

Draft Athy Local Area Plan 2021 - 2027

Proposed Material Alterations



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Section 1

1.1 Introduction

The Draft Athy Local Area Plan 2021-2027 (Draft LAP) was placed on public display from Thursday 17th December 2020 to Monday 8th February 2021 (inclusive of additional 9 days for Christmas closure). The Chief Executive's Report on submissions and observations received in respect of the Draft LAP was submitted to the Members of Athy Municipal District for their consideration on 19th March 2021.

Having considered the Draft Athy Local Area Plan and the Chief Executive's Report, it was resolved by the Members at a Special Meeting of Elected Members of the Athy Municipal District on Friday 23rd April and Monday 26th April 2021 to alter the Draft Athy Local Area Plan, and that these alterations constitute a material alteration to the Draft LAP.

In accordance with Section 20(3)(e) of the Planning and Development Act 2000 (as amended), the Proposed Material Alterations are hereby published for public consultation for a period of 4 weeks.

1.2 How to Read the Proposed Material Alterations

The Proposed Material Alterations are referred to as proposed **Material Alterations Nos. 1 – 46** in Section 2 and are accompanied by associated maps where appropriate with changes cross-referenced.

Where Proposed Material Alterations affect land use zonings, same have been identified on Map Ref. 6 Land Use Zoning (Material Alterations) and a copy is attached at the end of this report.

The text of the Draft Athy LAP is shown in its normal font. Proposed deletions are shown in ~~blue strikethrough~~ text. Proposed additions are shown as *red italic* text.

Note: Should any of the Proposed Material Alterations listed in Section 2 of this report be adopted into the Draft Athy Local Area Plan 2021 – 2017, consequential changes may occur in various sections throughout the Plan and within Appendix 1 as a result.

1.3 Environmental Assessments

In accordance with Section 20(3)(f) of the Planning and Development Acts 2000 (as amended), Kildare County Council has screened the Proposed Material Alterations and has determined that a Strategic Environmental Assessment (SEA) and an Appropriate Assessment (AA) are required with respect to certain Proposed Material Alterations of the draft Athy Local Area Plan.

These assessments have been carried out with respect to the Proposed Material Alterations and a SEA Screening Report, SEA Screening Determination and SEA Environmental Report pursuant to the SEA Directive and Planning and Development (Strategic Environmental Assessment) Regulations 2004-2011 and an AA Natura Impact Report (incorporating information on AA Screening) and an AA Screening Determination pursuant to the EU

Habitats Directive (92/43/EEC) and Planning and Development Act 2000 (as amended) are published alongside the Proposed Material Alterations and available for inspection.

An Addendum to the Strategic Flood Risk Assessment report has also been prepared, in accordance with the Section 28 Guidelines for Planning Authorities on ‘*The Planning System and Flood Risk Management*’ (DoEHLG, 2009). The SFRA Addendum will also be published alongside the Proposed Material Alterations and will be available for inspection.

1.4 Your Role – Making a Submission/Observation

A copy of the Proposed Material Alterations is on display from Tuesday 11th May until Wednesday 9th June 2021 (inclusive) at the following locations:

- Planning Office, Kildare County Council, Áras Chill Dara, Devoy Park, Naas during opening times of 9.00am–4.00pm, Monday to Friday (closed Bank Holidays). In accordance with public health advice, appointments must be booked in advance at <http://kildare.ie/countycouncil/OnlineBookingSystem/> and face coverings must be worn in public buildings.
- At Kildare County Council’s Consultation Portal:
<https://consult.kildarecoco.ie/en/browse>

Written submissions or observations with respect to the Proposed Material Alterations of the draft Local Area Plan and associated SEA and AA documents, which include information on the likely significant effects on the environment of implementing the proposed material alterations, may be made to the Planning Authority within the above period and **before 4pm on Wednesday 9th June 2021.** Written submissions or observations should be clearly marked **Proposed Material Alterations to the Draft Athy Local Area Plan 2021-2027** and be submitted either;

- Online, at Kildare County Council’s Consultation Portal:
<https://consult.kildarecoco.ie/en/browse>

OR

- By post to: 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 name and where relevant, the body or organisation represented. E-mail and fax submissions will not be accepted.

All submissions or observations with respect to the Proposed Material Alterations to the Draft Athy Local Area Plan 2021-2027 and associated SEA and AA documents will form part of the statutory Chief Executive’s Report to be presented to the Elected Members. Only submissions or observations made in respect of the Proposed Material Alterations and accompanying documents (including submissions relating to the likely significant effects on the environment of implementing the Proposed Material Alterations) will be taken into consideration before the making of any material alteration to the draft Local Area Plan. Submissions or observations in relation to any other aspects of the draft Local Area Plan cannot be considered at this stage in the process.

1.5 Next Steps

Following the above public consultation period, a Chief Executive's report will be prepared on any submissions or observations received with respect to the Proposed Material Alterations of the Draft LAP and accompanying SEA and AA documents, and submitted the report to the Elected Members of the Athy Municipal District for their consideration. Members shall consider the Proposed Material Alterations and the Chief Executive's Report and shall, no later than a period of 6 weeks after the Chief Executive's Report has been furnished, make or amend the Local Area Plan as appropriate.

In making the LAP, the Elected Members must consider Proposed Material Alterations to the draft Local Area Plan, the environmental reports and the Chief Executive's Report on any submissions received and decide whether to make the Local Area Plan with or without the Proposed Material Alterations.

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

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

In addition, the elected members, acting in the interests of the common good and the proper planning and sustainable development of the area, must, in accordance with the '*Code of Conduct for Councillors*' (July 2019) prepared under the Local Government Act 2001 (as amended), carry out their duties in a transparent manner, must follow due process and must make their decisions based on relevant considerations.

Section 2 Proposed Material Alterations

The proposed Material Alterations to the Draft Athy Local Area Plan 2021 – 2027 are set out hereunder. Proposed text deletions are shown in ~~strikethrough blue~~ and proposed new text is highlighted in *italics red*.

Draft Athy Local Area Plan 2021-2027: General LAP

Proposed Material Alteration No. 1

Amend all reference from ~~Tegral~~ to *Etex Ireland* throughout the Draft Athy Local Area Plan 2021 - 2027.

Chapter 2. Spatial Context and Vision for Athy

Proposed Material Alteration No. 2.

Amend the third paragraph of **Section 2.1.2 Regional Spatial and Economic Strategy** by deleting the text '~~Hinterland Areas~~' and replacing it with '*Core Region*'.

Proposed Material Alteration to include any consequential amendments to the Plan, including the replacement of Figure 2.3 with an updated map.

Chapter 3. Compliance with the Kildare County Core Strategy

Proposed Material Alteration No. 3

Insert the following new objective after objective CSO1.2 and renumber subsequent objectives accordingly:

CSO1.3 *Provide for serviced sites with appropriate infrastructure in accordance with Objective 18(b) of the National Planning Framework (2018), as denoted on Map Ref. 6 Land Use Zoning Map.*

Note: **Map Ref. 6: Land Use Zoning Map** will be amended to denote objective CSO1.3 (see PMA Map 11 at end of this report).

Proposed Material Alteration No. 4

Insert the following additional objective after objective CSO1.7:

CSO1.8 *Ensure that projects giving rise to adverse effects on the integrity of European sites (cumulatively, directly or indirectly) arising from their size or scale, land take, proximity, resource requirements, emissions (disposal to land, water or air), transportation requirements, duration of construction, operation, decommissioning or from any other effects shall not be permitted on the basis of this plan¹.*

¹ Except as provided for in Article 6(4) of the Habitats Directive, viz. There must be: (a) no alternative solution available, (b) imperative reasons of overriding public interest for the plan to proceed; and (c) adequate compensatory measures in place.

Chapter 4. Homes and Communities

Proposed Material Alteration No. 5

Amend text of objective HCO4.1, as follows:

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

Proposed Material Alteration No. 6

Include the following new objective after objective HCO4.5:

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

Chapter 5. Urban Centre and Retailing

Proposed Material Alteration No. 7

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

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

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

Proposed Material Alteration No. 8

Insert the following new objective after objective UCRO2.3 and renumber subsequent objectives accordingly:

UCRO2.4 *Any proposal on the land zoned 'R: Retail' shall be subject to a Retail Impact Assessment, which shall be prepared in accordance with the Retail Planning Guidelines, pursuant to Section 28 of the Planning and Development Act 2000 (as amended). This shall include, but not be limited to, demonstrating*

compliance with the County Development Plan and that there will be no material and unacceptable adverse impacts on the vitality and viability of the town centre through the consideration of alternatives and after the examination of all other town centre sites is exhausted.

Chapter 6. Economic Development, Enterprise and Tourism

Proposed Material Alteration No. 9

Amend the third paragraph of **Section 6.5.1** of the draft Plan, as follows:

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

Proposed Material Alteration No. 10

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

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

Proposed Material Alteration No. 11

Amend **Section 6.5.4** of the draft Plan, as follows:

This Plan has identified a number of projects and proposals which, if realised, over the life of the Plan and beyond have the potential to have a transformative effect in the improvement of Athy's tourist offer in the town and the promotion of the town as a *Blueway tourism* ~~key visitor~~ destination *town*.

The Plan, through its various policies, objectives and actions supports and promotes the following tourism development projects/proposals:

- The development of the Barrow Blueway, subject to the appropriate environmental considerations and assessment.
- *The development of new waterways amenities infrastructure including pontoons, kayak friendly jetties, triathlon/swim entry/exit points and other waterways amenities infrastructure, subject to the appropriate environmental considerations and assessment.*
- The rejuvenation of Athy's public realm as part of an overall Urban Regeneration Framework (see Appendix 1)

- The delivery of the masterplan proposals for the Dominican Square and Blueway Sports Hub / Education Centre.
- The enhancement of the walking routes and trails in the town including Athy Slí Na Sláinte route and the creation of other dedicated Tourist Trail(s).
- The redevelopment and expansion of Athy Heritage Centre – Shackleton Museum

Proposed Material Alteration No. 12

Amend objective EDTO3.2, as follows:

EDTO3.2 Support and facilitate the development of Athy as *a Blueway destination town and* an ‘activity hub’ for water-based sports and associated recreational activities including the development of a Blueway Sports Hub / Education Centre within the Dominican lands, subject to the required environmental assessments.

Proposed Material Alteration No. 13

Amend objective EDTO3.3, as follows:

EDTO3.3 *Acknowledge the importance and potential of Athy’s waterways and its water sports clubs by supporting* ~~Support~~ the development of the necessary infrastructure to service the expansion of water-based activities in the town, including safe and convenient mooring facilities, subject to the required environmental assessments.

Chapter 7. Movement and Transport

Proposed Material Alteration No. 14

Amend text in objective MTO1.5, as follows:

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

Proposed Material Alteration No. 15

Insert the following new objective after objective MTO 1.8:

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

Proposed Material Alteration No. 16

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

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

Proposed Material Alteration No. 17

Insert the following new section after Section 7.8.1:

7.8.2 Employment Lands to the East of the Town

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

Proposed Material Alteration No. 18

Amend text of objective MTO4.1, as follows:

- MTO4.1** (a) Maintain and improve, as required, the local road network to ensure a high standard of road quality and safety in accordance with the requirements of the relevant legislation.
- (b) Safeguard the development and carrying capacity of the national road infrastructure along the existing N78 in accordance with the Section 28 Ministerial Guidelines ‘Spatial Planning and National Roads Guidelines for Planning Authorities’ (DoECLG, 2012).”*

Proposed Material Alteration No. 19

Amend text of objective MTO4.6, as follows:

- MTO4.6** Ensure that development proposals within Athy Town Centre are subject to a ~~Traffic~~ *Transport* Impact Assessment (TIA), to be carried out in accordance with the Traffic and Transport Assessment Guidelines (2014). ~~The requirement for all other developments will be determined on a case by case basis.~~ *Transport Impact Assessments will also be required in the following cases:*
- (a) Development on all lands zoned C: New Residential and;*
- (b) All other lands for which significant development is proposed within the Local Area Plan boundary.*

Proposed Material Alteration No. 20

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

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

Proposed Material Alteration No. 21

Delete the following Walking and Connectivity Measures from **Table 7.1 Walking and Connectivity Measures** and **Map Ref. 1.1 Movement and Transport (Walking and Connectivity Measures)**:

Extract of Table 7.1: Walking and Connectivity Measures (for illustrative purposes only)

B: Walking / Connecting Options – New Infrastructure			
Option	Description	Type	Timeframe
WN8	Coney Green – Glebelands	New Link	MT
WN9	Chanterlands – New residential lands. As part of new development	New Residential Lands Link	Timeline dependent on when lands are developed
WN10	Kingsgrove – New residential lands and link to ADR via section of Aughaboura Rd. As part of new development	New Residential Lands Link	Timeline dependent on when lands are developed
WN11	Mansfield Grove – Athy Distributor Road footpath / cycleway	New Link	MT
WN12	New residential lands site at Andrew, including links to: <i>Athy Distributor Road</i> <i>Fortbarrington Rd (incl. new footpath on west side of road)</i> <i>Andrew Meadows</i> <i>Corán Ard x2 – via perimeter of new pitches</i>	New Residential Lands Link	Timeline dependent on when lands are developed
WN13	Moneen Lane – New residential lands. Along Moneen River and via rail underpass	New Link	MT

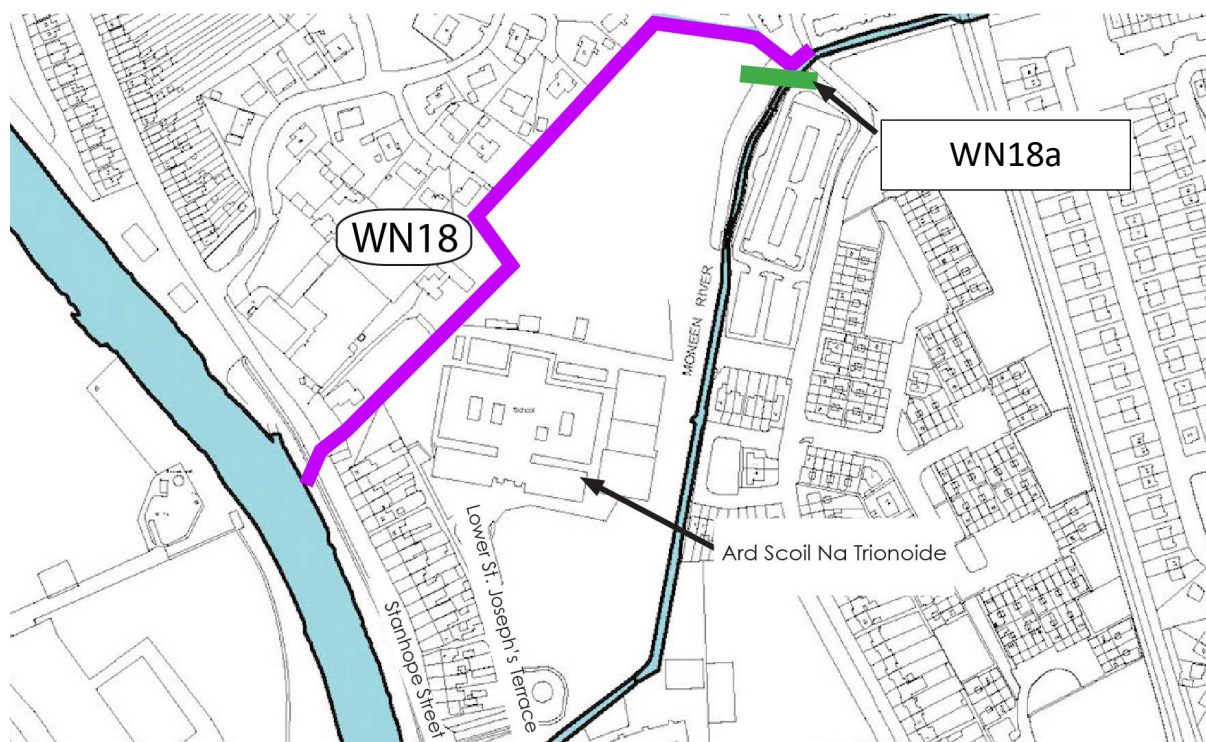
WN14	New residential lands—Geraldine Road. As part of new development	New Residential Lands Link	Timeline dependent on when lands are developed
WN15	New residential lands—Hollands Close, as part of new development	New Residential Lands Link	Timeline dependent on when lands are developed
WN16	Rheban Avenue and Moneen View—Moneen River. Connects to WN15	New Link	MT
WN17	Hollands Park—Moneen View (currently an informal path)	New Link	ST
WN18	Moneen Lane—Stanhope Street, with offshoot into school. Links to bridge (WN6)	New Link	MT
WN19	WN20—Ard Bhearú and White Castle Lawn. Connectivity links within new residential area. As part of new development.	New Residential Lands Link	Timeline dependent on when lands are developed
WN20	Links into Schools Campus from residential estate to the south	New Link	MT

Proposed Material Alteration No. 22

Replace Walking and Connectivity Measures WN18 with proposed connectivity measure WN18a in **Table 7.1 Walking and Connectivity Measures** and **Map Ref. 1.1 Movement and Transport (Walking and Connectivity Measures)**, as follows:

B: Walking / Connecting Options – New Infrastructure			
Option	Description	Type	Timeframe
WN18a	<i>Link to provide for an additional access point to Ardscoil na Trionoide.</i>	<i>New Link</i>	<i>MT</i>

PMA Map 1: Proposed Material Alteration No. 22 (illustrating route of WN18a)



Chapter 8. Built Heritage and Archaeology

Proposed Material Alteration No. 23

Insert the following new objective after BH1.8:

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

Proposed Material Alteration No. 24 (a and b)

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

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

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

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

Proposed Material Alteration No. 25

Amend text of objective BH2.5, as follows:

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

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

Proposed Material Alteration No. 26

Insert the following objective following objective NH1.6:

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

Proposed Material Alteration No. 27

Amend text of objective GI1.7, as follows:

- GI1.7** (a) Maintain a biodiversity protection zone of 60 metres from the top bank of the River Barrow (*including all areas covered by the River Barrow and River Nore SAC*), 20 metres from the canal and not less than 10 metres from the top bank of smaller watercourses, with the full extent of the protection zone to be determined on a case by case basis by the Planning Authority, based on site specific characteristics and sensitivities. Strategic green routes and trails will be open for consideration within the biodiversity protection zone, subject to appropriate safeguards and assessments.
- (b) *Ensure that any development on the lands zoned 'H: Industrial and Warehousing' located adjacent to the River Barrow at Townparks incorporates an appropriately landscaped riparian zone to seamlessly integrate with the lands to the south and east, which are subject to the development of a masterplan under objective OS1.8.*

Proposed Material Alteration to include any consequential amendments to the Plan, including the denotation of objective GI1.7(B) on **Map Ref. 5 Strategic Open Space Map**.

Proposed Material Alteration No. 28

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

- GI1.10** Promote appropriate tree planting *and pollinator friendly planting, in accordance with the recommendations of the All Ireland Pollinator Plan throughout Athy and in open spaces within new developments in order to*

enhance local biodiversity, visual amenity and surface water management. within the public realm with a particular focus on strategic open spaces as well as along transport networks.

Proposed Material Alteration No. 29

Amend the first paragraph of Section 10.1.1 as follows:

~~Census 2016 records that 92.5% of all households in the settlement of Athy are connected to the public mains network. The average water demand in the town is 3 million litres per day, as of Summer 2020. Since 2013 Athy has been served by the Srowland Water Treatment Plant located the north of the town. This plant replaced all four previous sources and has the capacity to serve 11,000 population equivalent (PE). While there are no specific constraints on the water supply network Irish Water (IW) advises that there is limited capacity at the treatment works and new connections will be on a first come/first served basis. It is noted that capacity will have to be expanded to accommodate the envisaged growth in the town over the life of the Plan.~~

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

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

Proposed Material Alteration No. 30

Amend the second paragraph of Section 10.1.2 as follows:

~~Figures from 2019 show the loading recorded as 12,898PE leaving a treatment capacity of 2,102PE. It is noted that there are no major infrastructural constraints on the foul sewer network within the town. However, it is anticipated that it will be necessary to extend the plant to beyond 15,000PE before 2027 to meet the envisaged additional domestic and non-domestic demand within the town.~~

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

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

Proposed Material Alteration No. 31

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

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

Proposed Material Alteration No. 32

Insert the following new section after Section 10.3.1

Section 10.3.2 Site Specific Flood Risk Assessment

*All development proposals taking place in areas that KCC have applied a Justification Test, where a residual flood risk remains, should be supported by an appropriately detailed Site-Specific Flood Risk Assessment (SSFRA). The level of detail within the FRA will depend on the risks identified and the land use proposed. Applications should apply the use of the sequential approach in terms of the site layout and design and, in satisfying the Justification Test (where required), the proposal must demonstrate that appropriate mitigation and management measures are put in place. The development should ensure that no encroachment onto, or loss of, the flood plain shall occur. Only water compatible development such as Open Space would be permitted for the lands which are identified as being at risk of flooding within that site. For any development in flood risk areas that meet the Development Plan Justification Test, a Development Management Justification Test must then be applied. Development must satisfy all of the criteria of the Development Management Justification Test as per **Box 5-1 of the Flood Risk Management Guidelines**. This chapter provides a broad overview of the requirements of FRAs which should accompany planning applications.*

Proposed Material Alteration No. 33

Amend the following objective:

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

Proposed Material Alteration No. 34

Insert the following new objective after objective IO3.4:

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

Proposed Material Alteration No. 35

Insert new Map Ref. 2a which illustrates Flood Risk Zones and SSFRA overlaid on the LAP Land Use Zoning Map (Map Ref. 6 Land Use Zoning Map). See PMA Map 12 at end of report.

Proposed Material Alteration No. 36

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

PMA Map 2: Proposed Material Alteration No. 36



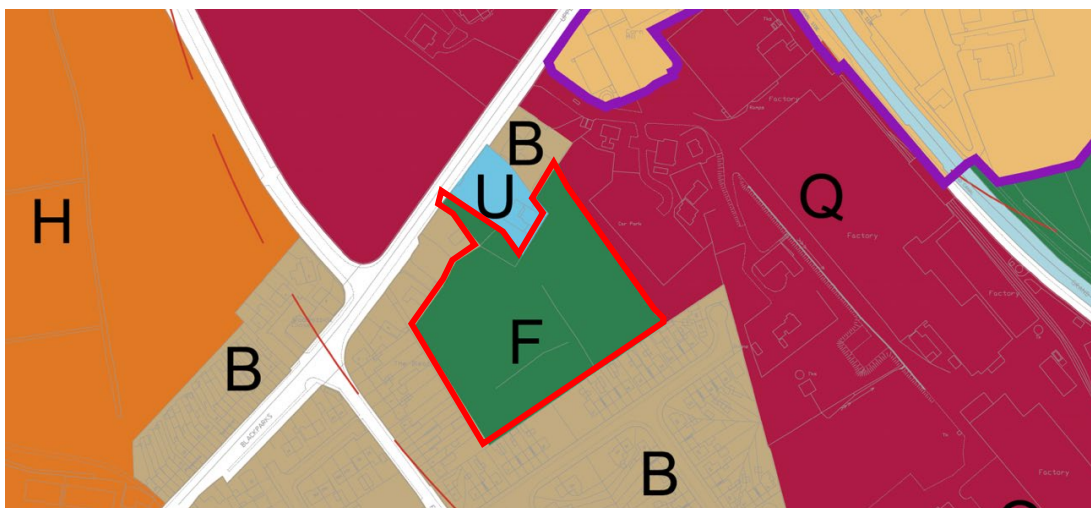
Proposed Material Alteration No. 37

Amend **Map Ref. 6 Land Use Zoning Map** to change the zoning designation of Etex lands from 'Q: Employment and Enterprise' to 'H: Industrial and Warehousing' (see Map 11 at end of report for Proposed Material Alteration No. 37). Proposed Material Alteration to include any consequential amendments to the Plan.

Proposed Material Alteration No. 38

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

PMA Map 3: Proposed Material Alteration No. 38



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

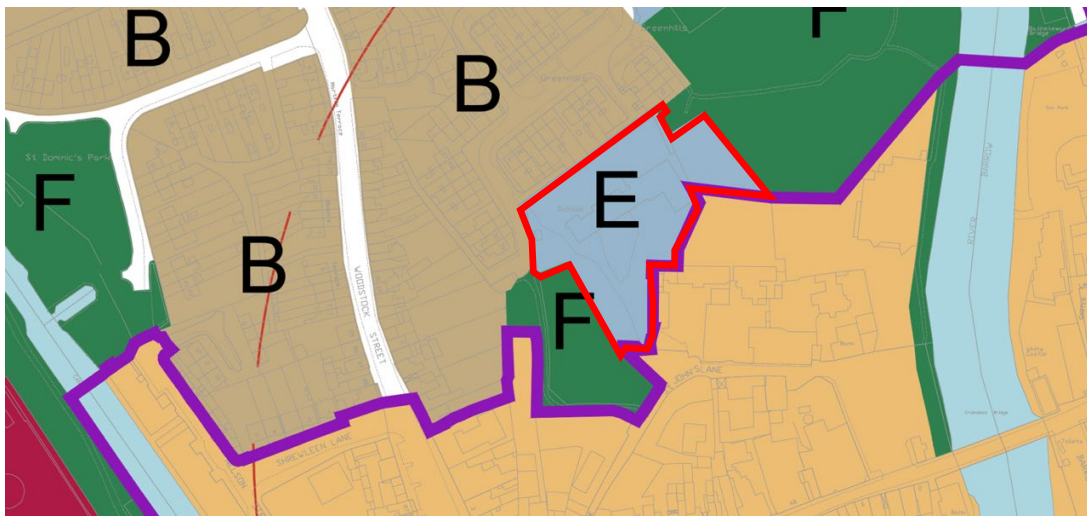
H lands – Athy West (Bennetsbridge Road)

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

Proposed Material Alteration No. 39

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

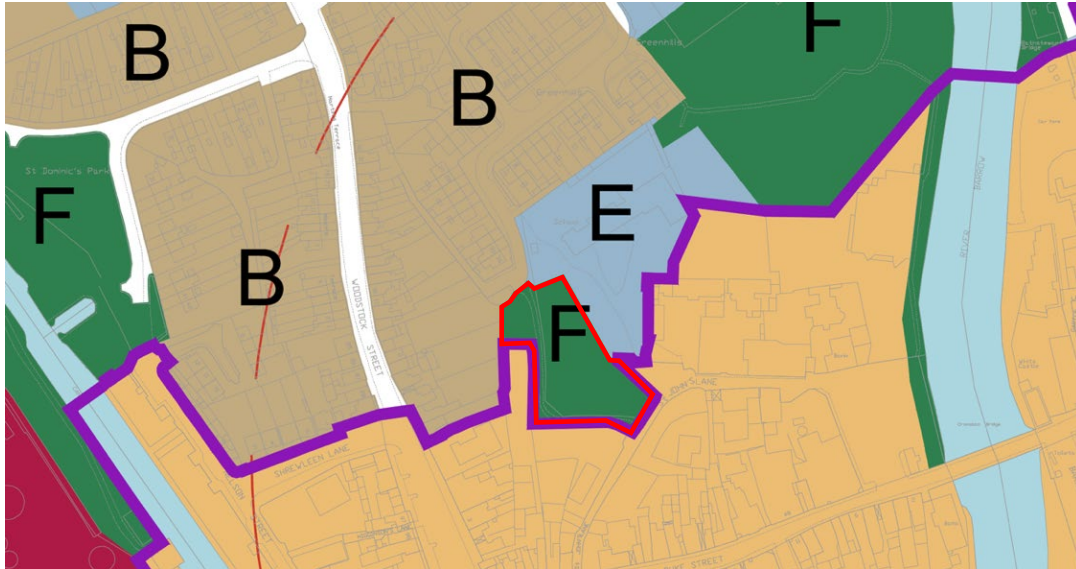
PMA Map 4: Proposed Material Alteration No. 39



Proposed Material Alteration No. 40

Amend the zoning designation on **Map Ref. 6 Land Use Zoning Map** on the lands (as outlined in red on PMA Map 5 below) from 'F: Open Space and Amenity' to 'A: Town Centre'. Proposed Material Alteration to include any consequential amendments to the Plan.

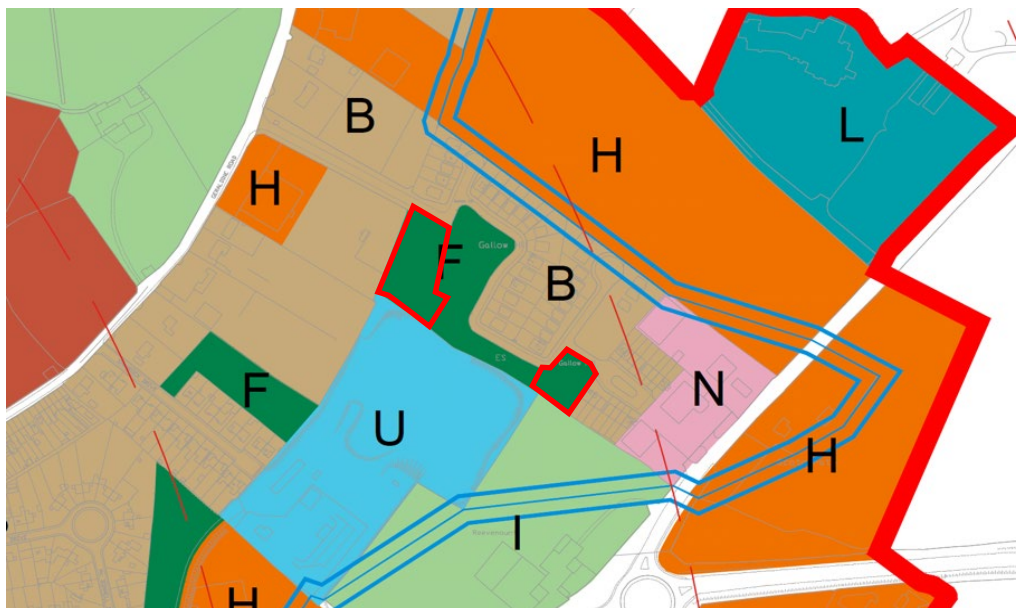
PMA Map 5: Proposed Material Alteration No. 40



Proposed Material Alteration No. 41

Amend the zoning designation on **Map Ref. 6 Land Use Zoning Map** for the sites (as outlined in red on PMA Map 6 below) from 'F: Open Space and Amenity' to 'B: Existing Residential/Infill' as per KCC Plan Ref. 15/1144. Proposed Material Alteration to include any consequential amendments to the Plan.

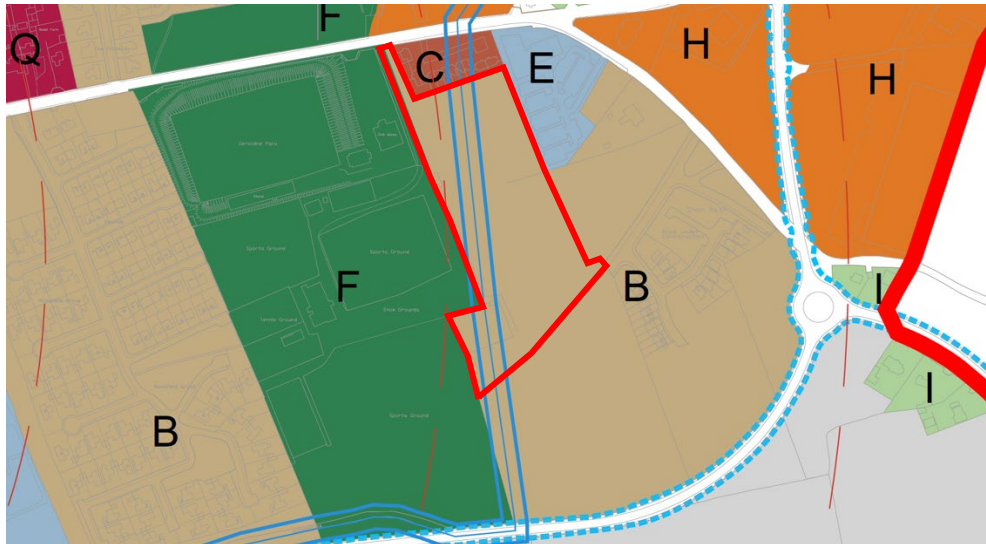
PMA Map 6: Proposed Material Alteration No. 41



Proposed Material Alteration No. 42

Amend **Map Ref. 6: Land Use Zoning Map** by amending the land use zoning objective on the extent of lands as outlined in KCC Plan Ref. 18/184 from 'B: Existing Infill/Residential' to 'F: Open Space and Amenity' (as outlined in red on map below). This amendment shall also include the lands included in folio KE1140 that are not already zoned 'F: Open Space and Amenity'. Proposed Material Alteration to include any consequential amendments to the Plan.

PMA Map 7: Proposed Material Alteration No. 42



Proposed Material Alteration No. 43

Amend **Map Ref. 6: Land Use Zoning Map** by zoning the area identified by Submission No. 43 in the Chief Executive's Report on the Submissions Received to the Draft Athy Local Area Plan 2021 – 2027 (dated 19th March 2021) as existing residential zoning (as outlined in red on PMA Map 8 below). Proposed Material Alteration to include any consequential amendments to the Plan.

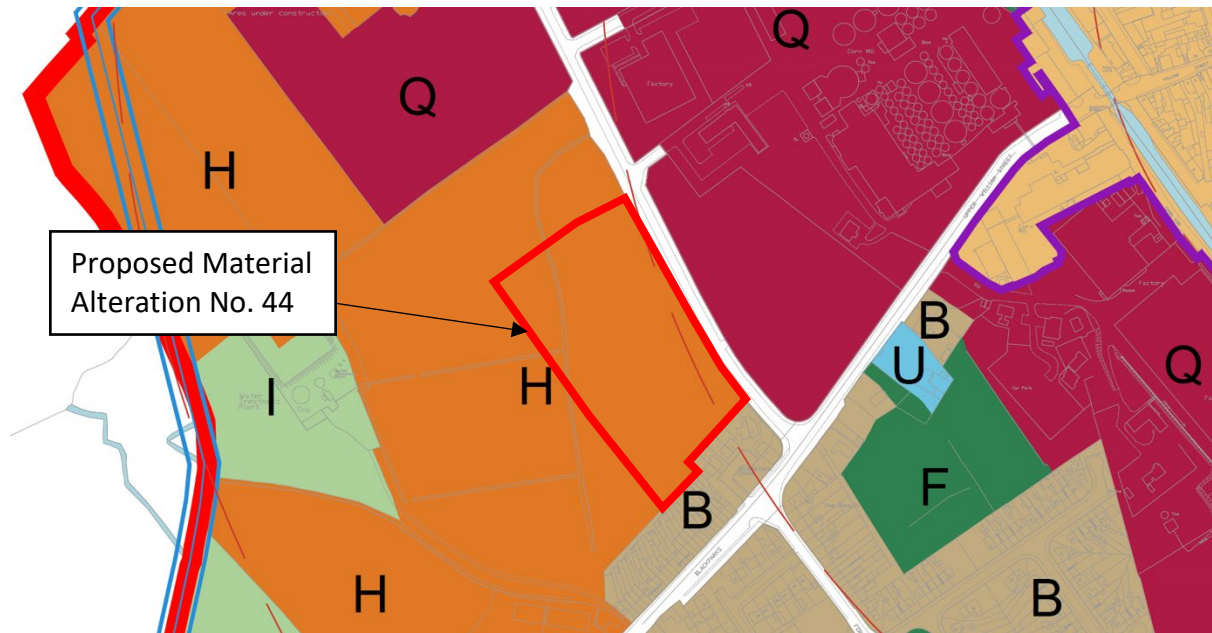
PMA Map 8: Proposed Material Alteration No. 43



Proposed Material Alteration No. 44 (a, b and c) [see also Proposed Material Alteration No. 8]

(a) Amend **Map Ref. 6: Land Use Zoning Map** by changing the proposed 'H: Industrial and Warehousing' land use zoning designation to 'R: Retail' on the land identified by Submission No. 55 in the Chief Executive's Report on the Submissions Received to the Draft Athy Local Area Plan 2021 – 2027 (dated 19th March 2021) (as outlined in red on PMA Map 9 below). Proposed Material Alteration to include any consequential amendments to the Plan.

PMA Map 9: Proposed Material Alteration No. 44



(b) Amend **Table 11.3 Land Use Zoning Objectives** by inserting the land use zoning objective 'R: Retail' Land Use Zoning Objective as follows:

Ref	Use	Land Use Zoning Objectives
<i>R</i>	<i>Retail</i>	<i>To provide for retail activities.</i>

(c) Amend **Table 11.5 Land Use Zoning Matrix** as follows:

Land Use	A – Town Centre	B – Existing Residential/Infill	C – New Residential	E – Community and Educational	F – Open Space and Amenity	N – Neighbourhood Centre	H – Industrial and Warehousing	I – Agriculture	Q – Enterprise & Employment	L – Leisure and Amenity	U – Transport and Utilities	<i>R – Retail</i>
Amusement Arcade	O	N	N	N	N	N	N	N	N	N	N	<i>N</i>
Agricultural Buildings	N	N	N	N	N	N	O	Y	N	N	N	<i>N</i>

<i>Land Use</i>	A – Town Centre	B - Existing Residential/Infill	C – New Residential	E – Community and Educational	F – Open Space and Amenity	N – Neighbourhood Centre	H - Industrial and Warehousing	I - Agriculture	Q – Enterprise & Employment	L – Leisure and Amenity	U – Transport and Utilities	R – Retail
Car Park (other than ancillary)	Y	N	N	O	N	O	O	N	O	O	O	N
Betting Office	O	N	N	N	N	O	N	N	N	N	N	N
Cemetery	N	N	N	Y	N	N	N	O	N	N	N	N
Cinema	O	N	N	N	N	N	N	N	N	N	N	N
Community / Recreational / Sports buildings	Y	O	O	Y	Y	O	N	O	N	Y	N	N
Crèche / Playschool	Y	O	Y	Y	N	O	N	N	O	O	N	N
Cultural Uses / Library	Y	O	O	Y	O	O	N	N	N	O	N	N
Dancehall / Disco	O	N	N	N	N	N	N	N	N	O	N	N
Dwelling	Y	Y	Y	O ²	N	O	N	O ³	N	N	N	N
Emergency Residential Accommodation	Y	O	O	Y	N	Y	N	N	N	O	N	N
Funeral Homes	Y	N	N	O	N	O	N	N	N	N	N	N
Garage / Car Repairs	N	N	N	N	N	N	Y	N	N	N	N	N
Group/Special Accommodation Needs ⁴	Y	Y	Y	O	N	O	N	O	N	N	N	N
Guest House/Hotel/ Hostel	Y	O	O	N	N	O	N	O	N	Y	N	N
Heavy Commercial... ...Vehicle Park	N	N	N	N	N	N	Y	N	N	N	O	N
Hot Food take away	O	N	N	N	N	O	N	N	N	N	N	N

² Ancillary to health/community use, and/or to meet special accommodation needs.

³ Subject to Rural Housing Policy as outlined in the Kildare County Development Plan.

⁴ For further information on group/special accommodation needs refer to Section 4.4.1 of this Plan.

<i>Land Use</i>	A – Town Centre	B - Existing Residential/Infill	C – New Residential	E – Community and Educational	F – Open Space and Amenity	N – Neighbourhood Centre	H - Industrial and Warehousing	I - Agriculture	Q – Enterprise & Employment	L – Leisure and Amenity	U – Transport and Utilities	R – Retail
Industry (Light)	O	N	N	N	N	N	Y	N	O	N	N	N
Industry (General)	N	N	N	N	N	N	Y	N	N	N	O	N
Medical Consultant / Health Centre	Y	O	O	Y	O ⁵	Y	N	N	O	O	N	N
Motor Sales	O	N	N	N	N	N	Y	N	N	N	N	N
Nursing Home	Y	Y	Y	O	N	N	N	O	N	N	N	N
Offices	Y	O ⁶	O ⁵	N	N	O	O	N	O	N	N	N
Park/ Playground	Y	Y	Y	Y	Y	O	N	O	N	Y	N	N
Petrol Station	N	N	O	N	N	O	Y	N	O	N	O	N
Place of Worship	Y	O	O	Y	N	O	N	N	N	O	N	N
Playing Fields	O	O	O	Y	Y	N	N	O	O	Y	N	N
Pub	Y	N	O	N	N	O	N	N	N	O	N	N
Restaurant	Y	O	O	N	N	O	N	N	O	O	N	N
School	Y	O	O	Y	O	N	N	N	N	N	N	N
Shop (Comparison)	Y	N	N	N	N	N	N	N	N	N	N	O
Shop (Convenience)	Y	O ⁷	O ⁶	N	N	O ⁸	N	N	O ⁷	N	N	O
Stable Yard	N	N	N	N	O	N	N	Y	N	N	N	N
Tourist Related Facilities	Y	O	O	O	O	O	N	O	N	O	N	N
Utility Structures	O	O	O	O	O	O	O	O	O	O	Y	N
Warehouse (Wholesale) / Store / Depot	O	N	N	N	N	N	Y	N	N	N	N	N

⁵ Only where the existing Open Space and Amenity can be offset to a suitable alternative site.

⁶ Proposals of this nature shall be restricted to circa 100m².

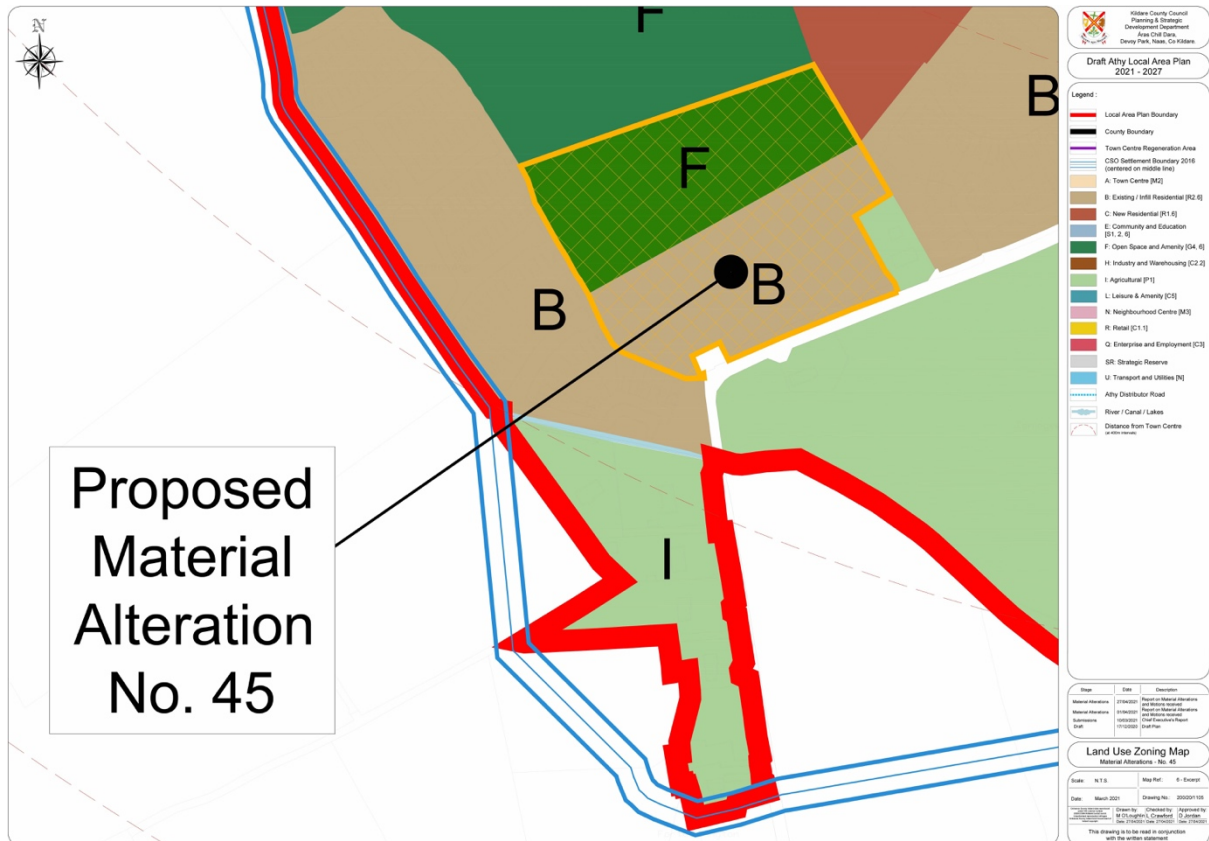
⁷ No single unit shall exceed 100 m² of the net retail space.

⁸ No single unit shall exceed 200 m² of the net retail space to a maximum number of three units. The total net retail space shall not exceed 300 m².

Proposed Material Alteration No. 45

Amend **Map Ref. 6: Land Use Zoning Map** by zoning the area identified by Submission Nos. 42, 50 and 54 in the Chief Executive's Report on the Submissions Received to the Draft Athy Local Area Plan 2021 – 2027 (dated 19th March 2021) to provide for 50% of the area to be retained as existing residential lands ('B: Existing Residential / Infill') and the remaining 50% of the lands adjacent to the Ardrew Key Development Area to the north, be designated as 'F: Open Space and Amenity' (see lands outlined in yellow in PMA Map 10 below). Proposed Material Alteration to include any consequential amendments to the Plan.

PMA Map 10: Proposed Material Alterations No. 45 (the area outlined in yellow where the northern 50% is proposed to be amended to have an 'F: Open Space and Amenity Zoning and the Southern 50% is to proposed to be retained as 'B: Existing Residential/Infill)



Proposed Material Alteration No. 46

Amend **Table 11.5 Land Use Zoning Matrix** to include a specific objective under land use zoning objective 'H: Industrial and Warehousing' to provide that 'Nursing Home' uses will be amended from 'N' (Not Permitted) to 'O' (Open for Consideration) on lands located to south/east of the R418 (formerly) identified as 'H3' in the Athy Development Plan 2012-2018 at Dublin Road/ Gallowshill.

Extract of Table 11.5: Land Use Zoning Matrix (for illustrative purposes only, PMA No. 46 refers to 'Nursing Home' category only)

<i>Land Use</i>	A – Town Centre	B - Existing Residential/Infill	C – New Residential	E – Community and Educational	F – Open Space and Amenity	N – Neighbourhood Centre	H - Industrial and Warehousing	I - Agriculture	Q – Enterprise & Employment	L – Leisure and Amenity	U – Transport and Utilities
Nursing Home	Y	Y	Y	O	N	N	N O ¹	O	N	N	N

¹ Nursing homes will only be 'Open for Consideration' within the zoning designation 'H; Industrial and Warehousing' on lands located to south/east of the R418 at Dublin Rd/ Gallowshill and denoted by 'H*' on Map Ref. 6 Land Use Zoning Map.

PMA Map 11: Proposed Material Alterations to Map Ref. 6 Land Use Zoning Map (for illustrative purposes only)



PMA Map 12 : Proposed Material Alteration 35 - Map Ref. 2a (illustrates Flood Risk Zones and SSFRA overlaid onto Map Ref. 6 Land Use Zoning Map).

