Zoned Land Tax (RZLT) was introduced by the Finance Act 2021 and will come into effect from 2024. The principal purpose of the residential zoned development land tax is to encourage the timely activation of serviced lands zoned for residential or mixed-use purposes.

#### **(B) Amend Last two paragraphs of section 16.3.3**

The Planning Department will also oversee ~~prepare and commence the preparation and implementation of masterplans for strategic sites including in particular, the Northwest Quadrant and the Maudlins Key Development Area in Naas, Naas Town Centre, Maynooth Town Centre and the lands at Confey and Collinstown in Leixlip.~~ The Strategic Projects and Public Realm Team will also oversee the preparation of Naas Town and Maynooth Town Renewal Masterplans.

With regard to the implementation of the Zoned Land Tax (ZLT), the collection of which will be commenced in 2023, it is intended that all work related to the Vacant Site Levy<sup>add footnote</sup> will provide the foundation for identifying sites to which this tax will be applied.

Footnote: Action 15.2 of Housing for All identifies the introduction of a new tax to activate vacant land for residential purposes as part of the pathway to increasing new housing supply, which will in time replace the Vacant Site Levy. The Residential Zoned Land Tax (RZLT) was introduced by the Finance Act 2021 and will come into effect from 2024. The principal purpose of the residential zoned development land tax is to encourage the timely activation of serviced lands zoned for residential or mixed-use purposes.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 16.3.

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. 16.3.

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### **Proposed Material Alteration No. 16.4**

Add new objective to Section 16.3.4 as follows and renumber objectives accordingly:  
Implement the mitigation measures as set out in the SEA Environmental Report.



**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 16.4.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 16.4.

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**Proposed Material Alteration No. 16.5**

Add new objective to Section 16.3.4 as follows and renumber objectives accordingly:

Implement the monitoring programme as set out in the SEA Environmental Report.

This will include the preparation of standalone SEA Monitoring Reports to accompany:

- a) The report required of the Chief Executive under section 15(2) of the Act, including information in relation to progress on, and the results of, monitoring the significant environmental effects of implementation of the development plan.
- b) In advance of the beginning of the review of the next County Development Plan, on the significant environmental effects of implementing this Plan.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. 16.5.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. 16.5.

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## Appendix 2: Wind Energy Strategy

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

Amend Section 2.2.1 as follows:

#### ~~2.2.1 The Climate Action Plan 2019~~

~~The Climate Action Plan 2019 is committed to achieving a net zero carbon energy system for Irish society and a resilient and sustainable country. This Plan sets out over 180 actions, together with hundreds of sub-actions, that need to be taken at a time when the warning signs are growing, and the time for taking action is rapidly reducing. This Plan identifies how Ireland will achieve its 2030 targets for carbon emissions and puts the Country on a trajectory to achieve net zero carbon emissions by 2050. The Plan embraces every relevant sector: electricity, enterprise, housing, heating, transport, agriculture, waste, and the public sector. In relation to electricity, the key objectives are outlined below:~~

- ~~• Increase reliance on renewables from 30% to 70% adding up to 8.2 GW of renewable onshore wind energy capacity with some of this delivered by private contracts via corporate power purchase agreements.~~
- ~~• Deliver the Renewable Electricity Support Scheme (RESS) which will provide support for renewable electricity projects in Ireland through a series of scheduled, competitive auctions.~~
- ~~• Put in place a coherent support scheme for micro-generation with a price for selling power to the grid.~~
- ~~• Open up opportunity for community participation in renewable generation as well as community gain arrangements.~~
- ~~• Streamline the consent system, the connection arrangements, and the funding support for the new technologies both onshore and off shore.~~

Key Actions relevant to this Wind Energy Development Strategy include:

- ~~18. Facilitate additional hybrid connections (e.g. solar/wind/batteries) operating in the electricity market to increase RES-E penetration.~~
- ~~19. Ensure that the next phase of renewable connection policy is fit for purpose to deliver on renewable energy targets and community projects, and report annually on the timeliness of grid connection.~~
- ~~21. Ensure that updated planning guidelines for onshore wind are published in 2019.~~
- ~~24. Facilitate very high penetration of variable renewable electricity by 2030 (both SNSP and average) through system services and market arrangements.~~
- ~~28. Design and implement the RESS. Increase the volumes and frequencies of RESS auctions to deliver on the 70% renewable electricity target by 2030 ensuring an appropriate community/ enterprise mix to achieve an efficient delivery of renewables.~~
- ~~30. Develop an enabling framework for micro-generation which tackles existing barriers and establishes suitable supports within relevant market segments.~~
- ~~145. Develop a strategy to achieve at least a 30% reduction in CO<sub>2</sub>eq. emissions by 2030 and a 50% improvement in public sector energy efficiency.~~

#### **2.2.1 The Climate Action Plan 2021**

The Climate Action Plan 2021 is committed to achieving a net zero carbon energy system for Irish society and a resilient and sustainable country. This Plan sets out over 493 actions in its Annex of Actions. This Plan identifies how Ireland will achieve its 2030 targets for carbon emissions and puts the Country on a trajectory to achieve net zero carbon emissions by 2050. The Plan embraces every relevant sector: electricity, enterprise, housing, heating, transport, agriculture, waste, and the public sector. In relation to electricity, the key objectives are outlined below:

- Increase reliance on renewables up to 80% adding up to 8 GWs of renewable onshore wind energy capacity and at least 5 GWs of offshore wind energy capacity.
- At least 500 MW of these renewables will be delivered through local community-based projects, subject to competition as appropriate.
- Deliver circa 2 GW of new flexible gas-fired power stations in support of a high variable renewable electricity system.
- Delivery of three new transmission grid connections or interconnectors to Northern Ireland, Great Britain, and the EU.
- Explore further interconnection, including hybrid interconnectors (combined cross border transmission network with offshore renewable generation), to other countries.
- Expand and reinforce the grid – through the addition of lines, substations, and new technologies.
- Complete the phase-out of coal and peat-fired electricity generation.
- Ensure that 20-30% of system demand is flexible by 2030.

Furthermore, the National Renewable Energy Action Plan 2010 (Irish Government submission to the European Commission), the Government's White Paper on Energy Policy - Ireland's Transition to a Low Carbon Energy Future 2015-2030 (DCENR) and the Climate Action and Low Carbon Development (Amendment) Bill 2021 are all noted in this regard.

### **Submissions/Observations**

Submission No. 228 welcomes the proposed amendments that recognise the impacts of the updated Climate Action Plan 2021 and other relevant national policy documents.

### **Chief Executives Response**

Noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. AWE 1

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

Amend the second paragraph of section 2.2.2 to read as follows:

~~Building on the policy framework of the National Mitigation Plan (NMP) and Project Ireland 2040, the~~ **The Government published its second Climate Action Plan in June 2019** ~~2021~~. **The Climate Action Plan identifies how Ireland will achieve its 2030**

targets for greenhouse gas emissions in a manner consistent with a trajectory to achieve net zero emissions by 2050. The Non-ETS (Emissions Trading System) sector accounts for 74% of total EU emissions in Ireland. The ESR enshrines a greenhouse gas emissions reduction target for Ireland of 30% by 2030 relative to 2005 levels. The Climate Action Plan sets out over ~~180 actions, together with hundreds of subactions,~~ **493 actions in its Annex of Actions** that need to be taken and embraces every relevant sector: electricity, industry, enterprise, housing, heating, transport, agriculture, waste, and the public sector.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. AWE 2

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. AWE 2

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

Add the following new section under Section 2.2.4.3 and renumber sections accordingly:

#### **2.2.4.3 Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change 2017**

It is a specific planning policy requirement of these Guidelines that, in making, reviewing, varying, or amending a development plan, or a local area plan, with policies or objectives that relate to wind energy developments, the relevant planning authority shall carry out the following:

- 1) Ensure that overall national policy on renewable energy as contained in documents such as the Government's 'White Paper on Energy Policy - Ireland's Transition to a Low Carbon Future', as well as the 'National Renewable Energy Action Plan', the 'Strategy for Renewable Energy' and the 'National Mitigation Plan', is acknowledged and documented in the relevant development plan or local area plan;
- 2) Indicate how the implementation of the relevant development plan or local area plan over its effective period will contribute to realising overall national targets on renewable energy and climate change mitigation, and in particular wind energy production and the potential wind energy resource (in megawatts); and
- 3) Demonstrate detailed compliance with item number (2) above in any proposal by them to introduce or vary a mandatory setback distance or distances for wind turbines from specified land uses or classes of land use into their development plan or local area plan. Such a proposal shall be subject to environmental assessment requirements, for example under the SEA and Habitats Directives. It shall also be a material consideration in SEA, when taking into account likely significant effects on climatic factors, in addition to other factors such as landscape and air, if a mandatory setback or variation to a mandatory setback proposed by a planning authority in a development plan or local area plan would create a significant

limitation or constraint on renewable energy projects, including wind turbines, within the administrative area of the plan.

### **Submissions/Observations**

Submission No. 228 welcomes the proposed amendments that recognise the impacts of the updated Climate Action Plan 2021 and other relevant national policy documents.

### **Chief Executives Response**

Noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. AWE 3

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

Amend the first paragraph of Section 2.5.3, as follows:

The Renewable Electricity Support Scheme Good Practice Principles Handbook for Community Benefit Funds 2021 was prepared by the Department of the Environment, Climate and Communications. The Renewable Electricity Support Scheme (RESS) is a key policy initiative to deliver on the Government's Climate Action Plan commitment to generate at least ~~70%~~ 80% renewable electricity by 2030. A key feature of RESS is that all renewable electricity generation projects must establish a Community Benefit Fund to be used for the wider economic,

### **Submissions/Observations**

Submission No. 228 welcomes the proposed amendments that recognise the impacts of the updated Climate Action Plan 2021 and other relevant national policy documents.

### **Chief Executives Response**

Noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. AWE 4

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

Amend the first three paragraphs of Section 5.1, as follows:

As set out in the *Climate Action Plan*, to meet the required level of emissions reduction by 2030, the country will increase the proportion of electricity consumption generated from renewable sources to ~~70%~~ 80% by 2030 and 100% by 2050.

The *Climate Action Plan* target is to add ~~8-2~~ 8 GW (~~8200~~ 8000 MW) of onshore wind capacity across the country by 2030. This is supported by the National Development Plan 2021-2030 which includes strategic investment opportunities to potentially deliver 8GW (8000MW) of onshore wind by 2030.

Given the national target of ~~8200~~ 8000 MW of wind energy by 2030, and given that:

- County Kildare accounts for approx. 4.7% of the country's population
- County Kildare accounts for approx. 2.4% of the land area of the State

### **Submissions/Observations**

Submission No. 228 welcomes the proposed amendments that recognise the impacts of the updated Climate Action Plan 2021 and other relevant national policy documents.

### **Chief Executives Response**

Noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. AWE 5

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

Amend Section 6.31 as follows:

~~In broad terms as~~ As per the Irish Aviation Authority, any wind turbine above 90m in height above ground needs to be marked and fitted with aviation warning lights and identified on aviation charts. ICAO (the International Civil Aviation Organization) and EASA (the European Aviation Safety Agency) both provide further advice on this, and this will be considered at planning application stage. In general, minimum required illumination would be of Type C, Medium intensity, Fixed Red obstruction lighting, with minimum output 2,000 candela visible in all directions and operational H24/7 days a week. Further lighting provisions will be necessary for turbines extending above 150m, and additional infra-red lighting, compatible with night-vision goggles, will generally be required in Military Operating Areas.

### **Submissions/Observations**

The following relates to Submission No. 228.

This Proposed Material Alteration is welcomed, and the submission recognises that applications for windfarms will be assessed on a case-by-case basis, subject to viable wind speeds, environmental resources and constraints and cumulative impacts in compliance with Article 6 of the Habitats and EIA Directives.

### **Chief Executives Response**

The comments are noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. AWE 6

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## Appendix 3: Open Space & Outdoor Recreation Strategy

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

Amend the first paragraph of Section 1 as follows:

The Covid pandemic highlighted the critical importance of open space and outdoor recreation to the collective wellbeing of society. To have accessible and usable outdoor amenity space close to our homes and in our communities is recognised and appreciated as a fundamental component to healthy placemaking and a healthy lifestyle. With increased populations in urban settings, there is a need to integrate good quality open spaces into the development of towns in order to provide access to natural environments and appropriate amenities that are separated from vehicle movements and do not depend on travel out of towns.

### **Submissions/Observations**

The following relates to Submission No. 247.

This submission acknowledges that the Open Space & Outdoor Recreation Strategy strongly supports the health and wellbeing strategies of the HSE and suggests that consideration be given to highlighting this in the draft Plan that there is a clear link to this and the health gain for residents of the County.

### **Chief Executives Response**

It is considered that Section 10.1 of the Plan clearly highlights the value of access to community infrastructure (including public open space/parks) to our health and wellbeing and Section 13.7 of the Plan highlights various aspects of the Open Space & Outdoor Recreation Strategy and includes objectives with regards to the implementation of the recommendation of the Kildare Open Space Strategy 2021. It is therefore considered that no further amendments to the Plan are required in this regard.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. AOS 1.

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

Amend No. 5 in section 4.1 as follows:

No.	Park Name	Town	Size
5	Alexandra Manor <del>Abbeyland Park</del>	Clane	6.4ha / 16 acres

### **Submissions/Observations**

Submission No. 219 supports the proposed amendment.

### **Chief Executives Response**

Noted.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. AOS 2

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**Proposed Material Alteration No. AOS 3**

Amend the second last paragraph of section 4.6 (Racecourses) as follows:

These racecourses are significant amenities not alone at a local level but also nationally and internationally. While significant numbers of visitors (including national and international) enjoy horseracing at these racecourses, locally the racecourses provide open space which is used by those in the locality and further afield for walking, running and general amenity.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. AOS 3

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. AOS 3

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**Proposed Material Alteration No. AOS 4**

Amend the last paragraph of section 5.2 as follows:

Open spaces like Woodstock Castle, Willowbrook Park, ~~Alexandra Manor~~, Abbeyland Park, Lough na Mona and Lakeside Park are significant areas of open space provided in conjunction with housing developments and which provide an amenity space for these developments primarily. Due to their size and location some like Willowbrook Park, ~~Alexandra Manor~~, Abbeyland Park, Woodstock Castle, Lough na Mona and Lakeside Park also fulfil an amenity role outside of these housing developments. This wider amenity usage and their size warrants them being included in the audit.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. AOS 4

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. AOS 4

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**Proposed Material Alteration No. AOS 5**

Amend No. 5 of section 5.3 as follows:

No.	Park Name	Town	Score
5	<del>Alexandra Manor</del> Abbeyland Park	Clane	32

**Submissions/Observations**



No submissions were received with respect to Proposed Material Alteration No. AOS 5

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. AOS 5

**Proposed Material Alteration No. AOS 6**

Amend section 6.1 as follows:

Typology	Function	Examples in County Kildare	Future Proposals
<b>County Level: Strategic Open Spaces</b>			
National Importance	Large facility of high scenic quality accessible to the public to which users may travel some distance to enjoy amenity.	The Curragh, Bog of Allen, Irish National Stud and Gardens, (Tully). Castletown House & Woodlands and Puncestown Racecourse.	National Peatlands Park The Curragh Plains Strategy

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. AOS 6

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. AOS 6

**Proposed Material Alteration No. AOS 7**

Add the following amendment to section 6.1 (page 27).

Typology	Function	Examples in County Kildare	Future Proposals
<b>Local Level: Within Settlements</b>			
Local Park	Local Parks range in size between 2 and 16 hectares and are located within settlements for local use for passive recreation, playing fields, organised	The People’s Park, Athy. Willowbrook Park, Celbridge. <del>Alexandra Manor,</del> Abbeyland Park, Clane. Rye River Walk, Leixlip. Carton Avenue, Maynooth.	Refer to Local Area Plans e.g., Ardrew Amenity Lands, Athy Woodstock Amenity Lands, Athy Rural Example: Moat of Ardscull

	sports, biodiversity, play facilities.	Liffey Linear Park, Newbridge.	
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**Submissions/Observations**

Submission No. 219 supports the proposed amendment.

**Chief Executives Response**

Noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. AOS 7

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## Appendix 5: Record of Monuments & Places

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

Amend list under Six Inch Sheet 19:

<b>Item (Description)</b>	<b>Location (Townland)</b>	<b>OS Sheet No.</b>	<b>Reference</b>
Cist	Haynestown	19	KD019-058---
Standing Stone	Westown	19	KD 019-059
Enclosure	Westown	19	KD 019-060

### **Submissions/Observations**

The following relates to Submission No. 192

The accompanying map for Johnstown does not show KD019-060, however it does show B 19-15 in that position. This should be rectified.

### **Chief Executives Response**

KD019-060 is clearly shown on the accompanying map for Johnstown. It is located to the south of the Furness Wood housing development, just outside the village boundary.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. ARM 1

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## Appendix 6: Record of Protected Structures

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

Amend RPS list with reference to B19-38 and B19-39 with description 'house' to B19-38a/b/c, and B19-39a/b/c and describe as 'Terrace of 3 no. houses'.

### **Submissions/Observations**

The following relates to Submission No. 53.

Objects to the proposed change of description of B19-38 from 'house' to B19-38 'a/b/c Terrace of 3 no. houses' on the basis that an investment should be made to actually protect it and ensure its integrity & ancestry. The submission questions the purpose or benefit of the proposed change of description.

### **Chief Executives Response**

A submission was received during the Draft Plan Public Consultation period which stated that the RPS list in Appendix 6 of the Plan only includes three of the six 'Gothic Revival' cottages.

However, the RPS list of the Plan did include protection for all 6 cottages under B19-38 (NIAH Ref: 11812012) and B19-39 (NIAH 11812029). Each structure is identified as a group of three terraced three-bay single-storey Gothic-style houses, c.1880 under their NIAH descriptions.

In response to the submission, it was considered appropriate to amend B19-38 and B19-39 of the RPS list to B19-38a/b/c, and B19-39a/b/c and to amend the description as 'Terrace of 3 no. houses' in order to clarify the issue raised by the submission received.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. APS 1

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

Add **Gowran Grange House, associated outbuildings, and demesne** to the list of Kildare County Council Proposed Protected Structures (PPS) - Additions.

### **Submissions/Observations**

The following relates to Submission No. 264.

The submission includes an Architectural Assessment of Gowran Grange, Punchestown by Dr. Andrew Tierney of the Irish Art Research Centre (TRIARC) in support of the addition of Gowran Grange to the Record of Protected Structures. It is submitted that given the size, architectural quality and regional significance, as well as its importance to the local history of Punchestown, the house, its demesne, and any associated historic structures should undoubtedly be added to the county's Record of Protected Structures.

The following relates to Submission No. 239.

The submission welcomes and fully supports this Proposed Material Alteration. The Chief Executive Report dated July 2022 is referenced and it is highlighted that there

were a number of other submissions as part of the Draft Development Plan consultation process, many of which were in support of the inclusion of Gowran Grange and its demesne onto the Record of Protected Structures. The submission from Dr Andrew Tierney is highlighted and his expert opinion is referenced, which stated that the Gowran Grange house, its demesne, and any associated historic structures should be added to the County's Record of Protected Structures.

This submission (No. 239) notes the submission (No. 139) made on behalf of the owner of Gowran Grange House and demesne (dated 26 October 2022). The statement contained therein that the owner of the property does not object to the proposed listing of Gowran Grange House, associated outbuildings and curtilage is welcomed. However, this submission (No. 239) is concerned that the submission (No. 139) now seeks to exclude the demesne of Gowran Grange from the Record of Protected Structures.

Policies CH 1 and CH 2 of the Kildare County Development Plan 2017-2023 is referenced.

It is stated that the demesne includes a beautifully designed landscape which has already been surveyed and recorded by the National Inventory of Architectural Heritage and which was given the ID 1985. It is stated that the Garden survey by NIAH was to record Historic Gardens and Designed Landscapes in order to protect and preserve them. Whilst not statutory in nature, Gowran Grange was clearly identified by the NIAH at this time as being worthy of inclusion on the NIAH register. The submission highlights some of the details of the record.

Concern is raised that submission (No. 139) disregards the importance attached to the designed landscape at Gowran Grange and seeks to ignore planning policy to protect important designed landscapes and historic gardens such as that existing at Gowran Grange.

Furthermore, the submission states that the Florence Charter in 1982 clearly recognises the significance of Historic Gardens as far back as 40 years ago. Article 1, 2 and 3 of the Florence Charter are referenced, which includes the definition of a historic garden, which states that a historic garden should be preserved, and which sets out the elements that the architectural composition of a historic garden includes. It is highlighted that these elements are clearly present and identifiable within Gowran Grange demesne.

In addition to the above, Article 7 of the Florence Charter is referenced which states that the relationship between the historic garden and a building is important, and it is contended that the Gowran Grange historical garden is an inseparable complement to the house.

Article 10 is also referenced, and it is contended that in the case of Gowran Grange House, its formal gardens, its sweeping primary driveway, its stone perimeter walling and its extensive perimeter woodland planting all form part of the historic garden and to separate the House and its historic garden would clearly damage the unity of the whole as envisaged by the Florence Charter.

Article 14 of the Florence Charter states that “The historic garden must be preserved in appropriate surroundings.” The submission states that it is clear that the 400 acre Gowran Grange demesne comprises the “appropriate surroundings” for the historic garden which forms a key part of the demesne itself.

Article 11 of the National Landscape Strategy for Ireland 2015-2025 involved the completion of the Historic Gardens and Designed Landscapes Survey by the NIAH. This was the survey which ultimately recorded Gowran Grange demesne as being of significance.

Submission (No. 139 – prepared by Peter Thompson on behalf of the owner) states as follows: “It is the fields and pasturage, which is an ever-changing landscape, which this submission seeks to have excluded from the protection....” It is contended that this is at the heart of this Heritage Group’s concern, given that these fields and pasturage in fact form part of the historic garden and the demesne and should be treated as a whole.

This submission (No. 239) also comments on Submission No. 139 – prepared by Dr. Maurice Hurley on behalf of the owner, which seeks to exclude the primary driveway and entrance to the Gowran Grange estate from protected status. It is submitted that this is highly irregular as clearly the primary driveway and entrance with its stone walls and sweeping tree planting form an important part of the estate. A detailed report is enclosed with the submission which confirms that the Woolpack Road which bisects the Gowran Grange estate was in fact realigned in order to form the grand new entrance to the House and its demesne in 1856.

Concerns are raised with regards to the statement made by Submission No. 139 – prepared by Peter Thompson on behalf of the owner, which confirms the absence of any historical or cultural significance of the land beyond the woodland enclosure. It is contended that this assessment is flawed in that it disregards the assessment by the NIAH that the landscape is in fact an important designed landscape. It is stated that the NIAH record for Gowran Grange records the following landscape features present within the demesne: parkland, woodlands, walled garden. The assessment by Dr Maurice Hurley seeking to exclude the designed landscape including the parkland is therefore flawed.

Dr Hurley’s report has sought to redefine the parkland landscape as “agricultural fields” whereon he states as follows: “The farmyard is undistinguished and utilitarian and the parkland landscape which be termed ‘demesne’ is agricultural fields.” It is submitted that this statement is simply incorrect.

Section 13.3.1 of the Architectural Heritage Protection Guidelines is referenced which states that “features within the curtilage and attendant rounds of a protected structure can make a significant contribution to the character of that structure. The designed landscape associated with a protected structure was often an intrinsic part of the original design concept and, as such, inseparable from the building.” It is submitted that this is certainly true of Gowran Grange and its entire demesne.

The following statement of Dr Hurley’s report is highlighted “This parkland landscape has been cultivated for tillage crops for many years and therefore is utilitarian agricultural land and neither recreational nor for sport or leisure.” It is submitted that this is simply incorrect, for many years the estate has been the hunting ground for the Kildare Hunt. There are two hunts from Punchestown racecourse each year, which have been taking place for 170 years. Photographs of Hunt New Years Day 2020 on Gowran Grange demesne are included in the submission.

Dr Hurley’s assessment is that the “agricultural land surrounding the curtilage of the house and outbuildings is not integral to their setting.” It is submitted that this statement entirely ignores the demesne lands and historic garden that is present at Gowran Grange and seeks to significantly underrepresent its importance.

It is suggested that in the interests of clarity, the proposed RPS listing and the content of the notice to the owner should specifically include the following elements to ensure their full protection: Gowran Grange House, associated outbuildings, historic farm buildings and secondary dwellings, demesne lands, formal gardens, designed landscape and historic garden, perimeter woodland tree belts forming part of designed landscape, hydraulic ram, decorative bridge and pond, primary entrance and driveway, secondary entrance and driveway, all perimeter part stone walling throughout the demesne.

Included in this submission (No. 239) is a detailed report setting out further information on the importance of Gowran Grange House, the historic structures and the entire demesne.

The following relates to Submission No. 139.

This submission seeks to exclude the fields and pasturage, which is an ever-changing landscape from the protection, by amending the proposed listing description to read as follows: “Gowran Grange House, associated outbuildings and curtilage”.

It states that the main house and outbuildings are enclosed by densely planted trees which are seen in contrast to the sparse planting of specimen trees and stands of trees in the immediate parkland beyond. The agricultural lands radiate out from the parkland.

The submission details the current proposal to develop a solar farm on the landholding and includes a map of the permitted solar layout relative to Gowran Grange House, outbuildings, and curtilage and requests the planning authority to have regard to this in its consideration of this submission.

In conclusion this submission states that no reason or basis has been provided by the Council in this proposed material alteration as to why Gowran House, outbuildings, and in particular, the demesne should be included as a proposed protected structure.

In addition to the above, a letter dated 23 May 2022 and a detailed heritage assessment by Dr. Maurice Hurley, Archaeologist and Cultural Heritage specialist are attached to this submission.

The letter states that Section 55 of the Planning and Development Act 2000 (as amended) provides for the addition of structures to the RPS outside the Development Plan process and requests the Planning Authority not to commence a process of adding the property to the RPS under the Draft Plan process and to allow the current planning application process to take its course.

The assessment confirms the historical and cultural heritage importance of the main house and outbuildings and tree enclosed area within the curtilage of the house. It also states that “The farmyard is undistinguished and utilitarian and the parkland landscape which may be termed ‘demesne’ is agricultural fields, albeit with a surrounding shelter-belt and dotted with a few specimen trees and tree clumps. This parkland landscape has been cultivated for tillage crops for many years and therefore is utilitarian agricultural land and neither recreational nor for sport or leisure.” and it further states that “the agricultural land surrounding the curtilage of the house and outbuildings is not integral to their setting and any undue restriction on its continued agricultural and potential use for renewable energy production is considered inappropriate”.

### **Chief Executives Response**

The following relates to Submission Nos. 139 and 264.

Gowran Grange house and demesne is a significant mid-19th century Tudor-revival house built by noteworthy architects, Lanyon and Lynn with the assistance of architect John McCurdy. The estate remains in the ownership of the original family, de Robeck. The house and demesne are an important heritage asset and greatly contribute to the history and development of the local area and grand country houses of County Kildare.

The NIAH Garden Survey record for Gowran Grange does not include a record of architectural features including a principal building, garden structures, gateways or gatehouses, or a building of indeterminate purpose. This does not determine that there are no architectural features of note, more so they have yet to be recorded. It is the opinion of KCC that the surviving buildings and structures located within the historic demesne are of significant historic and architectural value. It is also noted that the subject lands at Gowran Grange contain a Designed Landscape feature on the NIAH (ref KD024 – 040).

The following relates to Submission No. 264.

Having regard to the above, Gowran Grange House, its historic demesne including all historic buildings, structures and decorative features is considered to be of regional significance and of special interest from an architectural, historical, cultural, social and technical point of view.

The content of submission no. 264 has been noted and the Chief Executive is in agreement with same.

The following relates to Submission No. 239.

The content of submission no. 239 has been noted and the Chief Executive is in agreement with same. In the interest of clarity, it is considered appropriate to amend



the description of the Proposed Protected Structures to ensure the protection of Gowran Grange House, its historic demesne including all historic buildings, structures, and decorative features.

The following relates to Submission No. 139.

Regarding the request to exclude the field and pasturage from the description of the proposed listing, it is considered that the fields and pasturage are integral to the demesne and form a significant part of the historic setting and should be treated as a whole. Therefore, the Chief Executive is not in agreement with the content of Submission 139.

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. APS 2, with the following minor amendment:

Add **Gowran Grange House, its historic demesne including all ~~associated-out~~ historic buildings, structures and decorative features demesne** to the list of Kildare County Council Proposed Protected Structures (PPS) - Additions.

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

Remove Hillford House (Ref No. PPS 21) from the list of Kildare County Council Proposed Protected Structures (PPS).

#### **Submissions/Observations**

See submission from the Office of the Planning Regulator.

#### **Chief Executives Response**

See CE response to submission from the Office of the Planning Regulator.

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. APS 3

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

Remove Knockaphuca House (Ref No. PPS 28) from the proposed list of additions to the Record of Protected Structures.

#### **Submissions/Observations**

See submission from the Office of the Planning Regulator.

#### **Chief Executives Response**

See CE response to submission from the Office of the Planning Regulator.

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. APS 4

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

Remove Cope Bridge (Ref No. PPS 20) from the list of Kildare County Council Proposed Protected Structures (PPS).

**Submissions/Observations**

See submission from the Office of the Planning Regulator.

**Chief Executives Response**

See CE response to submission from the Office of the Planning Regulator.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. APS 5

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## Appendix 11: Single Rural Dwelling Density Toolkit

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

Amend the 5<sup>th</sup> paragraph as follows;

One of the evaluation criteria is the examination of Rural Residential Density (RRD) at the scale of a square kilometre surrounding the proposed site for a one-off house.

- In general, RRDs of less than 15 units per square kilometre will be acceptable.
- In very enclosed landscapes with well-defined hedgerows and/or mature trees, which would partly screen or enclose one-off houses, RRDs of c. ~~15-25~~ 30 per square kilometre may be open for consideration.
- Where the RRD exceeds ~~25~~30 units per square kilometre there will be a presumption against further one-off houses.

### **Submissions/Observations**

The following relates to Submission No. 189

Add the same final sentence to ADT1 as in Mat. Alt. 3.15, in the interests of consistency;

- Where the RRD exceeds ~~25~~ 30 units per square kilometre there will be a presumption against further one-off houses, however in certain circumstances the above limits on RRD3 may be exceeded subject to the exceptions outlined in section 3.14 of Chapter 3 of Volume 1.

### **Chief Executives Response**

In the interest of consistency, it is agreed that that the text in PMA ADT1 should correlate with PMA 3.15.

Note; this issue was highlighted as a consequential amendment to PMA 3.15

### **Chief Executives Recommendation**

Include minor amendment to Proposed Material Alteration No. ADT1 as follows:

- Where the RRD exceeds ~~25~~30 units per square kilometre there will be a presumption against further one-off houses, however in certain circumstances the above limits on RRD3 may be exceeded subject to the exceptions outlined in section 3.14 of Chapter 3 of Volume 1.
-

## **Strategic Flood Risk Assessment**

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

Amend Figure 3.1 of the SFRA to show the definitions of Source-Pathway-Receptor.

#### **Submissions/Observations**

Submission No. 131 welcomes Proposed Material Alteration No. AFR1, which addresses issues raised in the OPW submission to the Draft Plan.

#### **Chief Executives Response**

The Chief Executive fully supports the inclusion of Proposed Material Alteration No. AFR 1.

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration AFR 1

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

Amend the final SFRA Report to state that the Guidelines are available at: <https://www.gov.ie/en/publication/7db50-the-planning-system-and-flood-risk-management-guidelines-for-planning-authoritis-nov09/>

#### **Submissions/Observations**

Submission No. 131 welcomes Proposed Material Alteration No. AFR2, which addresses issues raised in the OPW submission to the Draft Plan.

#### **Chief Executives Response**

Noted

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration AFR 2

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

Add updated Justification Tests for Ballymore Eustace, Blessington Environs, Caragh, Castledermot, Kilkea, Kill, Maganey/Levitstown, Prosperous, Rathangan, Staplestown, Suncroft, and Timolin to final SFRA.

#### **Submissions/Observations**

The following relates to Submission No. 131.

Following the Sequential Approach, the Plan Making Justification Test should only be used in exceptional circumstances, development of areas at flood risk to be avoided unless exceptional circumstances exist.

Criteria 1 of the Plan Making Justification Test as defined in the SFRA and included in Appendix C, was not consistent with criteria 1 of the Plan Making Justification Test as defined in the Guidelines.

The Justification Tests as applied by KCC incorrectly interprets Test 2(iii) and consideration of ‘within or adjoining’ the defined Core of the settlement

The SFRA must be of appropriate detail to demonstrate “flood risk to the development can be adequately managed and the use or development of the lands will not cause unacceptable adverse impacts elsewhere”. – The OPW comments that it is not appropriate to leave this justification to a Site-Specific Flood Risk Assessment and the Justification Test for Development Management, and should be provided at the plan making stage

It is not necessary to remove existing zoning if it can be shown that “the nature and design of structural or non-structural flood risk management measures required prior to future development” are sufficient to mitigate flood risk.

### **Blessington Environs;**

The submission notes that the Justification Test for Blessington has been updated to state that the zoned lands are within or adjoining the core, however these lands are not within or adjoining lands zoned A; Town Centre. The core of a settlement is defined in the Guidelines as “The core area of a city, town or village which acts as a centre for a broad range of employment, retail, community, residential and transport functions.” In the Kildare County Development Plan, this would correspond to the A; Town Centre zoning.

### **Prosperous;**

The Justification Test provided for Prosperous does not reference the lands zoned highly vulnerable C: New Residential which overlap with Flood Zone A.

### **Timolin;**

The submission notes that the OPW commentary on the draft plan noted that lands zoned A – Village Centre which can allow highly vulnerable development had been zoned in Flood Zone A and B (NIFM), and that this zoning had not been referenced in the Justification Test for Timolin, which did not show NIFM mapping in the clipped flood extents.

### **Chief Executives Response**

The following relates to Submission No. 131.

The OPW’s concerns in relation to the application of the sequential approach to managing flood risk is noted. In response to the specific comments on various settlements, updated Justification tests have been prepared where appropriate and, in some instances, amended zoning proposals have been brought forward in accordance with the sequential approach.

The OPW’s concerns in relation to the application of the Plan Making Justification tests in accordance with the Guidelines is noted. In response to the issues raised by the OPW, updated Justification Tests have been prepared where appropriate, and amended zoning proposals and objectives have been brought forward in some instances. It should also be noted that a significant number of sites which appear to be within flood risk areas have been through the Development Management

Justification Tests, whereby Site-Specific Flood Risk Assessments were carried out in accordance with the guidelines.

Objectives / footnotes have been inserted / amended in relation to specific comments on certain settlements, which shall ensure that it is not necessary to remove existing zoning if it can be shown that “the nature and design of structural or non-structural flood risk management measures required prior to future development” are sufficient to mitigate flood risk.

### **Blessington Environs;**

Following a review of the Blessington LAP (Co. Wicklow) it is accepted that Existing Residential areas do not adjoin the Town Centre Zone area and therefore do not pass the justification test. However, it is considered appropriate to retain the existing residential zoning and ensure that infill development is restricted to minor proposals as per Section 5.28 of the Flood Risk Management Guidelines 2009, subject to a SSFRA. This can be achieved through amending Objective BE O3 of the draft Plan and ensuring that development proposals on B; Existing Residential zoned land shall be restricted to minor infill proposals as outlined in Section 5.28 of the Flood Risk Management Guidelines 2009.

### **Prosperous;**

There is some minor predicted flooding on lands zoned for development. However, the predicted flooding is confined to undeveloped land and along the centreline of drainage ditches.

The SFRA is of appropriate detail to demonstrate that flood risk to the development can be adequately managed (i.e.. it is contained within the ditch). Review of JT 2.iii identifies that the lands are adjoined to the existing Town Centre Zone on Emerson Way and should be considered to pass the Justification Test for Development Plans.

It is not considered that a change to the updated Justification Test for Prosperous (as outlined in Appendix E of the CE Report) is required.

### **Timolin;**

With reference to Table 6-1 and Table 6-2 of the SFRA, the flood mapping used for Timolin is the *SFRA Indicative Flood Zones*. This mapping was generated for the purposes of plan development in conjunction with the KCC CDP SFRA 2017-2023. It is rated with a 'Moderate' confidence level and has been prioritised above OPW NIFM which is rated as 'Moderate/Low' confidence. The SFRA and JT therefore do not reference NIFM for Timolin.

### **Chief Executives Recommendation**

The following relates to Submission No. 131.

Accept Proposed Material Alteration No. AFR 3, with the following minor amendment;

Amend Objective BE O3 as follows;

Ensure that development proposals for the lands identified by the dashed pink line on Map V2 – 2.1 are accompanied by a site specific Flood Risk Assessment appropriate

to the type and scale of the development being proposed. Development proposals within the identified pink line shall;

- i) Maintain floodplains and their flow paths;
- ii) Include measures to minimise flood risk as far as reasonably possible;
- iii) Not increase flood risk elsewhere and, if practicable, will reduce overall flood risk;
- iv) Ensure that access and exit routes to and from the development site can be maintained in a flooding emergency;
- v) Provides for compensatory storage if any floodplains are developed e.g., for roads across the site.
- vi) Ensure that development proposals on B; Existing Residential zoned land shall be restricted to minor infill proposals as outlined in Section 5.28 of the Flood Risk Management Guidelines 2009,

**Note;** Amend the updated Justification Test for Blessington in the final SFRA. This amendment should reflect the fact that it is accepted that Existing Residential areas do not adjoin the Town Centre Zone, and development proposals on B; Existing Residential zoned land shall be restricted to minor infill proposals as outlined in Section 5.28 of the Flood Risk Management Guidelines 2009.

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## **General**

### **Proposed Material Alteration No. G1**

The GIS systems will be updated when the Draft Plan is finally adopted and appropriate web links put in place.

### **Submissions/Observations**

The following relates to Submission No. 131.

The proposal regarding the updating and linking of GIS systems once the plan is adopted is noted. However, as this is not included at Material Alteration stage, it is difficult to assess whether the sequential approach has been followed.

### **Chief Executives Response**

The GIS systems will be updated when the Draft Plan is finally adopted and appropriate web links put in place.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration G1.

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### **Proposed Material Alteration No. G2**

Amend all references to 'National Peatlands Heritage Park' to read 'National Peatlands Park'.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. G2

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. G2

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### **Proposed Material Alteration No. G3**

Replace Failte (without the fada) with 'Fáilte' throughout the Plan.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. G3

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. G3

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### **Proposed Material Alteration No. G4**

Update all references to the Climate Action Plan 2021 in the draft Plan.



**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. G4

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. G4

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**Proposed Material Alteration No. G5**

Volume 2 of the adopted plan will include Flood Risk Zones overlaid on Land Use Zoning maps. Flood Zones A and B will be indicated on the settlement maps in Volume 2 for the final plan.

**Submissions/Observations**

The following relates to Submission No. 131.

The proposal regarding the inclusion of Flood Risk Zones overlaid on Land Use Zoning maps in volume 2 of the plan is noted. However, as this mapping has not been included at Material Alteration stage, it is difficult to assess whether the sequential approach has been followed.

**Chief Executives Response**

The comments in the submission are noted, the sequential approach has been followed and Volume 2 of the finally adopted plan will include a series of LUZ maps with Flood Risk Zones overlaid.

**Chief Executives Recommendation**

Accept Proposed Material Alteration G5

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**Proposed Material Alteration No. G6**

Include a reference to the GDA Cycle Network Plan (where appropriate) in Volume 2.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. G6

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. G6

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**Proposed Material Alteration No. G7**

Amend settlement plans in Volume 2 to include (where available) CSO settlement boundaries in the **final** Plan.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. G7

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. G7

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## Volume 2: Environs

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

Amend Table 2.9 – Blessington Environs - Zoning Matrix.

<b>Land Use</b>	<b>C: New Residential</b>	<b>B: Existing Residential/Infill</b>	<b>E: Community &amp; Education</b>	<b>F: Open Space and Amenity</b>
Nursing Home / Retirement Village	Y	N	N	N

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. EN 1

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. EN 1

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

Add new objective in section V2 2.8 to read as follows:

<b>BE 06</b>	Proposed developments shall be subject to AA screening and where applicable Stage 2 AA to minimise the risk of likely significant effects on European Sites and their qualifying interest species such as those which form part of Poulaphouca Reservoir SPA.
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### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. EN 2

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. EN 2

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

Amend Blessington Environs Plan (Map Ref: V2-2.1) to add the proposed routes contained in the GDA Cycle Network Plan to the Blessington Environs Map Ref. V2 – 2.1<sup>1</sup>.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. EN 3

<sup>1</sup> Subject to the publication date of the GDA maps relative to the legislative deadlines with respect to the adoption of the Kildare County Development Plan.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. EN 3

**Proposed Material Alteration No. EN 4**

(a) Amend Table 2.6 – Ladytown Environs Zoning Objectives

Ref	Use	Land Use Zoning Objectives
H3	Industry/Warehousing	The purpose of this zone is to provide sites for industrial, and in particular warehousing uses, at locations which are outside the built-up areas of Naas and Newbridge, and which are, or could be made available with appropriate road improvements, readily accessible to the national road network.
I	Agricultural	The purpose of this zoning is to ensure that further encroachment of development towards Newbridge in particular but also towards Naas is avoided in the interests of compact growth. Within this zone, agricultural uses will be retained and the appropriate extension of existing dwellings will be permitted. Further new housing shall not be permitted within this zone.
T	General Development	This zoning provides for a wide range of uses including office, leisure, residential, retail and light industrial / employment use. In this zone, it is important to avoid abrupt transitions in scale and use at the boundary of adjoining land use zones.

(b) Amend Table 2.7 – Ladytown Environs - Zoning Matrix.

Land Use	H3	I	T
Amusement Arcade	N	N	N
Broiler House	N	N	N
Car Parks	Y	O	Y
Cattle Shed / Slatted Unit	N	Y	N
Cemetery	N	N	N
Cinema, Dancehall, Disco	N	N	N
Community Hall / Sports Hall	O	N	Y
Conference Centre	N	N	Y
Crèche / Playschool	N	N	N
Cultural Uses / Library	N	N	N
Dwelling	N	N	N
Film Studio	O	N	N
Funeral Home	N	N	N
Garages, Panel Beating & Car Repairs	Y	N	N
Guest House / Hostel	N	O*	N
Halting Site	N	N	N

Land Use	H3	I	T
Health Centre	N	N	N
Heavy Commercial Vehicle Park	Y	N	N
Hot Food Take Away	N	N	N
Hotel	N	N	Y
Industry	Y	N	N
Industry (Light)	Y	N	N
Medical and Related Consultant	N	N	Y
Motor Sales	Y	N	N
Nursing Home	N	O	Y
Offices	O	O	Y
Park / Playground	N	O	Y
Petrol Station	Y	N	N
Place of Worship	N	N	N
Playing Fields	O	O	N
Pub	O	N	N
Recreational Buildings	O	N	N
Store, Depot	Y	N	N
Restaurant	O	N	N
Retail Warehouse	Y	N	N
School	N	N	N
Shop (Comparison)	O	N	N
Shop (Convenience)	O	N	N
Stable Yard	N	Y	N
Tourist Facilities	N	N	N
Utility Structures	Y	O	Y
Warehouse (Wholesale)	Y	N	N
Waste Incinerator	N	N	N
Workshops	Y	N	N

### **Submissions/Observations**

The following relates to Submission Nos. 135 and 225.

Submission notes that the Proposed Material Alterations to the draft Plan are welcomed, in particular zoning being amended to reflect the existing hotel development on the site, Hotel, Medical and Related Consultant, Nursing Home and Park / Playground being identified as ‘Permitted in Principle’; and the avoidance of the whole site being zoned for industrial / warehousing purposes.

The Council should consider amending Table 2.7 – Ladytown Environs - Zoning Matrix to identify a creche as a ‘permitted in principle’ use.

### **Chief Executives Response**

Noted.

It is not considered appropriate, given the specific zoning objective at this location, which is primarily to reflect the existing land use, to amend Table 2.7.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. EN 4 and also amend Table 2.7 – Ladytown

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

Please refer to Ladytown Environs Map in Appendix 1

Add new site-specific objective as LE O3 (Ladytown) in Section 2.7 (Volume 2) to read as follows:

Development proposals on the lands outlined in yellow on Map V2 – 2.2 (see below), shall provide for a route that will traverse the entirety of the lands in an east-west direction. This route shall link with an eastern arm of the existing roundabout to the south-west and shall create a parallel route through the subject lands and the remainder of the lands at Ladytown. It shall comprise of a high quality, well landscaped corridor suitably designed to accommodate public transport, walking, and cycling in the first instance.

### **Submissions/Observations**

See also submission from the Office of the Planning Regulator in Part 2 of this report in relation to EN 7 (Recommendation No. 5 refers).

The following relates to Submission Nos. 135 and 225.

Proposed Material Alteration No. EN5 is supported along with the Council's strategic approach to access.

### **Chief Executives Response**

Noted.

See also response to the Office of the Planning Regulator in Part 2 of this report in relation to EN 7 (Recommendation No. 5 refers).

### **Chief Executives Recommendation**

Accept Proposed Material Alteration EN 5

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

Please refer to Ladytown Environs Map in Appendix 1

Amend Ladytown Environs Plan (Map Ref: V2-2.2) to zone lands as 'T' General Development.

### **Submissions/Observations**

The following relates to Submission No. 225.

The submission supports the amendment of the Ladytown Environs boundary to reflect the ownership of Blockstar Ltd.

The Council's attention is drawn to the fact that 'Zoning Objective T' is represented as 'T-Gen Dev' in the key on the map but is not indicated on the map itself. A hatched area indicates 'Proposed Material Alteration No. EN 6', which denotes the extent of the Blockstar lands. It is assumed that this is the area where 'Zoning Objective T' applies, however the Council is requested to clarify this detail.

### **Chief Executives Response**

The hatched area, which indicates 'Proposed Material Alteration No. EN 6' is the area where Land Use Zoning Objective T' applies and, if PMA No. EN 6 is adopted, will be amended to reflect same in the final adopted maps to accompany the final Kildare County Development Plan.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. EN 6.

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

Please refer to Ladytown Environs Map in Appendix 1

Amend Ladytown Environs Plan (Map Ref: V2-2.2) to zone lands as 'H3' Industry / Warehousing and identify same with a yellow outline on the associated legend.

### **Submissions/Observations**

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to EN 7 (Recommendation No. 5 refers).

Submission No. 135 confirms support for Proposed Material Alteration No. EN 7.

### **Chief Executives Response**

Noted.

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to EN 7 (Recommendation No. 5 refers).

### **Chief Executives Recommendation**

Accept Proposed Material Alteration EN 7

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

Include the following as LE O4 [specific objective for Ladytown Environs] and BE O6 [specific objective for Blessington Environs]

Proposed developments shall be subject to EIA Screening (and subsequent stages as required) and AA screening and where applicable Stage 2 AA to minimise the risk of likely significant effects on European Sites and their qualifying interest species and their hydrological connection.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. EN 8

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. EN 8

## Volume 2: Rural Settlements

### Proposed Material Alteration No. RS 1

Amend Table 1.1 of Volume 2 (County Kildare Settlement Hierarchy) and insert Lackagh / Mountrice as a Rural Settlement and remove Lackagh as a Rural Node.

**Table 1.1: County Kildare Settlement Hierarchy**

Settlement Category	Designated Settlement
Key Towns	Maynooth, Naas
Self-Sustaining Growth Towns	Athy, Kildare Town, Leixlip, Newbridge
Self-Sustaining Towns	Celbridge, Kilcock, Monasterevin, Clane
Towns	Castledermot, Derrinturn, Kilcullen, Kill, Prosperous, Rathangan, Sallins
Villages	Allenwood, Athgarvan, Ballitore, Ballymore Eustace, Caragh, Coill Dubh / Cooleragh, Crookstown, Johnstown, Johnstownbridge, Kildangan, Kilmeague, Moone, Narraghmore, Robertstown, Straffan, Suncroft, Timolin.
Rural Settlements	Allen, Ardclough, Ballyshannon, Brannockstown, Broadford, Brownstown, Calverstown, Clogharinka, Cutbush, Kilberry, Kilkea, Kilmead, Killeel, <b>Lackagh/Mountrice</b> , Maganey / Levistown, Milltown, Nurney, Rathcoffey, Staplestown, Two Mile House.
Rural Nodes	Cadamstown, Carbury, Castlemitchell, Clongorey/Blacktrench, Killina, Kilshancoe, <del>Lackagh</del> , Maddenstown, Newtown, Rathmore/Eadestown, Ticknevin, Timahoe, Tirmoghan,

### Submissions/Observations

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to RS 1 (Recommendation No. 1 refers).

### Chief Executives Response

See response to the Office of the Planning Regulator in Part 2 of this report in relation to RS 1 (Recommendation No. 1 refers).

### Chief Executives Recommendation

Not to accept Proposed Material Alteration No. RS 1

### Proposed Material Alteration No. RS 2

Amend section V2 3.19.1 of Volume 2 to reflect Lackagh/Mountrice status as a Rural Settlement.

### **V2 3.19.1 Rural Settlements Objectives;**

The settlement strategy in Volume 1, Chapter 2 of this Plan allocates 1.5% of the overall population growth for the county from 2023-2029 to the ~~19~~ **20** designated Rural Settlements (Refer to Table 3.7 of this section). Sections V2 3.1.4 and V2



3.1.5 of this chapter set out the policies and objectives for the development of Rural Settlements.

**Table 3.7 List of Rural Settlements**

Rural Settlements (19)	Allen, Ardclough, Ballyshannon, Brannockstown, Broadford, Brownstown, Calverstown, Clogharinka, Cutbush, Kilberry, Kilkea, Kilmead, Killeel, <b>Lackagh/Mountrice</b> , Maganey / Levitstown, Milltown, Nurney, Rathcoffey, Staplestown, Two Mile House,
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**Submissions/Observations**

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to RS 2 (Recommendation No. 1 refers).

**Chief Executives Response**

See response to the Office of the Planning Regulator in Part 2 of this report in relation to RS 2 (Recommendation No. 1 refers).

**Chief Executives Recommendation**

Not to accept Proposed Material Alteration No. RS 2

**Proposed Material Alteration No. RS 3**

Amend Table 3.9 - Settlement Flooding Risk Requirements of Volume 2 to reflect Lackagh/Mountrice status as a Rural Settlement.

Table 3.9 - Settlement Flooding Risk Requirements

Killeel	Not subject to a flood risk assessment under the current CDP	Map Ref V2 – 4.13
<b>Lackagh/Mountrice</b>	<b>Not subject to a flood risk assessment</b>	<b>Map Ref V2 – 4.14</b>
Maganey / Levitstown	Development proposals for development incorporating lands located within 50m of the 0.1% AEP predicted floodplains shall be the subject of a site-specific Flood Risk Assessment appropriate to the type and scale of the development being proposed.	<del>Map Ref V2 – 4.14</del> <b>Map Ref V2 – 4.15</b>
Milltown	Development proposals for development incorporating lands located within 50m of the 0.1% AEP predicted floodplains shall be the subject of a site-specific Flood Risk Assessment appropriate to the type and scale of the development being proposed.  Development proposals for lands located within 75m of the Grand Canal Feeder	<del>Map Ref V2 – 4.15</del> <b>Map Ref V2 – 4.16</b>

	shall be the subject of a site-specific Flood Risk Assessment appropriate to the type and scale of the development being proposed.	
Nurney	Development proposals for development incorporating lands located within 50m of the 0.1% AEP predicted floodplains shall be the subject of a site-specific Flood Risk Assessment appropriate to the type and scale of the development being proposed.	<del>Map Ref V2 – 4.16</del> Map Ref V2 – 4.17
Rathcoffey	Development proposals for lands identified for Settlement Expansion and for lands identified as Existing Settlement located south thereof shall be the subject of a site-specific Flood Risk Assessment appropriate to the type and scale of the development being proposed.	<del>Map Ref V2 – 4.17</del> Map Ref V2 – 4.18
Staplestown	Development proposals for development incorporating lands located within 50m of the 0.1% AEP predicted floodplains shall be the subject of a site-specific Flood Risk Assessment appropriate to the type and scale of the development being proposed.  Development proposals for the following lands shall be the subject of a site-specific Flood Risk Assessment appropriate to the type and scale of the development being proposed: (i) Lands identified for Settlement Expansion; (ii) Development incorporating lands located within 75m of the banks of the River.	<del>Map Ref V2 – 4.18</del> Map Ref V2 – 4.19
Two Mile House	Development proposals for lands located within 50m of watercourses shall be the subject of a site-specific Flood Risk Assessment appropriate to the type and scale of the development being proposed.	<del>Map Ref V2 – 4.19</del> Map Ref V2 – 4.20

**Submissions/Observations**

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to RS 3 (Recommendation No. 1 refers).

### **Chief Executives Response**

See response to the Office of the Planning Regulator in Part 2 of this report in relation to RS 3 (Recommendation No. 1 refers).

### **Chief Executives Recommendation**

Not to accept Proposed Material Alteration No. RS 3

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

Amend the list of rural settlement maps as identified in section V2 3.21 of Volume 2 to reflect Lackagh/Mountrice status as a Rural Settlement and to update Table 2.8 accordingly..

#### V2 3.21 RURAL SETTLEMENT MAPS

<b>Kilteel</b>	<b>V2 – 4.13</b>
<b>Lackagh / Mountrice</b>	<b>V2 – 4.14</b>
Maganey/Levitstown	<del>V2 – 4.14</del> <b>V2 - 4.15</b>
Milltown	<del>V2 – 4.15</del> <b>V2 – 4.16</b>
Nurney	<del>V2 – 4.16</del> <b>V2 – 4.17</b>
Rathcoffey	<del>V2 – 4.17</del> <b>V2 – 4.18</b>
Staplestown	<del>V2 – 4.18</del> <b>V2 – 4.19</b>
Two Mile House	<del>V2 – 4.19</del> <b>V2 – 4.20</b>

### **Submissions/Observations**

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to RS 4 (Recommendation No. 1 refers).

### **Chief Executives Response**

See response to the Office of the Planning Regulator in Part 2 of this report in relation to RS 4 (Recommendation No. 1 refers).

### **Chief Executives Recommendation**

Not to accept Proposed Material Alteration No. RS 4

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

Please refer to Ardclough Map in Appendix 1

Amend the Ardclough Settlement Map (Ref: V2-4.2) to identify lands as 'Existing Settlement'. Include site specific objective (on the map) to read:

**Lands within the 'Existing Settlement' outlined in yellow shall be used solely for the appropriate and sustainable expansion of tourism and amenity adjacent to Cliff at Lyons Hotel facility and shall not be open for general residential development.**

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. RS 5

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. RS 5

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**Proposed Material Alteration No. RS 6**

Please refer to Brannockstown Map in Appendix 1

Amend Brannockstown Settlement Map (Ref: 4.4) to identify lands as SE1' Settlement Expansion from 'B' Existing Settlement'.

**Submissions/Observations**

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to RS 6 (Recommendation No. 3 refers).

**Chief Executives Response**

See response to the Office of the Planning Regulator in Part 2 of this report in relation to RS 6 (Recommendation No. 3 refers).

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. RS 6

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**Proposed Material Alteration No. RS 7**

Please refer to Brownstown Map in Appendix 1

Amend Brownstown Settlement Map (Ref: V2-4.6) to identify lands to the south of the settlement, as 'SS' 'Serviced Sites' and extend the settlement boundary to reflect same.

**Submissions/Observations**

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to RS 7 (Recommendation No. 3 refers).

**Chief Executives Response**

See response to the Office of the Planning Regulator in Part 2 of this report in relation to RS 7 (Recommendation No. 3 refers).

**Chief Executives Recommendation**

Not to accept Proposed Material Alteration No. RS 7

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**Proposed Material Alteration No. RS 8**

Please refer to Calverstown Map in Appendix 1

- (a) Amend Calverstown Settlement Map (Ref: V2-4.7) and designate lands currently shown as 'SE1' to 'Open Space and Amenity'.
- (b) Identify lands to the east of the settlement, as 'SE1' and extend the settlement boundary to include same. Include a note (as shown on the accompanying map) to read as follows:

No development shall take place on lands designated ‘SE1: Settlement Expansion’ in Calverstown until such time as the Calverstown Wastewater Treatment Plant is upgraded.

### **Submissions/Observations**

The following relates to Submission No. 181

The submission notes that the Council proposes to change 3.6 ha land designated ‘Settlement Expansion 1’ (SE1) to ‘Open Space and Amenity’. In return, the council proposes to designate a different site as SE1. This new proposed SE1 contains a watercourse running through it. Assuming new development will not be permitted within a minimum of 10 m from either side of this watercourse, this will reduce the area for development by a further 0.3 ha. Therefore, the net area available for development in the new proposed SE1 is 1.5 ha.

The Chief Executive’s Report Draft Kildare County Development Plan 2023-2029, Volume 2 states: ‘Table 2.8 of the Draft KCDP 2023-2029’ identifies Population and Housing Unit Targets for the 19 settlements identified in the Draft Plan. A Sustainable Planning and Infrastructural Assessment (SPIA) was undertaken to assess the suitability of lands for future development. Having regard to the above and other proper planning and sustainable development requirements, an overall area of circa 8.6ha was identified for ‘Settlement Expansion’ in the settlement of Calverstown”.

The 2.1 ha reduction in land designated Settlement Expansion in the Proposed Material Alteration equates to a 24% cut to the 8.6 ha that was deemed necessary for Settlement Expansion in Calverstown by the council expert group. This is an unacceptable reduction in the area designated.

It is requested that more land be designated Settlement Expansion (SE) to redress the 24% reduction to SE lands in Calverstown.

Also of note is that Irish Water, in its submission (no. 195) references the limited headroom in the treatment plant at Calverstown and there are no current plans to upgrade them. Any connections will be on a first come, first served basis.

### **Chief Executives Response**

The 3.6ha site designated ‘SE1’ in the draft County Development Plan includes a ‘possible playground location’ along with three RMPs. It is considered that the number of residential units that would have been permitted on these lands would have been reduced having regard to the above. It is considered that sufficient lands have been designated for development for the 6-year life of the Plan relative to the size of the rural settlement of Calverstown, having regard to the 5ha SE2 lands to the west of Calverstown, the centrally located new ‘SE1’ site to the east and the 2.05 ‘Serviced Sites’ land parcel to the south.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. RS 8

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**Proposed Material Alteration No. RS 9**

Please refer to Cutbush Map in Appendix 1

Amend the Cutbush Settlement Map (Ref: V2-4.9) to identify lands as ‘Settlement Expansion’ and to extend the settlement boundary to reflect same.

**Submissions/Observations**

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to RS 9 (Recommendation No. 3 refers).

**Chief Executives Response**

See response to the Office of the Planning Regulator in Part 2 of this report in relation to RS 9 (Recommendation No. 3 refers).

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. RS 9

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**Proposed Material Alteration No. RS 10**

Please refer to Kilberry Map in Appendix 1

Amend Kilberry Settlement Map (Ref: V2-4.10) to identify lands north of the Derries View housing development as ‘Settlement Expansion’ and extend the settlement boundary to reflect same. This site shall be identified as ‘SE2’.

**Submissions/Observations**

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to RS 10 (Recommendation No. 3 refers).

See submission from the Office of Public Works in Part 2 of this report in relation to RS 10.

The following relates to Submission No. 131.

The extension of the Kilberry settlement boundary and the identification of lands north of the Derries View housing development as ‘Settlement Expansion’ is noted. The risk assessment in the SFRA has advised against this zoning, this does not satisfy criteria 3 of the Plan Making Justification Test.

**Chief Executives Response**

See response to the Office of the Planning Regulator in Part 2 of this report in relation to RS 10 (Recommendation No. 3 refers).

See response to the Office of Public Works in Part 2 of this report in relation to RS 10.

The SE2 lands are not located in or adjoined to the settlement core, which is identified as the school location.

In accordance with the Precautionary principles of the Flood Risk Management Guidelines 2009 and the Sequential Approach, new areas proposed for development should avoid areas at flood risk save for exceptional circumstances.

Also, with reference to consideration of climate change in Section 2.30 of the Flood Risk Management Guidelines: “significant changes in the flood extent may result from an increase in rainfall, ... accordingly adopting a cautious approach to zoning land in these potential transitional areas” should be adopted as a precautionary approach.

The proposed zoning of the SE2 lands do not therefore, accord with the aforementioned requirements of the Flood Risk Management Guidelines.

**Chief Executives Recommendation**

Not to accept Proposed Material Alteration No. RS 10

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**Proposed Material Alteration No. RS 11**

Please refer to Killeel Map in Appendix 1

Amend the boundary of the Killeel Settlement Map (Ref: V2-4.13) and designate lands to the north of the settlement, (identified as A on accompanying map) as ‘SE1’ (Settlement Expansion) and designate lands between those lands identified as ‘A’ and the existing designations in Killeel (identified as B on accompanying map) as ‘F’ (Open Space and Amenity).

**Submissions/Observations**

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to RS 11 (Recommendation No. 3 refers).

**Chief Executives Response**

See response to the Office of the Planning Regulator in Part 2 of this report in relation to RS 11 (Recommendation No. 3 refers).

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. RS 11

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**Proposed Material Alteration No. RS 12**

Please refer to Lackagh / Mountrice Map in Appendix 1

Include a new rural settlement map for Lackagh/Mountrice Map (Ref V2-4.14).

**Submissions/Observations**

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to RS 12 (Recommendation No. 1 refers).

**Chief Executives Response**

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to RS 12 (Recommendation No. 1 refers).

**Chief Executives Recommendation**

Not to accept Proposed Material Alteration No. RS 12

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**Proposed Material Alteration No. RS 13**

Please refer to Maganey / Levitstown Map in Appendix 1

Amend the Maganey / Levitstown Settlement Map (Ref: V2-4.15) to identify lands as 'SE2', (Settlement Expansion) and extend the settlement boundary to reflect same.

**Submissions/Observations**

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to RS 13 (Recommendation No. 3 refers).

**Chief Executives Response**

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to RS 13 (Recommendation No. 3 refers).

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. RS 13

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**Proposed Material Alteration No. RS 14**

Please refer to Maganey / Levitstown Map in Appendix 1

Amend the Maganey / Levitstown Settlement Map (Ref: V2-4.15) and identify lands east of the railway line as 'Existing Settlement' and extend the settlement boundary to reflect same.

**Submissions/Observations**

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to RS 14 (Recommendation No. 3 refers).

**Chief Executives Response**

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to RS 14 (Recommendation No. 3 refers).

**Chief Executives Recommendation**

Not to accept Proposed Material Alteration No. RS 14

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**Proposed Material Alteration No. RS 15**

Please refer to Milltown Map in Appendix 1

Amend Milltown Settlement Map (Ref: V2-4.16) to identify lands to the south-east of the settlement, as 'SS: Serviced Sites' and extend the settlement boundary to reflect same.

**Submissions/Observations**

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to RS 15 (Recommendation No. 3 refers).

**Chief Executives Response**

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to RS 15 (Recommendation No. 3 refers).

**Chief Executives Recommendation**



Not to accept Proposed Material Alteration No. RS 15

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**Proposed Material Alteration No. RS 16**

Please refer to Nurney Map in Appendix 1

Amend Nurney Settlement Map (Ref: V2-4.17) to include a note which states:

**No development shall take place on lands identified as ‘Settlement Expansion’ until such time as the Wastewater Treatment Plant in Nurney has been upgraded.**

**Submissions/Observations**

Irish Water, in its submission (no. 195) references Nurney as a treatment plant which may be a candidate under the next Capital Investment Plan under the Small Towns and Villages Programme.

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. RS 16

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**Proposed Material Alteration No. RS 17**

Please refer to Nurney Map in Appendix 1

Amend Nurney Settlement Map (Ref: V2-4.17) and identify lands to the south-east of the settlement, as ‘SE4’ and extend the settlement boundary to reflect same.

**Submissions/Observations**

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to RS 17 (Recommendation No. 3 refers).

**Chief Executives Response**

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to RS 17 (Recommendation No. 3 refers).

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. RS 17

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**Proposed Material Alteration No. RS 18**

Please refer to Rathcoffey Map in Appendix 1

Amend Rathcoffey Settlement Map (Ref: V2-4.18) to include an asterisk against SE 2 with a note stating: **No development shall take place on these lands until such time as the wastewater treatment plant has been upgraded.**

**Submissions/Observations**

Irish Water, in its submission (no. 195) references Rathcoffey where a treatment plant for same may be a candidate under the next Capital Investment Plan under the Small Towns and Villages Programme.

**Chief Executives Response**

The submission from Irish Water has been noted

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. RS 18

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**Proposed Material Alteration No. RS 19**

Please refer to Two Mile House Map in Appendix 1

Amend Two Mile House Settlement Map (Ref: V2-20) to identify the area outlined in the centre of the settlement to 'Settlement Core' from 'Existing Settlement'.

**Submissions/Observations**

No submissions or observations were received in relation to Proposed Material Alteration No. RS 19

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. RS 19

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**Proposed Material Alteration No. RS 20**

Include the following wording as a specific objective in Section V2 3.1.5 (where all objectives listed thereunder apply to all the villages and settlements)

Proposed developments shall be subject to EIA Screening (and subsequent stages as required) and AA screening and where applicable Stage 2 AA to minimise the risk of likely significant effects on European Sites and their qualifying interest species and their hydrological connection.

**Submissions/Observations**

No submissions or observations were received in relation to Proposed Material Alteration No. RS 20

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. RS 20

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## Volume 2: Small Towns

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

Amend Section V2 1.8.1 as follows:

#### **V2 1.8.1 Overarching Objectives for the Small Towns, Environs, Villages and Rural Settlements.**

The following overarching objectives apply to all the settlements addressed in Volume 2 of the Plan and should be read in addition to conjunction with the objectives identified in the Small Towns, Villages and Rural Settlements sections of Volume 2 below. as listed throughout the Plan.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. ST 1

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. ST 1

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

Amend Table 2.2 – Small Town Land Use Zoning Objectives as follows:

Ref	Use	Land-Use Zoning Objectives
SR	Strategic Reserve	<b>To provide for Strategic Reserve.</b> To protect lands from inappropriate forms of development which would impede the orderly expansion of the strategic urban centre in future plan periods.
T	General Development	<b>To provide for general development.</b> This zoning provides for a wide range of uses including office, leisure, residential, retail, and light industrial /employment use. In this zone, it is important to avoid abrupt transitions in scale and use at the boundary of adjoining land use zones and also to avoid developments that would be detrimental to amenity.
T1		To facilitate the operation of a Service Station on the western side of the N9 within the town of Kill. Any development proposal shall be limited to a Fuel Filling Station use and must be in accordance with the development standards for Fuel Filling Stations as outlined in Chapter 15 of the Plan and the proper planning and sustainable development of the area.

### **Submissions/Observations**

The following relates to Submission No. 182

The submission welcomes and strongly supports Proposed Material Alteration No. ST 2 and requests that it is affirmed in the adoption of the final Kildare County Development Plan 2023 - 2029.

It is however requested that clarity is provided in relation to the reference suggesting that the only permitted use shall be fuel station use and submits that it should be termed '*fuel station including associated ancillary uses*'. This is to better reflect the nature of established and permitted uses at fuel stations throughout the country, where retail uses (in line with the Retail Planning Guidelines) are evident, as well as food offerings and restaurant uses. The T1 objective should be clear that such ancillary uses are not ruled out.

**Chief Executives Response**

The submission is noted and accepted (with minor amendments). It is considered appropriate to include a minor amendment to Proposed Material Alteration No. ST 2 to provide clarity in terms of the uses permitted under the land use zoning T1: General Development.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. ST 2, with the following minor amendment: Amend Table 2.2 – Small Town Land Use Zoning Objectives as follows:

Ref	Use	Land-Use Zoning Objectives
SR	Strategic Reserve	To provide for Strategic Reserve. To protect lands from inappropriate forms of development which would impede the orderly expansion of the strategic urban centre in future plan periods.
T	General Development	To provide for general development. This zoning provides for a wide range of uses including office, leisure, residential, retail, and light industrial /employment use. In this zone, it is important to avoid abrupt transitions in scale and use at the boundary of adjoining land use zones <del>and also to avoid developments that would be detrimental to amenity.</del>
T1		To facilitate the operation of a Service Station on the western side of the N9 within the town of Kill. Any development proposal shall be limited to a Fuel Filling Station use including associated, suitably scaled*, ancillary uses and must be in accordance with the development standards for Fuel Filling Stations as outlined in Chapter 15 of the Plan and the proper planning and sustainable development of the area.

\* Footnote; The scale of any retail space must not be of a level which would undermine the viability of existing retail units in adjoining settlements

**Proposed Material Alteration No. ST 3**

Amend Table 2.4 – Small Towns - Land Use Zoning Matrix as follows:

Land Use	T: General Development	T1: General Development	U: Utilities/ Services	V: Equestrian	SR: Strategic Reserve
Amusement Arcade	N	N	N	N	N
Car Park	O	N	O	O	Y
Cattle Shed / Slatted Unit / Broiler House	O	N	N	O	N
Cemetery	O	N	N	N	N
Community / Recreational / Sports Buildings	O	N	N	O	N
Crèche / Playschool	O	N	N	N	O
Cultural Uses / Library	O	N	N	N	N
Dancehall / Disco	O	N	N	N	N
Dwelling	O	N	N	O	Y
Funeral Homes	O	N	N	N	N
Garage / Car Repairs	O	N	N	N	N
Guest House / Hotel / Hostel	O	N	N	<del>Y</del> N	N
Heavy Commercial Vehicle Park	N	N	N	N	N
Hot Food Take Away	O	N	N	N	N
Light Industry	O	N	N	O	N
Medical Consultant / Health Centre	O	N	N	O	O
Motor Sales	O	N	N	N	N

Nursing Home/ Retirement Village	O	N	N	N	O
Offices	O	N	N	O	N
Park / Playground	O	N	O	Y	O
Petrol Station	O	Y	N	N	N
Place of Worship	O	N	N	N	N
Playing Fields	O	N	N	N	O
Pub	O	N	N	N	N
Restaurant	O	N	N	N	N
School	O	N	N	N	N
Shop (Comparison)	O	N	N	N	N
Shop (Convenience)	O	N	N	N	O
Stable Yard	N	N	N	Y	N
Tourist Related Facilities	O	N	N	O	N
Utility Structures	O	O	Y	O	O
Warehouse (Wholesale) / Store / Depot	O	N	N	O	N
Workshops	O	N	N	O	N

**Submissions/Observations**

Submission No. 131 welcomes Proposed Material Alteration No. ST3, which removes highly vulnerable usage such as Guest House/Hotel/Hostel from the Land Use Zoning Matrix for the V; Equestrian zoning type.

Submission No. 182 welcomes this Proposed Material Alteration and requests that it is affirmed in the adoption of the final Kildare County Development Plan 2023 - 2029. It is however requested that the only land use ‘Permitted in Principle’ (Y) in column ‘T1: General Development’ shall be Fuel Filling Station including associated ancillary uses.

**Chief Executives Response**

The content of the submission is noted. It is considered appropriate to include a minor amendment to Proposed Material Alteration No. ST 2 to provide clarity in terms of the uses permitted under the land use zoning T1: General Development.

**Chief Executives Recommendation**

Accept Proposed Material Alteration ST3, with the following minor amendment:

~~Petrol~~ Fuel Filling Station and associated ancillary uses

---

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

Please refer to Castledermot Zoning Map in Appendix 1.

Amend Castledermot Land Use Zoning Map (Ref: V2-1.1a). Remove the current proposed 'F' (Open Space and Amenity) zoning and zone these lands as 'C' (New Residential).

#### **Submissions/Observations**

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to ST 4 (Recommendation No. 6 refers).

The following relates to Submission No. 131.

A site-specific objective has been included to incorporate a 10m Open Space / Amenity buffer either side of the stream that runs through the subject lands. While this objective is welcomed, it should be noted that the Flood Zone B on the lands related to ST 4 spans a width of up to 30m. In addition, the extents of Flood Zones A and B are shown to increase significantly under future scenarios.

The SFRA has stated in relation to these lands “that the lands at Garterfarm potentially impacted by climate change flooding extents should be zoned as a water compatible land use to mitigate against potential flood risk.” However, the CDP is proposing that the entire site would be zoned 'New Residential' and specifies that the climate change flooding scenario be examined in a SSFRA at planning application stage.

It should be noted that;

As these lands are not within or adjoining the lands zoned A; Town Centre, they do not satisfy criteria 2 of the Plan Making Justification Test.

- Criteria 3 of the Justification Test references the SFRA to support the justification of this zoning, however the SFRA recommends that these lands be zoned for water compatible usage, therefore criteria 3 of the Plan Making Justification Test has not been satisfied.

#### **Chief Executives Response**

See response to the Office of the Planning Regulator in Part 2 of this report in relation to ST 4 (Recommendation No. 6 refers).

The following relates to Submission No. 131.

The SFRA mapping is at a detail appropriate for the purposes of the development of land use zones, however a detailed flood risk assessment would be required for development. This would offer improved definition of Flood Zone A/B.

The 30m width of Flood Zone B as quoted in the OPW does not appear representative of the typical flood width associated with the watercourse, which is relatively uniform in the absence of an SSFRA. On this basis the 10m buffer width is considered appropriate for the purposes of informing land use.

ST 4 proposes to amend a land use zoning from 'F' (Open Space and Amenity) to 'C' (New Residential). However, it is important to note that ST 4 and ST 5 are interdependent and should be read together. ST 5 relates to the 1.5ha site identified



as 'New Residential' in the draft Plan as well as the parcel of land related to ST 4, immediately south of same. Furthermore, Proposed Material Alteration No. ST 5 makes provision for a new site-specific objective (ST C24) which reads as follows;

Any development of the 'C' zoned lands identified within the yellow boundary on Map V2-1.1A [which incorporates lands being subject to ST 4 & ST 5] shall incorporate a 10m 'open space/amenity' buffer either side of the stream that runs in a north-south direction through the subject lands. Where a 10m buffer cannot be satisfactorily achieved, for stated reasons, compensatory open space for the quantum of open space that cannot be provided, shall be provided at an alternative, suitable, central location to be agreed with the Planning Authority noting that in accordance with Section 2.1.6, lands within the flood zone area must be accompanied by a site-specific flood risk assessment. There shall be no requirement for any additional open space to be provided on the lands outlined in yellow, in addition to the open space as required above.

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. ST 4

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

Please refer to Castledermot Objectives Map in Appendix 1.

Add new specific objective under new sub-heading to Castledermot Objectives Map as follows:

#### **V2 2.2.8 Site Specific Objective**

**ST C24** Any development of the 'C' zoned lands identified within the yellow boundary on Map V2-1.1A shall incorporate a 10m 'open space/amenity' buffer either side of the stream that runs in a north-south direction through the subject lands. Where a 10m buffer cannot be satisfactorily achieved, for stated reasons, compensatory open space for the quantum of open space that cannot be provided, shall be provided at an alternative, suitable, central location to be agreed with the Planning Authority noting that in accordance with Section 2.1.6, lands within the flood zone area must be accompanied by a site-specific flood risk assessment. There shall be no requirement for any additional open space to be provided on the lands outlined in yellow, in addition to the open space as required above.

#### **Submissions/Observations**

See submissions/observations related to Proposed Material Alteration No. ST 4 above.

#### **Chief Executives Response**

See responses related to Proposed Material Alteration No. ST 4 above.

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. ST 5

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

Amend ST D8 (Derrinturn) as follows:

- (i) No development shall take place on lands zoned C: New Residential (2.25ha and 3.8ha as identified on Map V2-1.2a) until such time as the Derrinturn Wastewater Treatment Plant is upgraded.
- (ii) Agree an overall masterplan for lands located within the south-eastern portion of the town (3.8ha) and which are zoned C: New Residential (see Map V2-1.2a). The masterplan shall show the overall site development in a phased manner, with the lands located in the southern and eastern sections of the overall site being developed first and the remaining lands developed in a sequential manner to the north and west. The masterplan shall have regard to the existing residential and public open space areas to the north and west.

### **Submissions/Observations**

Irish Water, in its submission (no. 195) references Derrinturn and states that there are planned upgrades to the Derrinturn treatment plant which may be completed over the lifetime of the Plan.

### **Chief Executives Response**

The comments from Irish Water are noted and welcomed

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. ST 6

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

Please refer to Derrinturn Zoning and Objectives Maps in Appendix 1.

Amend Derrinturn Land Use Zoning Maps (Ref: V2-1.2a and Ref. V2-1.2b). Extend the town boundary and zone lands as 'E' Community and Education.

### **Submissions/Observations**

Irish Water, in its submission (no. 195) references Derrinturn and states that there are planned upgrades to the Derrinturn treatment plant which may be completed over the lifetime of the Plan.

### **Chief Executives Response**

The comments from Irish Water are noted and welcomed

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. ST 7

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

Please refer to Derrinturn Zoning and Objectives Maps in Appendix 1.

Amend Derrinturn Land Use Maps (Ref: V2-1.2a and Ref. V2-1.2b). Extend the town boundary and zone lands identified as 'A' on the Map to 'H' (Industry and Warehousing) and zone lands identified as 'B' on the Map to 'F' (Open Space and Amenity).

### **Submissions/Observations**

Irish Water, in its submission (no. 195) references Derrinturn and states that there are planned upgrades to the Derrinturn treatment plant which may be completed over the lifetime of the Plan.

#### **The following relates to Submission No. 261**

The submission relates to zoning part of the 'H' (Industry and Warehousing) Zoned land to 'C' New Residential. A map has been submitted as part of the submission, which shows the relevant area. The subject site has an overall area of 1.29 hectares.

The argument made in favour of this re-zoning relates to Government Policy and the current housing crisis. The submission notes that this 'New Residential' zoning would be conditional on the upgrading of the Derrinturn Wastewater Treatment Plant.

A copy of the original Planning Submission by Fernside Homes Limited dated May 2022 is also submitted.

### **Chief Executives Response**

As outlined in the Chief Executive's Report, which was issued on the 19<sup>th</sup> of July 2022. The subject site is over 250 metres from the town centre, and to zone the subject site for new residential development would result in 'leap-frogging' of lands located more proximate to the town centre which is strongly resisted under objective V GO 3 in Volume 2 of the Draft Plan. It is therefore not considered appropriate to zone the subject lands for residential purposes at this time.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. ST 8

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

Please refer to Derrinturn Objectives Map in Appendix 1.

Amend Derrinturn Objectives Map (Ref: V2-1.2b) to include reference to ST D3 at the 'Opportunity Site' identified on Map V2-1.2b (to align with Objective ST D3 for Derrinturn).

### **Submissions/Observations**

No submissions/observations were received in relation to Proposed Material Alteration No. ST 9

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. ST 9

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

Please refer to Derrinturn Zoning Map in Appendix 1

Amend Derrinturn Land Use Zoning Map (Ref: V2-1.2a) to amend zoning of lands from 'A: Town Centre' to 'F: Open Space' to reflect flood risk.

**Submissions/Observations**

No submissions/observations were received in relation to Proposed Material Alteration No. ST 10

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. ST 10

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**Proposed Material Alteration No. ST 11**

Please refer to Kill Zoning and Objectives Map in Appendix 1

Amend Kill Land Use Maps (Ref: V2-1.3a and V2-1.3b) to zone the site as T1: General Development from KIE: Equine Based Leisure, Tourism and Enterprise. Include specific objective (denoted by a star), add this new objective to section 2.4.5 as follows and renumber objectives accordingly:

Any development proposal for the Service Station which is located on the western side of the N9 and is zoned 'General Development' shall be limited to a Fuel Filling Station use. Any development proposal must be in accordance with the development standards for Fuel Filling Stations as outlined in Chapter 15 of the Plan and the proper planning and sustainable development of the area.

**Submissions/Observations**

The following relates to Submission No. 182.

The submission welcomes and strongly supports Proposed Material Alteration No. ST 11 and request that it is affirmed in the adoption of the final Kildare County Development Plan 2023 - 2029.

It is however requested that clarity is provided in relation to the reference suggesting that the only permitted use shall be fuel station use and submits that it should be termed '*fuel station including associated ancillary uses*'. This is to better reflect the nature of established and permitted uses at fuel stations throughout the country, where retail uses (in line with the Retail Planning Guidelines) are evident, as well as food offerings and restaurant uses. The T1 objective should be clear that such ancillary uses are not ruled out.

**Chief Executives Response**

The submission is noted and accepted. It is considered appropriate to include a minor amendment to Proposed Material Alteration No. ST 11 to provide clarity in terms of the uses permitted under the land use zoning T1: General Development.

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. ST 11, with the following minor amendment:  
Please refer to Kill Zoning and Objectives Map in Appendix 1

Amend Kill Land Use Maps (Ref: V2-1.3a and V2-1.3b) to zone the site as T1: General Development from KIE: Equine Based Leisure, Tourism and Enterprise. Include specific objective (denoted by a star), add this new objective to section 2.4.5 as follows and renumber objectives accordingly:

Any development proposal for the Service Station which is located on the western side of the N9 and is zoned 'General Development' shall be limited to a Fuel Filling Station use including associated, suitably scaled\* ancillary uses. Any development proposal must be in accordance with the development standards for Fuel Filling Stations as outlined in Chapter 15 of the Plan and the proper planning and sustainable development of the area.

\* Footnote; The scale of any retail space must not be of a level which would undermine the viability of existing retail units in adjoining settlements

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

Please refer to Kill Zoning Map in Appendix 1

Amend Kill Land Use Zoning Map (Ref: V2-1.3a) to amend the zoning of lands from 'C: New Residential' to 'SR: Strategic Reserve'.

### **Submissions/Observations**

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to ST 12 (Recommendation No. 2 refers).

### **Chief Executives Response**

See response to the Office of the Planning Regulator in Part 2 of this report in relation to ST 12 (Recommendation No. 2 refers).

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. ST 12

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

Please refer to Kill Zoning Map in Appendix 1

Amend land use zoning of site on Kill Land Use Zoning Map (Ref: V2-1.3a) from "F - Open Space and Amenity" to "A-Town Centre".

### **Submissions/Observations**

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to ST 13 (Recommendation No. 6 refers).

The following relates to Submission No. 131.

The SFRA has stated in relation to this alteration that "KCC has proposed to change the land use zoning of an area adjacent to Main Street. This SFRA recommended to retain the existing open space in the area as it lies in a floodplain and would protect the floodplain from potential encroachment. However, KCC has proposed to change the land use to Town Centre to be consistent with the entirety of the site". As the risk assessment in the SFRA has advised against this zoning, this does not satisfy criteria 3 of the Plan Making Justification Test.

**Chief Executives Response**

Noted and agreed.

**Chief Executives Recommendation**

Not to accept Proposed Material Alteration No. ST 13.

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**Proposed Material Alteration No. ST 14**

Add new subsection and objective to section V2 2.5 (Prosperous) as follows:

**V2 2.5.12 Appropriate Assessment**

**ST P24:** Proposed developments shall be subject to AA screening and where applicable Stage 2 AA to minimise the risk of likely significant effects on European Sites and their qualifying interest species which are hydrologically connected to the River Slate.

**Submissions/Observations**

No submissions/observations were received in relation to Proposed Material Alteration No. ST 14

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. ST 14

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**Proposed Material Alteration No. ST 15**

Please refer to Prosperous Zoning and Objectives Map in Appendix 1

Amend Prosperous Land Use Maps (Ref: V2-1.4a and Ref: V2-1.4b) to extend the town boundary and zone lands as 'B' Existing / Infill Residential.

**Submissions/Observations**

No submissions/observations were received in relation to Proposed Material Alteration No. ST 15

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. ST 15

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**Proposed Material Alteration No. ST 16**

Amend ST R31 (Rathangan) to add new text at the end as follows:

Proposed developments shall be subject to AA screening and where applicable Stage 2 AA to minimise the risk of likely significant effects on European Sites and their qualifying interest species which are hydrologically connected to the River Slate and the Grand Canal.

**Submissions/Observations**

No submissions/observations were received in relation to Proposed Material Alteration No. ST 16

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. ST 16

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**Proposed Material Alteration No. ST 17**

Add new objective after ST R34 (Rathangan), under section V2 2.6.10 as follows:

**Investigate in conjunction with Irish Water the feasibility of upgrading the wastewater treatment network in the Newtown area of the town.**

**Submissions/Observations**

No submissions/observations were received in relation to Proposed Material Alteration No. ST 17

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. ST 17

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**Proposed Material Alteration No. ST 18**

Add new subsection and objective (Rathangan) as follows:

**V2 2.6.12 Appropriate Assessment**

**ST R37:** Proposed developments shall be subject to AA screening and where applicable Stage 2 AA to minimise the risk of likely significant effects on European Sites and their qualifying interest species which are hydrologically connected to the Grand Canal.

**Submissions/Observations**

No submissions/observations were received in relation to Proposed Material Alteration No. ST 18

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. ST 18

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**Proposed Material Alteration No. ST 19**

Please refer to Rathangan Zoning Map in Appendix 1

Amend Rathangan Land Use Zoning Map (Ref: V2-1.5a) to amend the zoning status of lands identified as 'B: Existing Residential' to 'F: Open Space.

**Submissions/Observations**

No submissions/observations were received in relation to Proposed Material Alteration No. ST 19

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. ST 19

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**Proposed Material Alteration No. ST 20**

Please refer to Rathangan Zoning and Objectives Maps in Appendix 1

- (A) Amend Rathangan Land Use Zoning and Objectives Maps (Ref: V2-1.5a and V2-1.5b). The zoning status of the lands shall be C: New Residential (identified as 'A' on map) and E: Community and Educational (identified as 'B' on map) with a Special objective for Age friendly housing/nursing home/retirement village on E.
- (B) Include an additional objective in Section V2 2.6.12 (Rathangan) as follows;

**Older Persons Housing**

**ST R36 Facilitate and promote the development of age friendly housing/ nursing home/ retirement village on 'E' zoned lands located to the immediate south of the Beechgrove housing development (See Map V2-1.5B).**

**Submissions/Observations**

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to ST 20 (Recommendation No. 2 refers).

**Chief Executives Response**

See response to the Office of the Planning Regulator in Part 2 of this report in relation to ST 20 (Recommendation No. 2 refers).

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. ST 20

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**Proposed Material Alteration No. ST 21**

[Small Towns Section] Insert a new sub-section V2 2.1.7 titled 'Environmental Impact Assessment (EIA) / Appropriate Assessment (AA) to include the following text;  
**Proposed developments shall be subject to EIA Screening (and subsequent stages as required) and AA screening and where applicable Stage 2 AA to minimise the risk of likely significant effects on European Sites and their qualifying interest species and their hydrological connections**



**Submissions/Observations**

No submissions/observations were received in relation to Proposed Material Alteration No. ST 21

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. ST 21

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## Volume 2: Villages

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

Update Table 3.2 (Volume 2) to align with Table 2.8 (Volume 1)

**Table 3.2 Villages - Population**

	2016 Population (Census)	2021 Population Estimate (based on % growth from 2011-2016)	Population Target 2023 to 2028 (end of Q4) (persons)	Housing Target 2023 to 2028 (end of Q4) (units) in accordance with HSTGs	Residential Zoned Land Requirement (ha)	Target Residential Density (UPH)
Villages	9,984 11,160	10562 11,806	1006 1,182	366 430	43	10-15
Rural Settlements	3310 3,537	3502 3,739	377 398	137 144	N/A	N/A

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. V 1

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. V 1

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

Amend the first paragraph of section V2 3.1.2 as follows:

Designated villages will continue to develop as local centres for services with growth levels to cater for sustainable growth for local demands at an appropriate scale. The level of expansion will be controlled to minimise pressure on services, the environment and unsustainable commuting patterns. ~~These villages will support local enterprise to cater for local demand.~~

### **Submissions/Observations**

Submission No. 192 states that 'local demand' is a more correct description than 'sustainable growth' and the original wording should be re-instated.

### **Chief Executives Response**

The submission is noted however, the settlement plans for villages include zoned land. It is not feasible or reasonable to specifically cater for 'local demand' on these lands. The 'sustainable growth' phraseology is therefore considered to be more appropriate in this instance and is consistent with the other polices and objectives of the draft Plan.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. V2

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**Proposed Material Alteration No. V 3**

Amend policy V GP 2 in section V2 3.1.4 as follows:

Facilitate sustainable population growth in the identified villages with growth levels of up to 25% over the Plan period to cater primarily for local demands.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. V 3

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. V 3

**Proposed Material Alteration No. V 4**

Amend table 3.6 – Villages Land Use Zoning Matrix (new text in red)

Land Use	O: Village Centre	B: Existing Residential/Infill	C: New Residential	E: Community & Education	F: Open Space & Amenity	U: Utilities / Services	SS: Serviced Sites	Q: Enterprise & Employment	Q1: Johnstown Garden Centre	I: Agriculture
Nursing Home / Retirement Village	O	O	O	O	N	N	N	N	N	N

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. V 4

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. V 4

**Proposed Material Alteration No. V 5**

Amend objective V AL4 in section V2 3.2.4 (Allenwood) as follows:

It is an objective of the Council to support the objectives and priority projects of the forthcoming Allenwood Village Renewal Plan.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. V 5

**Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. V 5

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

Add new subsection and objective to V2 3.2.1 Allenwood as follows:

#### **V2 3.2.10 New Residential**

**V AL20:** No development shall take place on lands zoned 'C: New Residential' (as identified on Map V2-3.1) until such time as the Allenwood Wastewater Treatment Plant is upgraded.

### **Submissions/Observations**

Irish Water, in its submission (no. 195) references Allenwood and states that there is limited headroom in the Allenwood treatment plant and there are no current plans to upgrade same. Any connections will be on a first come, first served basis.

### **Chief Executives Response**

The comments from Irish Water are noted. While the capacity is limited, the issues of connections to same is more appropriately addressed through the development management process.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. V 6

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

Add new subsection and objective to V2 3.2.1 Allenwood as follows:

#### **V2 3.2.11 Appropriate Assessment**

**V AL21:** Proposed developments shall be subject to AA screening and where applicable Stage 2 AA to minimise the risk of likely significant effects on European Sites and their qualifying interest species which are hydrologically connected to the Grand Canal.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. V 7

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. V 7

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

Add new objective to Section V2 3.4.7 Ballitore as follows and renumber objectives accordingly:

**Support and facilitate the development of a Sport and Recreational Facility on the lands zoned 'F- Open Space and Amenity' to the west of the village.**

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. V 8

### **Chief Executives Response**

N/A

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. V 8

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

Add the following new objective to section V2 3.5.4 Ballymore Eustace and renumber objectives accordingly:

The development of the 1.8ha 'C' New Residential site shall include the integration of the existing 5km looped walk in Ballymore Eustace, a site-specific archaeological impact assessment and retention and integration of existing trees into any proposed development.

### **Submissions/Observations**

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to V9 (Recommendation No. 2 refers).

### **Chief Executives Response**

See response to the Office of the Planning Regulator in Part 2 of this report in relation to V9 (Recommendation No. 2 refers).

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. V9

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

(A) Amend objective V CC2 in section V2 3.7.2 Coill Dubh/Cooleragh as follows:

Support the objectives and priority projects of the forthcoming Coill Dubh Village Renewal Plan.

(B) Amend objective V JB6 in section V2 3.10.3 Johnstownbridge as follows:

It is an objective of the Council to support the objectives and priority projects of the forthcoming Johnstownbridge Village Renewal Plan.

(C) Amend objective V KM3 in section V2 3.12.2 Kilmeague as follows:

Support the objectives and priority projects of the forthcoming Kilmeague Village Renewal Plan.

### **Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. V 10

### **Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. V 10

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**Proposed Material Alteration No. V 11**

Amend section V2 3.14.1 Narraghmore as follows:

Social Infrastructure	Other; Public House, Takeaway, Museum, Credit Union, Post Office
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**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. V 11

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. V 11

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**Proposed Material Alteration No. V 12**

Add new subsection and objective to V2 3.15.1 (Robertstown) as follows:

**V2 3.15.8 Appropriate Assessment**

**V R18:** Proposed developments shall be subject to AA screening and where applicable Stage 2 AA to minimise the risk of likely significant effects on European Sites and their qualifying interest species which are hydrologically connected to the Grand Canal.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. V 12

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. V 12

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**Proposed Material Alteration No. V 13**

Amend objective V ST14 in section V2 3.16.6 (Straffan) as follows:

Provide footpaths, cycleways, and public lighting along the Boreen Road during the lifetime of this Plan (See T1 / T4 on Map V2-3.15) subject to land acquisition being agreed and the approval of the necessary funding.

**Submissions/Observations**

The following relates to Submission No. 185

The proposed footpath on the Boreen road in Straffan. (V ST14) is much needed and currently the road is a traffic hazard for pedestrians.

At Septembers' Council meeting, the issue of a path on the Boreen Road was discussed and it was deemed not viable at the moment as the available space from boundary to boundary is not sufficient to provide a suitable footpath without land take from multiple owners, however the submission suggests that this is inaccurate.

#### **Chief Executives Response**

The contents of the submission are noted. The Plan, through Proposed Material Alteration V 13, acknowledges the importance of delivering a footpath, cycleway and public lighting along the Boreen Road for public safety reasons particularly, in a timely manner and it is a specific objective to deliver same, subject to the necessary funding, during the lifetime of the Plan.

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. V13

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

Add new subsection and objective to V2 3.18.1 (Timolin) as follows:

##### **V2 3.18.8 New Residential**

**V T11: No development shall take place on lands zoned 'C: New Residential' in Timolin until such time as the Timolin Wastewater Treatment Plant is upgraded.**

#### **Submissions/Observations**

Irish Water, in its submission (no. 195) states that there are planned upgrades to the Timolin treatment plant that may be completed over the lifetime of the plan.

#### **Chief Executives Response**

The comments from Irish Water are noted and welcomed.

#### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. V14

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#### **Proposed Material Alteration No. V 15**

Please refer to Allenwood Map in Appendix 1

Amend the boundary of the Allenwood Land Use Zoning Map (Ref: V2-3.1) and designate lands to the west of the village, from 'F' Open Space and Amenity to 'SS' Serviced Sites.

#### **Submissions/Observations**

Irish Water, in its submission (no. 195) states that the Allenwood treatment plant has limited capacity and there are no current plans to upgrade same. Any connections will be on a first come, first served basis.

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to V15 (Recommendation No. 2 refers).

**Chief Executives Response**

See response to the Office of the Planning Regulator in Part 2 of this report in relation to V15 (Recommendation No. 2 refers).

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. V15

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**Proposed Material Alteration No. V 16**

Please refer to Athgarvan Zoning and Objectives Maps in Appendix 1

Amend Athgarvan Land Use Maps (Ref: V2-3.2A and Ref: V2-3.2B) to zone lands as 'C' New Residential and extend village boundary to reflect same.

**Submissions/Observations**

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to V16 (Recommendation No. 2 refers).

**Chief Executives Response**

See response to the Office of the Planning Regulator in Part 2 of this report in relation to V16 (Recommendation No. 2 refers).

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. V16

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**Proposed Material Alteration No. V 17**

Please refer to Ballitore Zoning and Objectives Maps in Appendix 1

Amend Ballitore Land Use Maps (Ref: V2-3.3A and Ref: V2-3.3B) to zone lands as 'F' Open Space and Amenity and extend village boundary to reflect same.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. V 17

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. V17

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**Proposed Material Alteration No. V 18**

Please refer to Ballitore Zoning and Objectives Maps in Appendix 1

Amend Ballitore Land Use Maps (Ref: V2-3.3A and Ref: V2-3.3B) to zone lands as 'C' New Residential and extend village boundary to reflect same.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. V 18



**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. V18

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**Proposed Material Alteration No. V 19**

Please refer to Ballitore Zoning Map in Appendix 1

Amend Ballitore Land Use Zoning Map (Ref: V2-3.3A). Amend zoning of lands from 'B: Existing Residential' to 'F: Open Space'.

**Submissions/Observations**

Submission No. 131 supports PMA V19, which rezones lands in Flood Zones A and B from highly vulnerable B: Existing Residential Infill to water compatible F; Open Space.

**Chief Executives Response**

Noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration V19

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**Proposed Material Alteration No. V 20**

Please refer to Ballymore Eustace Map in Appendix 1

Amend Ballymore Eustace Land Use Zoning Map (Ref: V2-3.4A) to indicate 'Under Construction' on land zoned 'C' New Residential.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. V 20

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. V20

---

**Proposed Material Alteration No. V 21**

Please refer to Ballymore Eustace Map in Appendix 1

Amend Ballymore Eustace Land Use Zoning Map (Ref: V2-3.4A) to zone lands from 'F' Open Space and Amenity to 'I' Agriculture.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. V 21

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. V21

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**Proposed Material Alteration No. V 22**

Please refer to Ballymore Eustace Map in Appendix 1

Amend Ballymore Eustace Land Use Zoning Map (Ref: V2-3.4A) to zone from 'F' Open Space and Amenity and 'B' Existing Residential to 'C' New Residential (1.8ha).

**Submissions/Observations**

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to V22 (Recommendation No. 2 refers).

**Chief Executives Response**

See response to the Office of the Planning Regulator in Part 2 of this report in relation to V22 (Recommendation No. 2 refers).

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. V22

---

**Proposed Material Alteration No. V 23**

Please refer to Coill Dubh / Cooleragh Map in Appendix 1

Amend Coill Dubh / Cooleragh Land Use Zoning Map (Ref: V2-3.6).

Part of the C: New Residential lands within Cooleragh to be zoned B: Existing / Infill Residential (to reflect existing dwellings) with the remainder remaining as C; New Residential.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. V 23

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. V23

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**Proposed Material Alteration No. V 24**

Please refer to Coill Dubh / Cooleragh Map in Appendix 1

Amend Coill Dubh / Cooleragh Land Use Zoning Map (Ref: V2-3.6) to zone lands to the west and south-west of the Church as C; New Residential and extend the village boundary to reflect same.

**Submissions/Observations**

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to V24 (Recommendation No. 2 refers).

**Chief Executives Response**

See response to the Office of the Planning Regulator in Part 2 of this report in relation to V24 (Recommendation No. 2 refers).

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. V24

---

**Proposed Material Alteration No. V 25**

Please refer to Crookstown Map in Appendix 1

Amend Crookstown Land Use Zoning Map (Ref: V2-3.7), to zone lands from 'E' Community and Education to 'A' Village Centre.

**Submissions/Observations**

Submission No. 226 notes Proposed Material Alteration No. V 25.

Submission No. 136 confirms their support and endorsement of Proposed Material Alteration No. V25.

**Chief Executives Response**

Noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration V 25

---

**Proposed Material Alteration No. V 26**

Please refer to Crookstown Map in Appendix 1

Amend Crookstown Land Use Zoning Map (Ref: V2-3.7) to zone lands to the south-east of the village, as 'A' Village Centre and extend the village boundary to reflect same.

**Submissions/Observations**

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to V26 (Recommendation No. 2 refers).

**Chief Executives Response**

See response to the Office of the Planning Regulator in Part 2 of this report in relation to V26 (Recommendation No. 2 refers).

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. V26

---

**Proposed Material Alteration No. V 27**

Please refer to Johnstown Map in Appendix 1

Amend Johnstown Land Use Zoning Map (Ref: V2-3.8) to zone lands identified as 'C: New Residential' to 'Q: Enterprise and Employment'.

### **Submissions/Observations**

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to V27 (Recommendation No. 6 refers).

See submission from the Office of Public Works in Part 2 of this report in relation to V 27.

The following relates to Submission No. 135, 131 and 192.

Material Alteration V 27 proposes to rezone these lands as Q – Enterprise & Employment to reflect their existing use. This however is a less vulnerable use in Flood Zone A, and therefore inappropriate for lands that cannot pass a Justification Test. This however does not necessitate their rezoning. It should be noted that these lands have not passed the Justification Test, and structural or non-structural measures should be outlined to ensure the level of flood risk is not increased, and if practicable decreased.

As related to Submission no. 192 (from Johnstown Community Association)

This submission states that housing has been applied for on the subject site which will wipe out the only amenity of this type in the village and further increase the amenity deficit. There are no amenities within the village and the medical and childcare facilities are under extreme pressure due to the increase in housing in the last two years.

As related to Submission no. 131

The submission states that Material Alteration V 27 has rezoned these lands as Q – Enterprise & Employment to reflect existing use. This however is a less vulnerable use in Flood Zone A, and therefore inappropriate for lands that cannot pass a Justification Test.

### **Chief Executives Response**

See response to the Office of the Planning Regulator in Part 2 of this report in relation to V27 (Recommendation No. 6 refers).

See response to the Office of Public Works in Part 2 of this report in relation to V 27.

The following relates to Submission No. 192.

Submission no. 192 is noted however, PMA No. V 27 has amended lands identified as 'C: New Residential' to 'Q: Enterprise and Employment'. Under Table 3.6 of the draft Plan dwellings are not permitted on lands zoned Q; Enterprise and Employment.

In relation to Submission No. 131, it is accepted that the Q: Enterprise and Employment' area does not adjoin the Village Centre Zone. However, it is considered appropriate to retain the 'Enterprise and Employment' zoning as it is an existing use and any proposal on these lands would be subject to a SSFRA.

### **Chief Executives Recommendation**

Accept Proposed Material Alteration No. V27 and also to include a new footnote to V2 3.9.1 Johnstown (Volume 2) to read as follows;

A site-specific Flood Risk Assessment (FRA) shall be required as part of any development proposal with respect to lands zoned 'Q' to the south of Johnstown.

This FRA shall clearly demonstrate that there shall be no adverse flood risk impacts arising from any development of the subject lands.'

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

Please refer to Johnstownbridge Map in Appendix 1

Amend Johnstownbridge Land Use Zoning Map (Ref: V2-3.9), to zone lands to the west of the Bridgewell estate, as 'C' New Residential and extend the village boundary to reflect same.

### **Submissions/Observations**

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to V28 (Recommendation No. 2 refers).

The following relates to Submission No. 71

Johnstown Bridge Spire Ltd is wholly supportive of the Proposed Material Alteration as it applies to the subject site and is appreciative of the Council's intention to revert its zoning to the current 'C – New Residential' designation.

The submission made at initial Draft stage sought to highlight the appropriateness of the site for residential development, given its centrality in the Village, alignment with the sequential approach, role in achieving compact growth and support for generating critical mass. Furthermore, Johnstown Bridge Spire Ltd wishes to reaffirm its intention to develop the subject site, as illustrated by recent efforts to secure planning permission in recent years.

### **Chief Executives Response**

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to V28 (Recommendation No. 2 refers).

The submission from Johnstown Bridge Spire Ltd is noted however it is still the contention of the Chief Executive that sufficient lands are identified elsewhere within the village boundary on lands zoned 'C' New Residential (1 ha potential yield 30/35 uph) but also on lands zoned 'A' Village Centre which, it is considered, better align with national and regional objectives with respect to compact growth, development of brownfield and infill sites prior to consideration of greenfield lands for development.

It is an objective of the Draft Plan under JV JB3 to consolidate the village centre by way of infill development, backland development and redevelopment as appropriate. Similarly, an opportunity site has been ear marked in the village for a 2-storey landmark mixed-use development between St. Patrick's Church and the Hamlet Court Hotel which has the potential for residential development among the mix of uses (Objective V JB5, refers). Therefore, it is considered to be contrary to the proper planning and sustainable development of the area to zone additional greenfield land for new residential development at this time, until the potential yield from the opportunity site has been realised thereby representing an orderly sequential approach to development.

**Chief Executives Recommendation**

Not to accept Proposed Material Alteration No. V 28.

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**Proposed Material Alteration No. V 29**

Please refer to Kildangan Map in Appendix 1

Amend Kildangan Land Use Zoning Map (Ref: V2-3.10) to zone lands from 'B: Existing Residential' to 'F: Open Space'.

**Submissions/Observations**

Submission No. 131 supports PMA V29, which rezones lands in Flood Zones A and B from highly vulnerable B: Existing Residential Infill to water compatible F; Open Space.

**Chief Executives Response**

Noted.

**Chief Executives Recommendation**

Accept Proposed Material Alteration V29

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**Proposed Material Alteration No. V 30**

Please refer to Kilmeague Map in Appendix 1

Amend Kilmeague Land Use Zoning Map (Ref: V2-3.11), to zone lands as 'A' Village Centre and extend the village boundary to reflect same.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. V 30

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. V30

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**Proposed Material Alteration No. V 31**

Please refer to Narraghmore Map in Appendix 1

Amend Narraghmore Land Use Zoning Map (Ref: V2-3.13) to zone lands from 'B' Existing / Infill Residential and 'C' New Residential to 'F' Open Space and Amenity, to reflect the areas of recreational space within the village.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. V 31

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. V31

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**Proposed Material Alteration No. V 32**

Please refer to Narraghmore Map in Appendix 1

Amend Narraghmore Land Use Zoning Map (Ref: V2-3.13) to zone lands 'B' Existing Residential / Infill from 'C' New Residential to reflect the presence of existing dwellings on the subject lands.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. V 32

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. V32

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**Proposed Material Alteration No. V 33**

Please refer to Robertstown Zoning and Objectives Maps in Appendix 1

Amend the boundary of the Robertstown Land Use Zoning and Objectives Maps (Ref: V2-3.14a and V2-3.14b) and zone lands to the north of the village, as 'C' New Residential and extend the village boundary to reflect same.

**Submissions/Observations**

See submission from the Office of the Planning Regulator in Part 2 of this report in relation to V33 (Recommendation No. 2 refers).

**Chief Executives Response**

See response to the Office of the Planning Regulator in Part 2 of this report in relation to V33 (Recommendation No. 2 refers).

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. V33

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**Proposed Material Alteration No. V 34**

Please refer to Straffan Map in Appendix 1

Amend Straffan Land Use Zoning Map (Ref: V2-3.15), to zone lands from Q: Enterprise and Employment to 'E' Community and Educational.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. V 34

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. V34

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**Proposed Material Alteration No. V 35**

Please refer to Straffan Map in Appendix 1

Amend Straffan Land Use Zoning Map (Ref: V2-3.15) to extend village boundary to include a portion of roadway.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. V 35

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. V35

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**Proposed Material Alteration No. V 36**

Please refer to Suncroft Map in Appendix 1

Amend Suncroft Land Use Zoning Map (Ref: V2-3.16) to zone lands opposite the primary school, as 'A; Village Centre and extend the village boundary to reflect same.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. V 36

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. V36

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**Proposed Material Alteration No. V 37**

Please refer to Suncroft Map in Appendix 1

Amend Suncroft Land Use Zoning Map (Ref: V2-3.16) to remove lands zoned 'C' New Residential from the settlement map and amend village boundary to reflect same.

**Submissions/Observations**

No submissions were received with respect to Proposed Material Alteration No. V 37

**Chief Executives Response**

N/A

**Chief Executives Recommendation**

Accept Proposed Material Alteration No. V37

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Part 4

Appendix 1

Public Notice



## **NOTICE OF PROPOSED MATERIAL ALTERATIONS TO THE DRAFT KILDARE COUNTY DEVELOPMENT PLAN 2023-2029**

Notice is hereby given that Kildare County Council, in accordance with Section 12 (7) of the Planning & Development Act 2000 (as amended), has prepared Proposed Material Alterations to the Draft Kildare County Development Plan for the period 2023-2029.

In accordance with Section 12(7)(aa) of the Planning & Development Act 2000 (as amended) it has been determined that certain alterations require full Strategic Environmental Assessment (SEA) and certain material alterations require Stage 2 Appropriate Assessment (AA).

A copy of the Proposed Material Alterations, the determination in accordance with Section 12(7)(aa), the Environmental Report Addendum 1 (SEA), Strategic Flood Risk Assessment Addendum Report (SFRA) and Natura Impact Statement (Stage 2 Appropriate Assessment) will be on display from Wednesday 28<sup>th</sup> September 2022 to 4pm on Thursday 27<sup>th</sup> October 2022 inclusive (excluding public holidays) at the following locations;

- <https://draftkildarecdp2023-2029.ie/>
- <https://consult.kildarecoco.ie/>
- The Planning Office, Kildare County Council, Aras Chill Dara, Naas  
9.30 am - 4 p.m. Monday - Friday.

In addition, the Proposed Material Alterations to the Draft Kildare County Development Plan 2023-2029 are also available to view on Kildare County Council's Website [www.kildare.ie/countycouncil](http://www.kildare.ie/countycouncil)

For further information please contact the Forward Planning Team at Tel: 045-980242.

### **Submissions/Observations**

Submissions or observations with respect to the Proposed Material Alterations to the Draft Kildare County Development Plan 2023-2029, the determination in accordance with Section 12(7)(aa), Environmental Report Addendum 1, Strategic Flood Risk Assessment Addendum Report and Natura Impact Statement (Stage 2 Appropriate Assessment) are invited from members of the public and other interested parties. Submissions or observations should be marked '*Proposed Material Alterations to the Draft Kildare County Development Plan 2023-2029*' and be submitted either;

Online, through the submission form facility available on Kildare County Council's Consult portal: <https://consult.kildarecoco.ie/>

OR

In writing to: Kildare County Development Plan 2023-2029, c/o Senior Executive Officer, Planning Department, Kildare County Council, Áras Chill Dara, Devoy Park, Naas, Co. Kildare

Please make your submission in one medium only, i.e. online or hard copy. Any submission or observation should state your full name, address and where relevant, the body or organisation represented. As an online facility has been provided for your convenience, e-mail and fax submissions will not be accepted.

All submissions or observations with respect to the Proposed Material Alterations to the Draft Kildare County Development Plan 2023-2029 will form part of the statutory Chief Executive Report to be presented to the Elected Members of Kildare County Council and will be taken into consideration before the Kildare County Development Plan 2023-2029 is made. Please be aware that the planning process is an open and public one. In that context, submissions or observations are a matter of public record and may be placed (in full or part) on the Council's website.

**The closing date for receipt of submissions: 4.00pm on Thursday 27<sup>th</sup> October 2022**

LATE SUBMISSIONS WILL NOT BE ACCEPTED.

Details of your privacy entitlements and obligations under GDPR can be read here: <https://kildare.ie/countycouncil/AllServices/Planning/DevelopmentPlans/>

Kildare County Council is subject to the provisions of the Freedom of Information (FOI) Acts 1997 and 2014. If you consider that any information supplied by you is either commercially sensitive or confidential in nature, this should be highlighted and the reasons for its sensitivity specified. In such cases, the relevant material will, in response to FOI requests, be examined in light of exemptions provided for in the FOI Act. Kildare County Council is subject to the provisions of the Data Protection Acts, 1988 to 2018. In order to assist us with complying with the Data Protection Act please include your name and contact details on a separate sheet to the content of your submission/observation as submissions will be published on the council's website.

Eoghan Ryan,

Director of Services

Planning & Strategic Development

# Appendix 2

## List of Prescribed Bodies

OPR
Dept. of Environment, Heritage & L. G.
Dept of Housing, Local Government & heritage
dept of Culture Heritage & gaeltacht
Ciara Gilgunn, Forward Planning Section, Dept of Environment, Custom House, Dublin 1.
An Bord Pleanala
Dept. of Arts, Heritage & the Gaeltacht
Dept. of Transport, Tourism & Sport
Dept. of Education, Skills & Science
Failte Ireland
National Transport Authority
E.S.B.
Health Service Executive Wicklow
National Heritage Council
T.I.I.
Irish Water
Dublin Airport Authority
An Taisce
Northern & Western Regional Assembly
Southern Regional Assembly
E.P.A.
Dept. of Education, Skills & Science Tullamore
Dept. of Agriculture, Food & the Marine
Dept. of Defence
Dept. of Communications, Energy & Nat. Resources
O.P.W.
Dept. of Jobs, Enterprise & Innovation
National Authority for Occupational Safety & Health
South Dublin County Council
Fingal County Council
Wicklow County Council
Meath County Council
Westmeath County Council
Eastern & Midland Regional Assembly
Eirgrid
Health Service Executive
Carlow County Council
Offaly County Council
Laois County Council
Local Community Development Cttee
Inland Fisheries Ireland
An Chomhairle Ealaion
Minister of State for Housing, Peter Burke
Department of Environment, Climate and Communications
Commission for Regulation of Energy
Comhairle Na nOg
PPN
Government Consultation website

# Appendix 3

## List of those who made Submissions

1	Derek Carroll
2	Derek Carroll
3	Fergal Reidy
4	Mark Bruns
5	Mark Bruns
6	Environmental Protection Agency
7	Tony Doyle
8	Bracey Daniels
9	Health and Safety Authority
10	Karen O'Donnell
11	Sarah Duke
12	Valerie Colton
13	St. Catherine's Park Group
14	Boryana Genova
15	Gary Owens
16	Caroline Connolly
17	Sallins Biodiversity Group
18	Robert Barnes
19	Peadar O'Brien
20	Marguerite Devine
21	Robert Tiernan
22	Niamh Quinn
23	Rosaleen Toland
24	Aaron Holbrook
25	Tom Holbrook
26	Aaron Holbrook
27	Paige Holbrook
28	Philip Grehan
29	Keith Fealy
30	Rachel O'Kelly
31	Caroline Cullen
32	Alan O'Brien
33	David Williams
34	Laura McDonald
35	N Garg
36	Lorraine O'Sullivan
37	Paul McGauran
38	Gillian Bryan
39	Andy Grehan
40	Siobhain Makim
41	Michael O'Reilly
42	Adine Byrne
43	Susan Dundon
44	Aoife Gaffney
45	Gas Networks Ireland

46	Michael Griffin
47	Shay Kirk
49	Joy Grehan
50	Mark Fitzgerald
51	Dale Keenan
52	Vladimir Genov
53	Lorraine Carpenter
54	Mark Bruns
55	Mark Bruns
56	Mark Bruns
57	Mark Bruns
58	Mark Bruns
59	Mark Bruns
60	Declan Keating
61	Colm Gaffney Gaffney
62	Briege Hearty
63	Alan Harrington
64	Mairead Daniels
65	David Horan
66	Ciara Conway
67	Peter Gaffney
68	Mark Ryan
69	Bernie Quinn
70	Jake Smith
71	Ashcroft Developments
72	Sherwood Homes Limited
73	Patrick Noonan
74	Dympna Doherty
75	Mary Corrigan
76	Noreen Gibson
77	Caroline Shaw
78	Naas Combined Residents Group
79	Gabrielle Smyth
80	Yvonne Codd
81	Andrew Tobin
82	Lorraine Comerford
83	Warren McIntyre
84	Pauline McCarthy
85	Aoife Kenny
86	Niall Sargent
87	Tom Dredge
88	Ursula King
89	John McGettigan
90	Anne Bennett

91	Jenny O'Boyle
92	Patrick Doherty
93	St. Patrick's College
94	Glendale Meadows Residents Association
95	Ann O Connell
96	Brian Ruddy
97	Yvonne Caulfield
98	Annette, Vincent, Kevin Olphert and Philip Daly
99	Katie Lawrence
100	Orla Gildea
101	Neasa Fitzgerald
102	Lorraine Fitzgerald
103	Kevin Walsh
104	Ann Field
105	Noel Chambers
106	Teresa Bourke
107	Ciaran Daniels
108	Jackie Moore
109	Sarah McDermott
110	Kevin Noonan
111	Pavel Placinta
112	Elaine Noonan
113	Colm Bhandal
114	Gerard Mooney
115	Alan Mooney
116	Michelle Walsh
117	Thomas Noonan
118	NTA
119	Kathy Merrins
120	Sharon Caulfield
121	Bill Bhandal
122	Caroline Travers
123	Emma McCabe
124	Confey Football Club
125	Pat O'Sullivan
126	Sean Devaney
127	Eamonn Murphy
128	Declan Kenny
129	Nicola Murphy
130	Mary McGlynn

131	Office of Public Works
132	Martin Grehan
133	Transport Infrastructure Ireland
134	Niamh Hopkins
135	Palm Logistics
136	St. Laurence O'Toole Diocesan Trust
137	Paula Coffey
138	County Kildare Chamber
139	John de Robeck
140	County Kildare Leader Partnership
141	April Smith
142	Valerie Smith
143	Mary Noonan
144	April Smith
145	Andrew Connolly
146	Ravi Prasad
147	Geraldine Mooney
148	Bernie Harpur
149	Hugh Dillon
150	Ballyshannon Action Group
151	Grace Carew
152	Gerry Colton
153	Liam Laoire
154	Wendy Halpin
155	Leah Moore
156	Emma Connolly
157	Laetitia Kavanagh
158	Dillon Gough
159	Ken Gough
160	John O'Neill
161	Margaret Gough
162	John O'Malley
163	Damien Halpin
164	Christy Walsh
165	Zoe Gough
166	Helen McCarthy
167	Leigh Butler
168	Catherine Costello
169	Tom McCarthy
170	Michael Dunne



171	PATRICK BURGESS
172	Bernette Burgess
173	Andrew Colton
174	Cairn PLC
175	Ciara Hogan
176	Glenveagh Properties
177	Caitriona Lee
178	Eleanor Wauchob
179	Fiona Prendergast
180	Donal Toland
181	P.M. Conaghan
182	Circle K Ireland Energy Group Limited
183	Circle K Ireland Energy Group Limited
184	Mark Butler
185	Noleen Farrell
186	Grainne McMenamy
187	Belmont Data Centres
188	Laura Blaise McDowell
189	John K
190	EirGrid
191	The Ballymore Group, Leixlip & Newbridge SPV Limited and Corcom, on behalf of the Bruton family
192	Johnstown Community Association
193	Amarenco Solar Ltd
194	Anna Gellert
195	Irish Water
196	Michael W
197	Zoe Gough
198	Conor Smith
199	Aisling Delaney
200	Bethany Clarke
201	An Taisce
202	Helen Doyle
203	Cora O'Connor Murphy
204	Karen McLaughlin
205	Conor Jennings
206	Vinnie Mc Laughlin
207	Bernie Delaney
208	Aine Gately
209	Andrew Tomkins
210	Maplewood Developments Ltd & Barina Construction Ltd

211	Maria Linnane
212	Valerie Johnston
213	Davy Platform ICAV
214	Denise Forristal
215	Department of Environment, Climate and Communications
216	Tracey Scuffil
217	Friends of Harristown Commons
218	niamh o'dea
219	Clane Community Council
220	NAMA
221	Westar Group
222	Statkraft Ireland
223	Anne Grogan
224	Brendan Kenny
225	Blockstar Ltd
226	Department of Education
227	Brian McArdle
228	Electricity Supply Board
229	Maynooth Community Council
230	Meath County Council
231	Bord na Móna
232	Helen Dredge
233	Brendan Moore
234	Vicki Walsh
235	Wind Energy Ireland
236	Ioana Pavel
237	Hazel Lenehan
238	Ron Dardis
239	Kildare Cultural Heritage Group
240	Monica Dardis
241	Dominic Lenehan
242	Joseph Neville
243	Gavin Doyle
244	Graham Donlon
245	Liffeybank Football Club
246	A HL
247	Environmental Health Services
248	Cormac and Sharon France
249	Office of the Planning Regulator
250	Kildare Down Syndrome Ireland

251	Sky Castle Ltd
252	Lorraine O' Sullivan
253	Maurice Kavanagh
254	Jean McCarthy
255	Sinead White
256	Eavan Roche
257	Margaret Crinion
258	Nyra Lourdes Lenehan
259	Adam Lenehan
260	Irish Thoroughbred Breeders Association
261	Fernside Homes Ltd
262	Stephen Talbot
263	County Kildare Access Network (CKAN)
264	Andrew Tierney
265	Munoo Prasad
266	Conor Prasad
267	Claire Prasad

# Appendix 4

## List of issues not related to Proposed Material Alterations

13Table 1: Issues raised that do not relate to PMA's

Sub. No.	Name	Issues raised
3	Fergal Reidy	<p><b>Celbridge</b></p> <ol style="list-style-type: none"> <li>1. Need for a new ambulance and fire station</li> <li>2. The ongoing works with water and sewage is acknowledged however it is contended that more needs to be done in advance of significant new development taking place</li> <li>3. Concerns raised in relation to schools</li> <li>4. Bridges on Hatch Road need to be improved</li> <li>5. Issues in relation to buses to Tallaght hospital because of poor road infrastructure</li> <li>6. Work is needed on the Ardclough, Straffan and Kill roads and all canal bridges. The road is very narrow, poorly lit and has no footpaths</li> <li>7. Issues in relation to traffic at Confey</li> <li>8. Condition of road from Confey to Blanchardstown/ Clonsilla</li> <li>9. Castletown House and parklands need a car park with quality tarmac, lighting and a train linking the car park to the House and lands</li> <li>10. Suggestion that the old Parish Priests House on Celbridge Main Street could be used for a theatre and youth space</li> <li>11. Suggested that a new library and new theatre could be built on a new Celbridge ring road</li> <li>12. Suggested that the lights at McMahons Pub, Maynooth Road be replaced by lights</li> </ol>
4	Mark Bruns	Proposal to make the M4 surface passing Leixlip a smooth surface
5	Mark Bruns	Proposal to construct road between River Forest and Louisa Bridge
6	EPA	The document 'SEA of Local Authority Land Use Plans – EPA Recommendations and Resources' sets out the EPA's key recommendations for integrating environmental considerations into Local Authority land-use plans and should be considered, as appropriate and where relevant to the alterations
7	Tony Doyle	Concerns in relation to the impact of activities at Weston on an established stud farm business
9	Health and Safety Authority	References to Article 13 of Directive 2012/18/EU, consultation distances, policies relating to the siting of major hazard establishments and reference to Intel Ireland Limited and Irish Industrial Explosives Ltd.
17	Sallins Biodiversity Group	Submission relates to Appendix 3 Open Space and Outdoor Recreation Strategy. It is recommended that a certain percentage of public open space be allocated as native green space.
58	Mark Bruns	Request to build a permanent structure for an Educate Together school in Leixlip
72	Sherwood Homes	Concerns are raised that the Draft Railway Order Application (ABP Reg. Ref. 314232-22) failed to

Sub. No.	Name	Issues raised
		<p>account for the aspirations of an orbital road through the subject lands and there appears to be a significant disconnect between CIÉ's Dart+ West Team and Kildare County Council with regards to the delivery of both parties' aspirations i.e. upgrading the DART rail infrastructure for CIÉ and for Kildare County Council's outer orbital route and traffic alleviation in Maynooth Town Centre, the N4 Scheme and proposed second train station.</p> <p>The submission urges Kildare County Council to consider the Dart+ West Scheme at the subject lands which will undermine the ability to provide a co-ordinated and robust transport network in Maynooth and reiterate that it is imperative that all stakeholders (SHL, KCC and CIÉ) consider the subject lands and the proposed critical transportation upgrades in a joined up and integrated manner to deliver the best results for Maynooth and not to inhibit the future development potential of the subject lands.</p>
138	County Kildare Chamber	<p>The submission expresses concern about the lack of commercially zoned land and skills availability, particularly for the attraction of Foreign Direct Investment and the lack of housing. The level of housing supply target needs to be correct for key growth areas including Naas and Maynooth. The development plan must ensure that conditions are right for the creation of quality jobs in locations around the county. Numbers that are too low for future housing need will negatively impact on the county's ability to attract new business and employers to Kildare. Concern in relation to security of supply relating to water, energy and broadband.</p>
140	County Kildare Leader Partnership	<p>Explicit reference to the LEADER programme could be included in RD O1, RD O3, RD O4, RD O6 and RD O10.</p> <p>The Rural Development Strategy adopted by the LCDC and KCC should be referenced in Chapter 9.</p> <p>Request for the EU long term Vision for Rural Areas and the national Rural Development Programme in Chapter 9</p>
150	Ballyshannon Action Group	<p>Many of the provisions within the draft Plan are outdated and give preferential treatment to the extractive industry. The protection of communities, sustainable and rural development, and biodiversity, must be prioritised over the extractive industry, which has a direct negative impact on important sectors in Kildare such as equine, tourism and hospitality.</p>

Sub. No.	Name	Issues raised
176	Glenveagh properties Limited	<p>Glenveagh's submission to the Draft Plan with regards to the Core Strategy were not taken on board. A material alteration proposing revised housing targets has not been provided. Since the submission to the Draft Plan, Glenveagh's concerns regarding an under provision of housing units to be delivered within the lifetime of the 2023-2029 CDP has only been exacerbated by the publication of the preliminary Census 2022 figures. The Housing for All report is referenced, which sets out in Section 3.1 of that report that it may be necessary to zone additional land.</p> <p>The submission also references the Development Plan Guidelines for Planning Authorities, which has been updated with specific reference to Section 4.3. The submission states that all future LAP reviews should be based on the most recent population data available.</p>
187	Belmont Data Centres	<p>The submission supports Section 7.12.1 (paragraph four), EC P18, EC O58, EC O60, EC O61.</p>
189	John K	<p>Amend the second bullet point in section 3.14 to be the same as 2nd bullet point in PMA ADT1.</p> <p>In very enclosed landscapes with well-defined hedgerows and/or mature trees, which would partly screen or enclose one-off houses, RRDs of c. <del>45</del><del>25</del>30 per square kilometre may be open for consideration.</p> <p>Delete Footnote 7 to bullet point 2 of section 3.14. <del>7 Pre 1971 the greatest concentration of single rural dwellings was up to 13 per square kilometre and close to urban centres.</del></p> <p>On Page 3 of Appendix 11 the instructions given on "how to calculate the one sq.km zone" do not work on the publicly available online system.</p>
190	Eirgrid	<p>The Development Plan should adopt the alterations highlighted in submission 190 and remain open, flexible and supportive of strategic grid infrastructure development.</p>
192	Johnstown Community Association	<p>Submission relates to zonings within the village of Johnstown and strongly objects to any further development of the village until the significant deficit in community amenities are addressed. The village has no amenities to service the community. There are no playing fields, playgrounds and limited childminding facilities.</p> <p>The area at the edge of the village coming in from Naas which is currently zoned A should be split into "edge of village" and (Q) Enterprise and Employment.</p>

Sub. No.	Name	Issues raised
		<p>In St. Johns Grove the area has been changed to (A) Village Centre which is incorrect and should revert back to (Q).</p> <p>All open space areas marked as (B) should be corrected and changed to (F) Open space.</p> <p>Whilst there is a hall in the St. John's Grove estate which is currently zoned 'Community and Education', this building is not available to the local community.</p> <p>Population and Housing Ref V2 3.9.1 of the draft Plan. The population levels noted are incorrect and take no account of the 3 new developments built in the last 2 years.</p>
201	An Taisce	<p>Request to incorporate ponds into the definition of wetland in the Draft CDP.</p> <p>The establishment of a pond network across County Kildare will incur ecological and landscape benefits, providing high-value wildlife refuges for biodiversity.</p> <p>Where pond depth exceeds more than 1 metre below ground level, planning permission will need to be retained. Local Authorities are advised to liaise with ecological consultants specialised in wetlands to gain maximum benefits for biodiversity during the pond construction phase so that technical advice can be given for case-specific actions as they pertain to topography conditions i.e. land type, adjacent water features and climate etc.</p> <p>Incorporate the creation of new ponds, the resurrection of ghost ponds and the maintenance of existing ponds, including currently unmanaged ponds as an objective within the CDP.</p> <p>Incorporation of clean, freshwater ponds into public amenity and green space areas as biodiversity enhancement and climate change mitigation measures.</p> <p>Incorporate the use of ponds as nature-based drainage solutions.</p> <p>Incorporate ponds in Local Authority Climate Action Plans as key measures for carbon sequestration.</p>

Sub. No.	Name	Issues raised
		<p>Establish a network of ponds that are diverse in nature to encompass best practice examples for wildlife restoration under case specific habitat types e.g. ephemeral ponds, meadow stream ponds etc. Promote community group engagement in pond creation/management and monitoring of local ponds on public land.</p>
210	Kieran Curtin (Receiver)	<p>The submission relates to lands located to the south east of Celbridge town centre and are identified within the Celbridge Local Area Plan 2017-2023 as a key development area, 'KDA2 Ballyoulster'. An SHD application for Phase 1 was submitted to An Bord Pleanala on the 17th June 2022 and the development of the remainder of the lands will come forward in separate applications on a phased basis in accordance with the provisions of the LAP.</p>
213	Davy Platform ICAV	<p>The submission states that EC P21 supports the continued use and development of gas networks but does not speak to the further development of the conventional gas fired ancillary energy facilities that are necessary for further industrial development.</p> <p>The international consensus on the utility of Carbon Credit systems in reducing carbon emissions, and the mention of such in international and national policy documents, warrants the explicit referral to, and support for, the use of emission offsetting Carbon Credits in the Draft Plan.</p> <p>It is submitted that there is an oversight in the definition of what constitutes Renewable Energy.</p>
215	Department of Environment, Climate and Communications	<p>The Council is encouraged to engage directly with the Renewable Electricity Division of the Department in the formulation of any future, more detailed plans for renewable energy generation of all types (including solar).</p>
217	Friends of Harristown Common	<p>Could a definition and a list of Statutory Nature Reserves and County Biodiversity sites be included?</p> <p>The submission questions whether Proposed Material Alteration No. 12.10 should read "potential adverse impacts on pNHAs, cNHAs, NHAs, SAC, SPA, RAMSAR sites, County Biodiversity sites, Statutory Nature Reserves"</p> <p>The submission questions whether Proposed Material Alteration No. 12.18 includes "pNHAs, cNHAs, NHAs,</p>



Sub. No.	Name	Issues raised
		<p>SAC, SPA, RAMSAR sites, County Biodiversity sites, Statutory Nature Reserves”</p> <p>The submission questions if Proposed Material Alteration No. 12.30 should read “ ...as NHA, SAC, SPA, RAMSAR sites, Statutory Nature Reserves” and whether the process to designate pNHAs and cNHAs could be expedited</p> <p>In relation to Action BI A7 (as per Proposed Material Alteration No. 12.32), the submission questions whether there is value in mapping County Diversity Sites if they have no protection.</p>
219	Clane Community Council	<p>The submission notes that the Chief Executive strongly opposed to the designation of Clane as Tier 3 in the planning hierarchy, given the over-development of housing in the Tier 4 town since 2016. Concern is raised that Clane is growing in a manner that is contrary to the promotion of sustainable settlement and transportation strategies to reduce energy demand and Greenhouse Gas emissions in accordance with section 10(2)(n) of the Act [1] and the Climate Action Plan 2021.</p>
221	Westar Group	<p>1. The submission welcomes the designation of Clane as a Level 3 ‘Self-Sustaining Town’ in the Draft Plan and it is noted that in a Chief Executive’s report dated June 2021 in the earlier stages of the plan making process, the designation of Clane as a Self-Sustaining Town was agreed in principle.</p> <p>The submission refers to the Regional Spatial and Economic Strategy (RSES), and states that Clane meets a number of the criteria, which characterise a Self- Sustaining Town. The recently published Development Plan Guidelines ‘Development Plan, Guidelines for Planning Authorities, June 2022’ is also referred to, which affirms that the settlement hierarchy of development plans should be nationally and regionally consistent and should use the equivalent settlement typology of settlements referenced in the relevant RSES. It is argued that due to its population Clane meets the criteria of a ‘Medium Town’ as set out in Table 1.0 (Settlement Hierarchy Table) of the 2022 Development Plan Guidelines and that the categorisation of a ‘Medium Town’ corresponds and is equivalent to a ‘Self-Sustaining Town.’ Specific reference is made to Page 93 of the RSES and the reference to Clane under the heading of ‘Self</p>

Sub. No.	Name	Issues raised
		<p>Sustaining Towns'. It is also argued that Clane has grown exponentially in population in recent years and far more than the entire county of Kildare. The RSES identifies Clane as one of the towns recording the highest growth rates in the county over the past ten years and categorises Clane as a 'Self-Sustaining Town' due to its population but also its other features.</p> <p>The submission refers to the submission made by the Office of the Planning Regulator (OPR) on the Draft Plan and the Chief Executive's response. The OPR notes that Clane has a low ratio of jobs to resident workers, which indicates high levels of outbound commuting and a weak employment base. The Chief Executive recommended that Table 2.8 of the plan be amended to designate Clane as a 'Town'. The reasoning for this recommendation included that the town has experienced significant housing and population growth over the last number of decades, with this increase not being met by the commensurate delivery of social and physical infrastructure. The Development Plan Guidelines 2022 state that 'The settlement strategy of the plan is the means by which spatial choices are made and priorities expressed' (Page 56), the Guidelines also state that 'preparation of county and city development plans must be aligned with the RSES and ensure that the policies and objectives are consistent between the two.' (Page 13). Objective RPO 4.2 (page 51) of the RSES directs that 'infrastructure investment and priorities shall be aligned with the spatial planning policy of the RSES.' Table 4.2 of the RSES describes Self-sustaining Towns as towns, which have high levels of population growth and a weak employment base. The RSES recognises Clane and Sallins as examples of Self-sustaining Towns and the submission makes reference to section 4.7 of the RSES, where Clane is mentioned under the subsection entitled Self-Sustaining Towns'. The RSES under Table 4.3 also provides a description of the Transport Profile of Self-Sustaining Growth Towns and Self-Sustaining Towns stating that 'Self-sufficient and commuter settlements, with good public transport and regional transport links, may be highly car dependent.</p> <p>A table is presented as part of the submission which summarises the provisions of the new Development Plan Guidelines (2022), the RSES and the Draft</p>

Sub. No.	Name	Issues raised
		<p>Kildare County Development Plan and outlines that Clane is a self-sustaining town by National, Regional and Local measurements.</p> <p>An opinion (Appendix A) from Senior Counsel, Mr. Eamon Galligan, was also provided as part of the submission. This opinion specifically relates to the classification of Clane as a 'Self-Sustaining Town'. Mr. Galligan states that Self-Sustaining Towns are described in Table 4.2 of the RSES as towns 'with high levels of population growth and a weak employment base.' Both of these features are specifically identified by the Chief Executive and the OPR as characteristics of Clane. It is therefore, perverse that both the Chief Executive and the OPR seek to rely on these characteristics as disqualifying Clane from being designated as a 'Self-Sustaining Town'. The advice note from Mr. Galligan also references Recommendation No. 2 of the OPR's submission (Sub No. 550) which sets out the considerations to which the OPR had regard in making its recommendation in relation to the designation of Clane. Mr. Galligan states the following with reference to (f) and (g) of Recommendation No. 2 of the OPR's submission (sub 550 of the CE Report)</p> <p><i>'It is important to note that the Council cannot be required to comply with an ultra vires recommendation by the OPR. In my opinion the recommendation of the OPR is ultra vires. In particular, the two considerations identified above which were taken into account by the OPR are irrelevant considerations, i.e matters which the OPR was not entitled as a matter of law, to take into account.'</i></p> <p><i>'It is somewhat ironic that at paragraph (e) of Recommendation 2, the OPR indicates that it had regard to 'the guidance in the Regional Spatial and Economic Strategy on Settlement Typologies (Sections 4.2 and 4.3)' in circumstances where the factors taken into account at paragraphs (f) and (g) demonstrate quite clearly that the OPR has not had regard to the guidance in these sections.'</i></p> <p>The submission also states that notwithstanding Clane's designation as a 'self-sustaining town', an increase in the population allocation and associated housing growth has not been forthcoming, nor is the</p>

Sub. No.	Name	Issues raised
		population data provided for the town in Table 3.3 of the plan accurate.
231	Bord na Mona	<p>Bord na Mona has significant concerns about the text included in Section 12.14.8.8 of the Draft CDP with respect to peatway 'corridors'. The paragraph currently reads that a corridor of 1-2 km wide would essentially be sterilised from future development and in some cases this would include the trackway depending on the physical nature of the bog and its intended future land use. There are concerns that the finalised CDP would retain this text given that it directly conflicts with a number of other policies and objectives within the plan for peatlands with respect to designation of Wind Energy Development Areas, Strategic Energy Zones, future land use plans and Green Infrastructure plans, etc. Bord na Mona's view is that the development of peatland trails/corridors should be done in partnership with all relevant stakeholders (including Bord na Mona). States that Action BI A22 suggests the designation of peatland corridors will be carried out collaboratively and as such the wording of the text should be amended to reflect the wording in Action BI A22.</p> <p>Bord na Mona welcomes the focus with respect to the opportunities that are possible and acknowledges the potential for linkage of greenways and blueways through our peat lands (via 'peatways'), however, Bord na Mona also believes that these linkages can and should be integrated successfully alongside other developments or biodiversity and nature conservation measures with minimal impacts. The submission states that because of Bord na Mona's government mandate, in every instance, future climate action projects and renewable energy developments are considered a precursor to the development of amenity and to land use plans.</p> <p>Bord na Mona again requests that the Council review the detail included in Section 12.14.8.8 of the Draft CDP and frame it such that any plans for peatland corridors includes provision for dialogue and consultation with all relevant stakeholders.</p>
235	Wind Energy Ireland	Copy of submission made to the Draft Kildare County Development Plan appended to submission
239	Kildare Cultural Heritage Group	It is submitted that the Heritage Group reviewed the planning file for the proposed solar farm development and cannot find any evidence that an Architectural Heritage Impact Assessment has been carried out for the proposed development, therefore there is not a full understanding of the impact that the proposed development may in fact have on a regionally important House and demesne. Additionally, it is understood that the Council's GIS system did not

Sub. No.	Name	Issues raised
		<p>record the existence of the NIAH Designed Garden landscape record for Gowran Grange.</p> <p>The submission notes Action AH A15 to carry out a pilot study to protect and enhance the amenity value of significant demesnes in the county. It is submitted that it would be appropriate to include the Gowran Grange demesne as part of this pilot study, reflecting its regional significance.</p> <p>Objective AH O47 is noted and welcomed. It is hoped that the demesne at Gowran Grange will be afforded robust protection to ensure that new development within it enhances the special character and visual setting of the historic landscape.</p> <p>In relation to the extensive trees and mature woodland in the Gowran Grange estate, it is requested that the Council give consideration process to protecting these trees by means of a tree preservation order or by the designation of a landscape conservation area. It is estimated that the 400acre estate includes approximately 60 acres of mature woodland which is clearly worthy of protection and preservation.</p> <p>The submission would welcome a meeting with Kildare County Council to discuss the Gowran Grange demesne and to meet with the Heritage Officer and Conservation Officer to discuss the matters raised in this submission.</p>
247	Environmental Health Services	<p>The EHS recommends that a review is carried out of the Plan to consider where other Plans and Policies of Kildare CC can be integrated into the final Development Plan. It should be clear where this is happening.</p> <p>The EHS notes the report submitted by Arup and the identification of 156 MAs that might affect the SEA. It is considered that the mitigation measures set out in Chapter 9 of the SEA Environmental Report will work to avoid or reduce any potential negative environmental effects identified in this Addendum and should be complied with.</p> <p>Further, in accordance with environmental legislation, where the potential for significant environmental effects exist, site-specific environmental assessments will be carried out, as required. These assessments</p>

Sub. No.	Name	Issues raised
		<p>will include the incorporation of site-specific detailed mitigation measures to ameliorate the potential for significant environmental effects.</p> <p>To support environmental protection and public health protection in the development process Kildare CC should ensure the timely referral of all planning applications accompanied by an EIAR to the HSE, as per their statutory responsibility under the Planning Acts.</p> <p>All strategic planning, for example Local Area Plans, should be referred to the HSE for any observations on the protection of public health in the development process and any opportunities for health gain.</p>
250	Down Syndrome Ireland Kildare Branch	Make provision for a building for Kildare Down Syndrome in Naas and North Kildare.
251	Sky Castle Ltd	<p>Sky Castle Ltd, are the owners of a significant landbank located in Moygaddy, Co. Meath, which is strategically located to the north of the Maynooth settlement boundary.</p> <p>The submission seeks to facilitate the successful integration of services and interconnectivity between Maynooth and its Environs, to include the development of the Maynooth Outer Orbital Route (MOOR), the facilitation of the new Maynooth/Leixlip high pressure sewer line proposed separately by Irish Water and to facilitate the delivery of a linear park along the site's interface with the River Rye and interaction along the Kildare/Meath county boundary.</p> <p>Sky Castle Ltd are involved in a mixed-use scheme and Strategic Housing Development on their landholding in County Meath. Separate and linked planning applications have been lodged to Kildare County Council for the Bridge, Road, Pedestrian, Cycle and Wastewater infrastructure required to facilitate the integration of the Moygaddy lands into the existing infrastructure in County Kildare.</p>
262	Stephen Talbot	The submission requests that the Council considers the zoning of lands for residential purposes. The subject site is located to the south of the Allenwood village boundary
263	County Kildare Access Network	Requests that RE 04 be amended to read as follows: 'Encourage and create an environment where persons

Sub. No.	Name	Issues raised
		<p>with a disability can gain and maintain employment in the market place’.</p> <p>Requests the following additional objective: ‘Local Enterprise Office will work with relevant stakeholders to implement County Kildare Access Strategy, Article 27 UNCRPD recognising the right of persons with disabilities to work on an equal basis with others and European Union Supported Employment Guidelines.’</p> <p>Requests the inclusion of the CKAN logo with the graphics under policy TM P1.</p> <p>Requests objective TM O37 to be amended as follows: ‘...to improve bus transport movement, <b>accessibility</b>, reliability, to ensure pick up points....’</p> <p>Submission requests the insertion of a new objective, as follows: ‘The location, size and design type of disability bay to be as per current Irish Wheelchair Association Guidelines where possible.’</p> <p>Requests that objective RET O6 includes universally accessible for all.</p> <p>Requests that objective RET 077 includes additional wording, as follows: ‘Consideration should be given to vulnerable users, i.e., persons with a disability or the older person.’</p> <p>Submission requests the amendment of objective SC O17 as follows: ‘...introduction of accessible amenities in parks and other...’</p> <p>Submission requests the amendment of SC O29 as follows: Delete the word ‘as’.</p> <p>Submission requests the amendment of SC P17 as follows: ‘...and support inclusive community development...’</p> <p>Submission requests the amendment of objective SC O105 as follows: ‘Support social, inclusive, community and cultural events...’</p>