

Applicants should ask the following and if the answer is **YES** then proceed to seek professional advice:

1. Does the proposal fall within or in close proximity to a European site or a tributary of a European site?
2. Does the proposal fall within or in close proximity to a Natural Heritage Area site or a tributary of a Natural Heritage Area site?
3. Will the development directly impact on nationally protected species eg bat and otter species? See Wildlife Acts (1976 and 2000) Flora Protection Order (S.I. 94 of 1999)?
4. Does the development involve surface water discharge or abstraction in the surface water catchments or immediately downstream of a SAC/SPA?
5. Will the development involve groundwater discharge or abstraction in the ground water catchment or within 5 km of an SAC or SPA site?
6. Will the development be in the surface water or groundwater catchment of salmonid waters?
7. Will the effluent treatment plant, including domestic plants such as septic tanks, be in an active or former floodplain or zone of a river, lake, etc?

**Consult:**

- For information on the location and up to date boundaries of European (SAC and SPA) and Natural Heritage Areas, refer to National Parks and Wildlife Service (NPWS) map viewer on the NPWS website: <http://webgjs.npws.ie/npwsviewer/>
- Consult "Good Practice Guidelines for Developers" and "Good Practice Guidelines for Householders"- leaflets produced by Kildare County Council.
- Consult "Appropriate Assessment of Plans and Projects – Guidance for Planning Authorities", published by Department of Environment, Community and Local Government, 2010.

**Advice:**

It is recommended that professional ecological advice is sought *prior to the design of the development*. See policies NT1-NT6, DS1-DS7, TW1-7 in the CDP 2011-2017. The following should be noted in relation to:

European sites:

A Natura Impact Screening report should be prepared (by a qualified ecologist) if the proposal falls within or in close proximity to a European site or a tributary of a European site. Findings of this study may require the preparation of a Natura Impact Statement to appropriately assess the impact of the proposed development on the European site.

Natural Heritage Areas:

Depending on the activity and the potential impacts on NHA sites an Ecological Impact Assessment may be required (EclA).

Protected Species:

In County Kildare otter and bat species are protected (Wildlife Acts and Habitats Directive) as are some rare plants (Floral Protection Orders). It is an

offence to disturb them without consultation with NPWS. See policies DS1-DS7 in the CDP 2011-2017.

Canals:

No surface water should be directed to the Royal or Grand Canals either directly or indirectly during or post construction. Consult with Waterways Ireland.

Salmonid waters:

The objective of this designation is the maintenance of water quality for salmon and trout freshwater species (EC Quality of Salmonid Waters) Regs SI No 84 of 1988, (superseded by the Water Framework Directive). Developments in close proximity to or within a salmonid river may have an impact on the quality of water. Therefore it is recommended that Inland Fisheries Ireland is consulted regarding any applications that require in stream works or which are in close proximity to salmonid rivers.

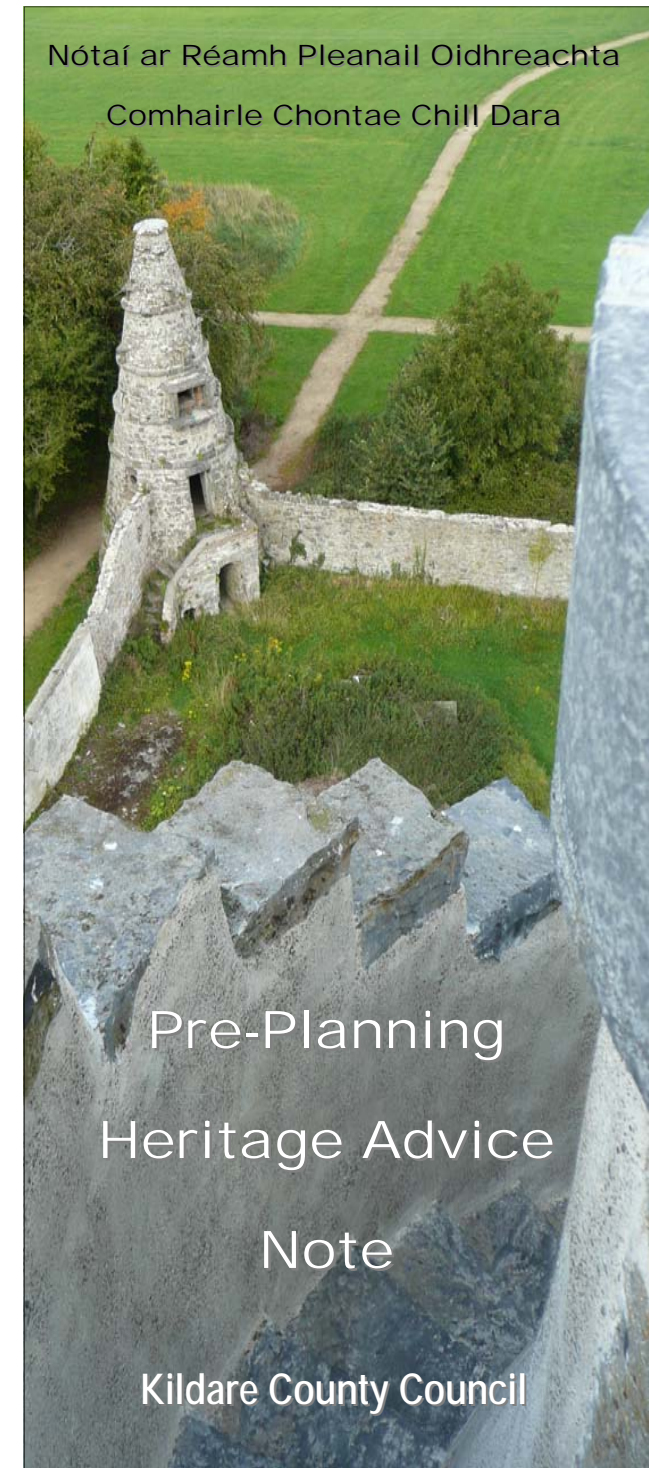
**Works within or close to rivers**

If the application involves any of the following Inland Fisheries Ireland should be consulted

- Abstraction from a watercourse
- Discharge to a watercourse
- Realignment of a watercourse
- Removal of a riparian habitat and increased surface water runoff to a watercourse
- All watercourse crossings i.e. bridges, culverts (often described on applications as drains)
- Works near, in or along watercourses

Note: Watercourse does not just refer to major rivers it also refers to streams, tributaries etc as the effects of development can have impacts on larger streams or spawning grounds etc. See policies IW1-IW7 in the CDP 2011-2017 for more information.

Department of Arts, Heritage and the Gaeltacht (formerly the Department of Arts, Heritage and Local government)	<a href="http://www.ahg.gov.ie">www.ahg.gov.ie</a>
National Parks and Wildlife Service	<a href="http://www.npws.ie">www.npws.ie</a>
National Monuments Service	<a href="http://www.archaeology.ie">www.archaeology.ie</a>
Inland Fisheries Ireland	<a href="http://www.fisheriesireland.ie">www.fisheriesireland.ie</a>
Built Heritage and Architectural Policy	<a href="http://www.archaeology.ie">www.archaeology.ie</a>
Kildare County Council	<a href="http://kildare.ie/CountyCouncil/Planning">http://kildare.ie/CountyCouncil/Planning</a>
Royal Institute of the Architects of Ireland	<a href="http://www.riai.ie">www.riai.ie</a>
Institute of Archaeologists of Ireland	<a href="http://www.iai.ie/">www.iai.ie/</a>



## Introduction

Proposed projects, no matter how small, can have an impact on the natural and built heritage of County Kildare. This advice note has been prepared to assist those designing a project in considering the possible impacts on archaeological, architectural and natural heritage. This note is **not a legal document** nor is it intended to be a comprehensive one. It contains general information and directs developers to more detailed sources of information, legislation, policy etc.

## Archaeological Heritage

### Planning Application Form Question- 17 Development Details:

*Does the application relate to development which affects or is close to a monument or place recorded under section 12 of the National Monuments (Amendment) Act, 1994?*

Applicants should ask the following and if the answer is **YES** to any of the questions below then proceed to seek professional advice:

1. Will the proposed development fall within, across or adjoin a known monument as identified on the Record of Monuments and Places (RMP) or any subsequent recorded monuments identified on [www.archaeology.ie](http://www.archaeology.ie)?



Fig. 1 sample SMR site in Johnstownbridge.

2. Will the proposed development lie within a Zone of Archaeological Potential (ZAP)? The following towns in Kildare have a ZAP

Ardree	Clane	Kill	Rathangan
Ardscull	Cloncurry	Leixlip	Rathmore
Athy	Dunmanoge	Moone	Silliothill
Ballymore Eustace	Harristown	Naas	
Castledermot	Kildare	Old Kilcullen	
Celbridge	Kilkea	Oughterard	

### Consult:

- National Monuments data base ([www.archaeology.ie](http://www.archaeology.ie))
- Record of Monuments and Places constraint maps (available at the KCC planning counter or in county library)
- "Archaeology in the Planning Process" leaflet produced by the Department of Environment, Community and Local Government

Please note also that if the proposed development affects or is close to a national monument which, under the National Monuments Acts 1930 to 2004, is in the ownership or guardianship of the Minister for Arts, Heritage and the Gaeltacht or a local authority or is the subject of a preservation order or a temporary preservation order, a separate statutory consent is required, under the National Monuments Acts, from the Minister for Arts, Heritage and the Gaeltacht.

For information on whether national monuments are in the ownership or guardianship of the Minister for Arts, Heritage and the Gaeltacht or a local authority or are the subject of preservation orders, consult the Kildare County Development Plan (CDP) 2011-2017 chapter 12 (Tables 12.2-12.5).

### Advice:

Professional archaeological advice should be sought to advise of the potential requirement for archaeological assessment. See also policies AH1-AH9 in the CDP 2011-2017. A list of licensed archaeologists can be obtained from: Institute of Archaeologists of Ireland – 63 Merrion Square, Dublin 2, Tel: 01-6629517. [www.iaj.ie](http://www.iaj.ie)

## Architectural Heritage

### Planning Application Form Question- 17 Development Details:

*Does the proposed development consist of work to a protected structure and/or its curtilage or proposed protected structure and/or its curtilage?*

*Does the proposed development consist of work to the exterior of a structure which is located within an architectural conservation area (ACA)?*

Applicant should ask the following questions and if the answer to either of them is **YES** then proceed to seek professional conservation advice:

1. Does the proposed development consist of work to a protected structure and/or its curtilage or proposed protected structure and/or its curtilage?
2. Does the proposed development consist of work to the exterior of a structure which is located within an Architectural Conservation Area (ACA)?

### Consult:

- Details of structures on the County Kildare Record of Protected Structures (RPS) can be obtained by consulting the Kildare County Development Plan 2011-2017 (chapter 12) and on line at <http://kildare.ie/CountyCouncil/Planning>
- Further policies and objectives may also be contained in relevant Local Areas Plans.
- The CDP should be consulted in relation to Architectural Conservation Area (ACA) boundaries and policies.
- The County Kildare RPS is a live document. Buildings can be added to the record. The most up to date version of the record is available on the Kildare County Council website.
- For FAQ's on Protected Structures consult the Department of Arts, Heritage and the Gaeltacht leaflet PL12.

### Advice:

A conservation architect or equivalent professional should be consulted. A list of conservation architects can be obtained from RIAI website- [www.riai.ie](http://www.riai.ie). See policies PS1-PS17 and ACA1 and CAA2 in the CDP 2011-2017.

## Natural Heritage

### Planning Application Form Question- 17 Development Details:

*Does the application relate to work within or close to a European Site (under S.I. No. 94 of 1997) or a Natural Heritage Area?*

Site Name	Designation	Site Code
Pollardstown Fen	SAC*	00391
Ballynafagh Bog	SAC	00396
Ballynafagh Lake	SAC	01387
Rye Water Valley at Carton.	SAC	01398
Mouds Bog	SAC	02331
River Barrow and Nore	SAC	02162
Red Bog	SAC	00397
Poulaphouca Reservoir	SPA*	04063

Table 1: European Sites (NATURA 2000 network) in Co Kildare

Site Name	Site No.
Ballina Bog	00390
Ballynafagh Bog	00391
Ballynafagh Lake	01387
Barrow Valley at Tankardstown Bridge	00858
Carbury Bog	01388
Corballis Hill	01389
Curragh	00392
Derryvullagh Island	01390
Donadea Wood	01391
Dunlavin Marshes	01772
Grand Canal	02104
Hodgestown Bog	01393
Kilteel Wood	01394
Liffey at Osberstown	01395
Liffey Bank at Athgarvan	01396
Liffey Valley Meander Belt	00393
Mouds Bog	00395
Pollardstown Fen	00396
Oakpark	00810
Poulaphouca Reservoir	00731
Red Bog	00397
Royal Canal	02103
Rye Water Valley/Carton	01398

Table 2: Natural Heritage Areas (NHA) Sites in Co. Kildare\*

\* SAC—Special Area of Conservation as designated under the Habitats Directive  
SPA—Special Protection Area as designated under the Birds Directive  
SAC and SPA sites together form Natura2000 a network of designated sites across Europe.  
NHA—Natural Heritage Areas as designated under the Wildlife Acts