

Draft Kildare County Development Plan 2017-2023

Chief Executive's Report

Public Consultation on Proposed Material Alterations



Kildare County Council
Comhairle Contae Chill Dara

21st December 2016

Forward Planning Section

Planning Department

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SECTION 1 – INTRODUCTION & OVERVIEW

1.0 Introduction

Kildare County Council published the Draft Kildare County Development Plan 2017-2023 on 4th May 2016 and the Draft Plan and accompanying Environmental Reports were available to view over a 10 week period from 4th May 2016 to 13th July. A Chief Executive's Report on submissions and observations received during the publication consultation period was submitted to the elected members of Kildare County Council for consideration on 25th August 2016.

Kildare County Council considered the Draft Kildare County Development Plan 2011-2017 and the Chief Executive's Report on the 10th and 12th of October 2016 and approved proposed material alterations to the Draft Plan. Notice of the Proposed Material Alterations was given on 1st November in accordance with the requirements of Section 12 of the Planning & Development Act 2000 (as amended).

A copy of the Proposed Material Alterations Report was available to view from 1st November 2016 to 29th November 2016 at the following locations:

- Planning Department, Kildare County Council, Áras Chill Dara, Naas;
- Athy Municipal District Office, Rathstewart, Athy;
- Kildare Public Libraries; and
- Kildare County Council Website

Submissions or observations with regard to the Proposed Material Alterations and Environmental Reports were invited up to 5 p.m. on 29th November 2016. A total of 781 written submissions or observations were received during the public consultation period as follows:

- Submissions 1-31 are from prescribed bodies, individuals and groups.
- Submissions 32-781 are a standard content submission (round robin) submitted by 750 individuals.

The purpose of this Chief Executive's Report is to report on submissions and observations received and to give the Chief Executive's response in relation to the issues raised.

1.2 Environmental Considerations

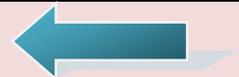
In accordance with Section 12(7)(aa) of the Planning & Development Act 2000 (as amended) the Chief Executive made determinations that Strategic Environmental Assessment (SEA) and Appropriate Assessment (AA) were not required for the Proposed Material Alterations. The Determinations and SEA and AA Environmental Screening Reports were placed on display with the proposed Material Alterations.

1.3 Content and Format of Report

This Chief Executive's report forms part of the statutory procedure for the preparation of the Kildare County Development Plan 2017 – 2023. Section 1 consists of an introduction and an overview of the review process. Section 2 details the legislative background to the preparation of the Chief Executive's Report. Section 3 lists the persons / bodies who made submissions or observations. Section 4 summarises the issues raised in submissions and observations, and sets out the Chief Executive's response in relation to the issues raised. Section 5 sets out a determination, pursuant to Section 12 (10) of the Planning & Development Act 2000 (as amended) in relation to further modifications proposed to the proposed Material Alterations.

1.4 Summary of County Development Plan Process

STAGE 1 PRE DRAFT (COMPLETE)	Comment
Notice of Review	Notice given in newspaper April 2015
Stakeholder and Public Consultation	5 public meeting information sessions: Naas, Maynooth, Kildare, Athy, Leixlip.
Chief Executive's Report on Consultation submission to Members	CE Report issued July 2015.
Members consider Chief Executives Report and give direction regarding preparation of the Draft Plan	September 2015
Proposed Draft Development Plan prepared and submitted to members for consideration	The Proposed Draft issued to members for consideration. March 2016
Members consider draft plan and can accept or amend	Special Meetings of KCC to consider proposed Draft CDP. March and April 2016
STAGE 2 DRAFT (COMPLETE)	Comment
Notice of Draft Plan	May 2016
Public consultation on draft plan	5 public drop-in information sessions: Naas, Clane, Kildare, Athy, Leixlip.
Chief Executive's Report on submissions/observations submitted to members	25 th August 2016
Members consider Report and Draft Plan and can materially alter if required	October 2016
STAGE 3 MATERIAL ALTERATIONS	
Notice of proposed material alterations	November 2016
Public consultation on proposed material alterations.	November 2016
CE Report on submissions/observations submitted to members	December 2016
Members consider report and proposed material alterations and can make the plan with or without the proposed alterations.	February 2017
PLAN ADOPTED	February 2017



NOTE: The adopted Development Plan shall come into effect 4 weeks from the day that it is made.

SECTION 2 – LEGISLATIVE BACKGROUND

2.1 Chief Executive’s Report on the Submissions and Observations Received

Under the requirements of Section 12(8) of the Planning & Development Act 2000 (as amended) the Chief Executive is required to prepare a report on submissions and observations received in relation to the Proposed Material Alterations to the Draft Development Plan and to submit it to the members of Kildare County Council for their consideration.

The Act requires that the Chief Executive’s Report shall:

- Lists the persons or bodies who made submissions or observations during the prescribed public consultation period;
- Summarises the issues raised by the persons or bodies in the submissions or observations received during the prescribed public consultation period;
- Gives the response of the Chief Executive to the issues raised, taking account of:
 - directions of the members of the authority regarding the preparation of the Draft Development Plan
 - the proper planning and sustainable development of the area
 - the statutory obligations of the local authority
 - any relevant policies or objectives of the Government or of any Minister of the Government.

This Chief Executive’s Report on submissions or observations received in relation to the proposed Material Alterations to the Draft Development Plan is hereby submitted to the members of the Planning Authority for consideration.

2.2 Consideration of Amendments, Chief Executives Report and Making of the Development Plan

In accordance with Section 12(9) of the Planning & Development Act 2000 (as amended), the members of the Planning Authority are required to consider the amendments and the CE’s Report within 6 weeks of receiving the Report.

The members of the authority shall, by resolution, having considered the CE’s Report, make the plan with or without proposed amendments, except where they decide to accept the amendments subject to modification, which may include the making of a further modification to the alteration. A further modification to a Material Alteration may be made where it is minor in nature and therefore not likely to have significant effects on the environment or adversely affect the integrity of a European Site; and shall not be made where it relates to an increase in the area of land zoned for any purpose or an addition to or deletion from the record of protected structures.

Pursuant to Section 12(17) of the Planning & Development Act 2000 (as amended), a Development Plan made under this section shall have effect 4 weeks from the day that it is made.

2.3 Relevant Considerations when Making the Development Plan

Pursuant to Section 12(11) of the Planning & Development Act 2000 (as amended), in making the Development Plan, Kildare County Council is restricted to considering the proper planning and sustainable development of the area to which the development plan relates, the statutory obligations of the local authority and any relevant policies or objectives of the Government or any Minister of the Government.

Within the context of the above, it should be noted that Sections 28(1) of the Planning & Development Act 2000 (as amended), states that a Planning Authority shall consider the policies and objectives of the Minister contained in guidelines issued under Section 28, which may include specific planning requirements, when making a Development Plan. It is also a requirement to append a statement to the Development Plan in relation to (inter alia) how the Planning Authority has implemented the policies and objectives in such guidelines.

Section 34(2) of the Planning & Development Act 2000 (as amended), which relates to the making a decision on a planning application by a Planning Authority, also states that where any requirements of Ministerial Guidelines differ from the provisions of a Development Plan, then the provisions of the Ministerial Guidelines, to the extent that they so differ, shall apply.

SECTION 3 – LIST OF PERSONS / BODIES

3.1 List of Persons / Bodies

A total of 781 submissions and observations were received during the prescribed public consultation period. A list of all the persons/bodies that made submissions or observations on the Proposed Material Alterations to the Draft Plan during the prescribed consultation period is set out in Table 3.1 below.

Table 3.1: List of Persons/Bodies that Made Submissions

No.	Name
1	Depf of Housing, Planning Community & Local Government
2	National Transport Authority
3	Dept. of Education & Skills
4	E.P.A.
5	T.I.I.
6	Irish Water
7	Fáilte Ireland
8	Meath County Council
9	Clr. Sorcha O' Neill Sinn Fein
10	Adrian Mc Andrews
11	Anne Ryan
12	Applegreen Service Areas Ltd
13	Blockstar Ltd
14	Bord Na Mona
15	Cairn PLC
16	Celbridge Community Council
17	Element Power
18	Gaelectric Developments Ltd.
19	Irish Wind Energy Association
20	Keep Ireland Open
21	Killross Properties Ltd
22	Kingscroft Developments Ltd
23	Le Monde Holdings Ltd
24	Martin Lee
25	R. J. Goff & Co Ltd
26	Roadstone Ltd
27	Shamrock Spring
28	Shay Boyle
29	Topaz Energy
30	Two Mile House Parish
31	Dublin Airport Authority
32	Grace Lennon
33	Violet Ogden
34	Micahel Crosbie
35	Pat Minnock
36	Cian Bond
37	Damien Hickey
38	Aoife Kavanagh
39	Dylan McEvoy
40	Brian Ward
41	Cecilia Kehoe
42	Donal Quigley
43	Patrick Walsh
44	Bernadette Higgins
45	D. K. Quigley
46	Maureen Quigley
47	Donal Ryan
48	Leonie Ryan
49	Paula Galvin
50	Kevin Ecock
51	Mary Colgan
52	Robert Warren
53	Rosie Warren
54	Gerard Hickey
55	Bernadette Hickey
56	Marie Mannion
57	Brid Jackson
58	Ann Waters
59	Ruby Thomas
60	Irene Moore
61	Karen Elliot
62	Graeme Campbell
63	Monique Campher
64	Grainne Lawlor
65	Mary Minnock
66	Marie Ellis
67	Kate Lennon
68	Sandra Reilly
69	Mark O'Reilly
70	John Egan
71	Heather Doyle
72	Colm Leane
73	Bronagh Murray
74	Darragh Scanlon
75	Liam Nestor
76	Scott Balpam
77	Liosa Casserly
78	Enda Murphy
79	Philip Baker
80	Rebecca Murphy
81	Steven Power
82	Christine Callanan
83	Alessio Gemma
84	Anthony Reid
85	Sue Reid
86	Irina Egan
87	Anthony Langtry
88	Marina Moore
89	Margaret Langtry
90	Martina Gibbons
91	Donal O'Connor
92	Liam Meaney
93	Joan Meaney
94	Paul Brown
95	Rachael Scully
96	Ann Baker
97	Daniel Doolan
98	Nicole Haixent
99	Marion Doolan
100	Cole & Siobhan Perri
101	Caterina MacNamara
102	Brenda Manning
103	Jeremy Kehoe

104	Alfie Harnett
105	Sean herlihy
106	Kathryn Nolan
107	Liam Reade
108	A.J. Molony
109	Geraldine Meade
110	Tom McCormack
111	Aine Flynn
112	Irene Bradfield
113	Claire Purcell
114	Liam O' Dwyer
115	David Lis
116	Jay Ross
117	Gemma Alyward
118	Graciele Oliveira
119	Allen Vallescas
120	Betty O'Donovan
121	Lauren Morgan
122	Gerry Condron
123	James Keenan
124	Claire O'Connor
125	Carly McCabe
126	Glenn Knight
127	Eileen Duffy
128	Tommy brennan
129	Bjorn Lofstrand
130	Celine Molloy
131	Enda Bagnall
132	Corinne Bagnall
133	Jessica mcMahon
134	Brenda Harte
135	Martin Harte
136	Antoinette Brennan
137	Jimmy Kehoe
138	Lisa Carlogan
139	Laura Bergin
140	Edward Maher
141	Pauline Kehoe
142	Sharon Sweeney
143	Claire Sullivan
144	Jau bennett O'Hare
145	Keith Lawless
146	Lexi Kennedy
147	Sarah Houston
148	Dermot Kerins
149	Nigel Plonman
150	Bairbre McCann
151	George Moore

152	Jonathon Conroy
153	Gordon O'Hare
154	Andrew Corbett
155	Helena Moore
156	Michael Smith
157	Martin Boylan
158	Mary Boylan
159	Michael McBarron
160	Sean O'Mahony
161	Declan Counihan
162	Mallan Ryan
163	Amanda Harvey
164	Fiona Bohan
165	Kathleen Bohan
166	Brendan Fox
167	Liam Nolan
168	Deirdre Nolan
169	Charles Molloy
170	Valerie Jackson
171	Thomas Thares pereira
172	Terri porter
173	Mary Reid
174	Brendan Reid
175	P.O'Flynn
176	Hanna MCKennedy
177	Claire McDonagh
178	Wayne Cullen
179	V. Kerins
180	D. Wall
181	Sean Morrissey
182	Julie Ann Byrne
183	Brian Carpenter
184	Paul & Mary Fitzgerald
185	Steven Maguire
186	Brendan Mc Atamney
187	Caroline Dowling
188	Karen Sullivan
189	Stephen Carey
190	Karen Carey
191	Anne Bryan
192	Anthony Monaghan
193	B. Monaghan
194	David Wolahan
195	Jeremie Mallet
196	Rosie Doherty
197	Catherine Molloy
198	R. Jordan
199	Christina Jupe

200	Robyn Lowe
201	Maureen Byrne
202	Colin Evans
203	Niamh Davy
204	Jim Galligan
205	Julie Doran
206	Claire O'Rourke
207	Emily Longworth
208	Pete Butler
209	Alexandra Conry
210	Catherine Murphy
211	Conor Mulvagh
212	Cliona Mulvagh
213	Lawrence Clifford
214	Graham Clifford
215	Caitriona O'Leary
216	John McLoughlin
217	Christy Rankin
218	Nicola ward
219	Veronica Brady
220	Liam Roe
221	Nancy Roe
222	Esther Murray
223	Monica Joy
224	June Stuart
225	Joanna Murray
226	Peter Berna
227	Sinead Nugent
228	Catherine Clarke
229	Joan Evans
230	Yvonne Costello
231	James Shiel
232	Richard Hollinshead
233	Michelle White
234	Denise Boylan
235	Oisin Butler
236	Raymond Gibson
237	Orla Butler
238	May Phillips
239	Patricia Lynam
240	Terry Lawlor
241	Sharon Mossman
242	Gary Skidmore
243	Rita Skidmore
244	Marius Martinas
245	Bridie Tuohy
246	Jackie Roche
247	Victor Murphy

248	Sarah Hirst
249	David Mulligan
250	Liz Finegan
251	Joe McGuinness
252	Glenn Smith
253	Maureen Rutledge
254	Patrick Curtin
255	Eamonn Spelman
256	Rebecca Ford
257	Robert Redmond
258	Angela Lawlor
259	Kirsten McLoughlin
260	Bruno D'Agostino
261	Gavan Lowe
262	Sinead Lollis & Donal Wallan
263	Karen Hussey
264	Eamonn Rellis
265	Elizabeth Egan
266	Trevor Gillis
267	Deborah Gillis
268	Ciaran Maguire
269	Lucy Cronin
270	Anne Morgan
271	David Hussey
272	Michael O'connell
273	Bernadette Dempsey
274	Phil Moloney
275	Des O'Dowd
276	Sorcha O'Hagan
277	Louise Coutinho
278	Derek Tipping
279	Elaine Wilson
280	Malgorzaia Antoxelika
281	Wojciech Autosiewski
282	Mark Galvin
283	M. Toner
284	Bernadette toner
285	David Hall
286	Siobhan McMinagh
287	Mary reeves
288	James Kirwan
289	David Kirwan
290	Marion Gernon
291	Caroline Molloy
292	Shane Pollard
293	Kathleen Pollard
294	Orla Crotty
295	Kate Butler

296	Ben davis-Kearney
297	James O'Shea
298	Maggie Finan
299	Aleksandras Rudko
300	Joe Butler
301	Veronica Brady
302	Elaine newman
303	Austin Smith
304	Martin Ormonde
305	Inga Rudkiene
306	Edward Nyhof
307	Inge Nyhof
308	Peter Curran
309	Mary Wayden
310	Fionnuala Gough
311	Maria Arnal
312	Patrick J. kehoe
313	Jenny Shaw
314	Grainne Fleming
315	Simon Ranes
316	Doris Kane
317	Mary Mulried
318	Colette O'Shea
319	William Paton
320	Siobhan Conlon
321	Seamus O'Midheach
322	Desmond Doyle
323	Geraldine Doyle
324	Frances comerford
325	Noreen Curran
326	Sheila O'rourke
327	Mary Archbold
328	Leanne Gleeson
329	Martin Flanagan
330	J. McCeown
331	David Pender
332	Nick Rabe
333	Caroline Cummins
334	Patrick Cummins
335	Sarah Phipps
336	Noel Kavanagh
337	Rodger Quinn
338	Robin Malcolm
339	Philip Malcolm
340	Avril Malcolm
341	Shane O'Toole
342	Valdineia Santos
343	Kathy

344	David King
345	Celia Manley
346	Lesley King
347	Oonagh King
348	Brian King
349	Siobhan Denner
350	Robert Hand
351	Martin O'Rourke
352	David Maher
353	Finbarr Byrne
354	Ivan Devilly
355	Emer Hayes
356	Sarah Devilly
357	Lili Gurau
358	Ray Canning
359	Ricci Fusco
360	Maura Fusco
361	Phyllis Clarke
362	Margaret Caffrey
363	Deborah Conway
364	Vera McHugh
365	C. Hughes
366	Jayne Grealy
367	David Clarke
368	Michael Molloy
369	Berry Murphy
370	Neil Costello
371	Margaret McGoldrick
372	Thomas Quinn
373	Patricia Quinn
374	Anita Maher
375	Matthew Black
376	Felicity Dooley
377	Steven Dooley
378	Kathleen McDermott
379	Nigel Kerr
380	Gary Connell
381	Theresa hayes
382	Una Harte
383	Daniel Forrester
384	Joan Milligan
385	David Milligan
386	Rowena Cunningham
387	Maryanne Campbell
388	Carmel Ann Rogan
389	Gerry Hughes
390	Aideen Morrissey
391	Sarah Jane Elliffe

392	Valerie Devaney
393	Conor Nolan Kelly
394	Michael Clarke
395	Neil Shirt
396	Deirdre Shirt
397	Elizabeth Kearns
398	Lisa Holmes
399	Karen McNamee
400	Fearghal O'Hara
401	Helen McKenna
402	Cormac Nolan
403	David Cummins
404	Michael Connolly
405	Peter Barry
406	Ann Keane
407	Brian McDermott
408	Derrick Brady
409	Aisling McDermott
410	Roisin McDermott
411	Jill Barrett
412	John Sheeran
413	Peter McCabe
414	Tadhg Nolan
415	Catherine Boylan
416	Amy McHugh
417	John & Esther Loughheed
418	Breda & Tony Kirby
419	Paul & Nuala Harney
420	Brian Nolan
421	Fiona Ryan
422	Michelle Nicol
423	John Nicol
424	Ian Ross
425	F. O'Donovan
426	Michael O'Donovan
427	Steve O'Neill
428	Lisa O'Donovan
429	Clodagh Moynan
430	Kieran Ryan
431	Daniel Ryan
432	Muireann Raleigh
433	Marie Molloy
434	Padraic Kilcoyne
435	Daphne Larragy
436	Margaret Curran
437	Patrick Longworth
438	Matt Curran
439	Andrew Hatherell

440	Emir Hatherell
441	Kevin Doran
442	Anthony Carton
443	Peter Mallon
444	Richard O'Donovan
445	Matthew Murray
446	Paula O'connor
447	Gemma Sheehan
448	John Sheehan
449	Catherine Sneyd
450	Jennifer Sneyd
451	Aoife Somers
452	Stephanie Timoney
453	Rosalyn Tamming
454	Valentina Tarasco
455	David Thompson
456	Nellie Tattersall
457	James Tattersall
458	Anne Van Veen
459	Brid Whelan
460	Roisin Walsh
461	C. Wilsdor
462	Jom Wynne
463	Carmel Wynne
464	Eileen Walsh
465	Aubrey Walsh
466	Elsa Walsh
467	Alison Walsh
468	Aaron Murphy
469	April Walsh
470	Mark Geraghty
471	Vincent Walsh
472	Penny Woods
473	Alex Warren
474	Nuala Walker
475	Christopher John Woods
476	Margaret Whelan
477	Jennifer Ward
478	Suzie Wensley
479	Vincent Walsh
480	J A Walsh
481	Marcus Walsh
482	Jeanne Walsh
483	Eilizabeth Wales
484	Orlagh Wynne
485	Kathleen Scott
486	James Shoire
487	Leanne Stewart

488	Mark Sonnenberg
489	James Smith
490	Helen Skidmore
491	Penny Smith
492	James Smith
493	John Smith
494	Dolores Sweetman
495	Pat Ryan
496	Louise Ryan
497	Catherine Reilly
498	Patrick Rafter
499	Joe Sweeney
500	Helen Shackleton
501	John Shackleton
502	Philip Slattery
503	Anne Sullivan
504	Colin Sherwood
505	John Page
506	Aisling Quan
507	Clodagh Quinn
508	Michael Ryan
509	Aidan Reilly
510	Marian Reeves
511	Denis Reeves
512	Mark Ryder
513	Sylvia Pdokopoak
514	B. Rafferty
515	Patricia Pidgeon
516	Yerai Pena
517	Anthony Phipps
518	Mary Phipps
519	Jenny Power
520	Lis Pringle
521	Max Perry
522	Juan Andres Moriano Palacios
523	David Pringle
524	Teresa Phillips
525	Fiona O'Neill
526	Margaret O'Shea
527	Ger O'Connor
528	Pat O'Reilly
529	Caroline O'Brien
530	Shane O'Brien
531	Teresa O'Boyle
532	Niall C O'Boyle
533	Michael O'connell
534	Jane Ormonde
535	T. Hayes

536	Brian Hayes
537	Julie Hickey
538	Lisa Herron
539	Pat Halligan
540	Teresa Hendrick
541	Joesph Healy
542	Alan Haverty
543	John Heffernan
544	Deirdre Hennigan
545	Susan Hayden
546	Martin Harte
547	Martin Hyland
548	Ruth Ifquierdo
549	Andrew Knightley
550	Deepak Kumar
551	Linda Kelly
552	Siobhan Kearna
553	Kevin Keegan
554	Caroline Kiernan
555	Breda Konstantin
556	Noel Kavanagh
557	Ann Kavanagh
558	Ian Kelly
559	Andrew Keegan
560	Tracey Kelly
561	Eleanor Keating
562	Paul Kelly
563	Claire Kealy
564	Dan Kavanagh
565	Bridget Kirwan
566	Sally Keegan
567	Mary Kelly
568	Rachel Larkin
569	Martin Lyng
570	Eithne Long
571	Kieran Lacy
572	Lara Lawless
573	Sharon Lynch
574	Colm Nolan
575	Fiona Noonan
576	Darragh Nolan
577	Shane O'Byrne
578	Teresa O'Reilly
579	David O'Neill
580	Daniel O'Shea
581	Deirdre O'Donnell
582	Aoife O'Connell
583	Maureen O'Sullivan

584	Jarlath Daly
585	Jenny Davis
586	Peggie Dempsey
587	Shirley Devine
588	Patrick Dowling
589	Eileen Dunne
590	Maurice Deschenes
591	Gillian Duke
592	Maire Diggin
593	Brendan Duggan
594	K C Denner
595	Valerie Denner
596	Ludia Donnelly
597	Somin Donnelly-Orr
598	Liam Doyle
599	Martin Doherty
600	Emma Delaney
601	Anne Doran
602	Jean Egan
603	Eithne Errity
604	Chitriona Finegan
605	Pat Flynn
606	Martena Flynn
607	M. Fitzgerald
608	Joan Fitzgerald
609	Patricia Farrington
610	Miriam Flynn
611	June Fitzgibbon
612	Rosemary Farrelly
613	Breda Farrell
614	Fiochra Carr
615	Noel Feehan
616	Ann Feehan
617	Sinead Feighery
618	Helen Flanagan
619	Angela Fleming
620	Helen Fitzgerald
621	Marie Fogarty
622	Brid Griffin
623	Andreea Gritto
624	Jose Maria Sanchez Gomez
625	Natasha Grigorenko
626	Anthony Greene
627	Jackie Gleeson
628	Yvonne Gillick
629	June Galligan
630	Dolores Gavin
631	Seamus Grant

632	Joan Greene
633	Betty Heraghty
634	Fiona Burke
635	Ian Burchell
636	Roger Boyer
637	Shauna Barrett
638	Audrey & Richard Baird
639	Jonathan Brennan
640	Siobhan Brennan
641	Margaret Brennan
642	Daphne Blanc
643	David Blanc
644	Wesley Bunice
645	Mary Byren
646	Patrick Joseph Barry
647	John Cradden
648	Kate Creighton
649	Nigel Creighton
650	Bernard Cuffe
651	Sean Copeland
652	Len Cotter
653	Rory Connolly
654	Audrey Campbell
655	Dympna Cotter
656	Kevin Coffey
657	Anthony Connolly
658	Margaret clarke
659	Kathleen Connolly
660	Joe Clonan
661	Theresa Corbett
662	Susan Cryhton
663	Ken Casey
664	Yuan Chu
665	Patrick Clarke
666	Patrick J Clarke
667	Frank Cavanagh
668	Margaret Carey
669	Paul Carey
670	Wesley Cooney
671	Niall Cahalan
672	Leta Cheung
673	Mary Cummins
674	Seamus Cummins
675	Sheila Clancy
676	Phil Carney
677	Barry Conway
678	Brenda Conway
679	Bridget Campbell

680	Eileen Colliins
681	Andrew Crosbie
682	Angela Corrigan
683	M. Donegan
684	Dara Mohan
685	Harry McKeown
686	Margaret McGrath
687	Marian McDermott
688	Tom McKeown
689	Noreen Martin
690	Stephen Murphy
691	Margaret Murphy
692	Carmel Moran
693	Oran Maher
694	Rosemary Murphy
695	Brian Miller
696	R. McCann
697	Michael. McCann
698	Ann Matthews
699	Michael Molloy
700	Brenda McCarthy
701	Niel McEvoy
702	Sarah McGrath
703	Paul McBride
704	Mary McGuire
705	Michelle McCluskey
706	Geraldone Molloy
707	Locan Murray Hill
708	Danile de Assis Mendes
709	Luke Moore
710	Samantha Moore
711	Paul McGure
712	Matt McEvoy
713	John Murphy
714	Rita Maycock

715	Adam McCabe
716	Elizabeth Martin
717	Alexis Nerigaud
718	Marie Malone
719	Anna McDonagh
720	Martin Moran
721	Lisa McCarthy
722	Mairead Maguire
723	Robert Magee
724	Anne Mynes
725	Maria Moran
726	Brendan McDonald
727	Aileen Murray
728	Katr mcLoughlin
729	Greg McGrillen
730	Ursula Mooney
731	Cathal McDermott
732	Judy Malone
733	Malcolm Banks
734	Miriam Ardiff
735	Leo Aylward
736	Joan Andrevcetti
737	Philip Devitt
738	Sandra Creevy
739	Gavin Daly
740	Ger Cullen
741	Sarah Cunningham
742	Josephine Byrne
743	Gerladine Burke
744	Karl grant
745	Nora Flynn
746	Linda Foster
747	Mick Hennessey
748	Donal Hurley
749	Nessa Kavanagh

750	Thelma kearns
751	Martina Keating
752	Emma Kenny
753	Richard Kenny
754	Sarah Kenny
755	Anne Lawler
756	Charlotte Lennon
757	Marie McEvoy
758	Mary Mckenna
759	Kevin Meenaghan
760	Graham Moloney
761	Janet Nolan
762	Lorraine Notaro
763	Bridget Pyke
764	Michelle O'Dea
765	Joseph Richardson
766	Frank Savino
767	Astrid Salmon
768	Paul Scally
769	Mary Sherry
770	Catherine Quinn
771	Jenny Quinn
772	Brenda McNulty
773	Nick McNulty
774	Grania McCarthy
775	Eileen Murphy
776	Louie Mantiufeh
777	Debra Mahoon Pitt
778	Sinead Murnane
779	Paul McDermott
780	Rita McDermott
781	Faith Morris

SECTION 4 – SUMMARY OF ISSUES RAISED AND CHIEF EXECUTIVE RESPONSE AND RECOMMENDATION

4.1 Summary of Issues Raised

This section summarises the issues raised in submissions/observations and sets out the response of the Chief Executive to the issues raised. Submissions from prescribed bodies are summarised and responded to in Section 4.2 below. Issues raised in all other submissions are summarised and responded to under the relevant chapter headings of the Draft County Development Plan in Section 4.3 below.

4.2 SUBMISSIONS RECEIVED FROM PRESCRIBED BODIES

Summary of Issues Raised	Chief Executive's Response and Recommendation															
1. Department of Housing, Planning, Community and Local Government																
<p>The submission welcomes that a number of comments and observations made in the Department's previous submission on the Draft Development Plan have been acknowledged and addressed in the Proposed Material Alterations. However there are some matters of outstanding concern and the Department highlights the following to the Council;</p> <p>Chapter 17 – Development Management Standards</p> <p>The Department previously identified that the Draft Plan included minimum floor space sizes for new housing in Kildare in Table 17.4. Some of these standards were noted to exceed the minimum standards detailed in the Quality Housing for Sustainable Communities Guidelines (DEHLG, 2007). Accordingly, the Council was requested to review the minimum house sizes in Table 17.4 of the Plan and amend the table as necessary to ensure compliance with the relevant national guidance.</p> <p>As previously noted, the provision of housing development standards at local/county level that are at variance with national standards has the strong potential to undermine new housing project viability and result in reduced housing supply. Government policy is seeking to ensure a set of requirements for new housing nationally that ensures quality in new housing projects but recognises the importance of consistency across the country.</p>	<p>Chief Executive's Response</p> <p>This submission does not refer to a specific material alteration.</p> <p>This issue was raised in the submission received from the DHPCLG (Sub. No. 1) at Draft Plan stage. The Chief Executive's Report (August 2016) recommended that Table 17.4 'Floor Area and Storage Requirements for Dwelling Houses' be amended as follows:</p> <table border="1" data-bbox="1115 751 2040 1102"> <thead> <tr> <th>Unit Type (House)</th> <th>Floor Area</th> <th>Storage Area</th> </tr> </thead> <tbody> <tr> <td>One Bedroom</td> <td>55m² 44m²</td> <td>3m² 2m²</td> </tr> <tr> <td>Two Bedroom</td> <td>85m² 70m²</td> <td>6m² 3m²</td> </tr> <tr> <td>Three Bedroom</td> <td>100m² 83m²</td> <td>9m² 4m²</td> </tr> <tr> <td>Four Bedroom</td> <td>110m²</td> <td>10m² 6m²</td> </tr> </tbody> </table> <p>At a Special Meeting of Kildare County Council dated 10th October 2016, the members of Kildare County Council considered the issues raised in the submission received from DHPCLG and the CE's recommendation to amend Table 17.4. The Council resolved not to amend Table 17.4 of the Draft County Development Plan.</p>	Unit Type (House)	Floor Area	Storage Area	One Bedroom	55m ² 44m ²	3m ² 2m ²	Two Bedroom	85m ² 70m ²	6m ² 3m ²	Three Bedroom	100m ² 83m ²	9m ² 4m ²	Four Bedroom	110m ²	10m ² 6m ²
Unit Type (House)	Floor Area	Storage Area														
One Bedroom	55m ² 44m ²	3m ² 2m ²														
Two Bedroom	85m ² 70m ²	6m ² 3m ²														
Three Bedroom	100m ² 83m ²	9m ² 4m ²														
Four Bedroom	110m ²	10m ² 6m ²														

<p>Smaller homes may be appropriate for sustainable infill sites in existing neighbourhoods and towns, as part of appropriate diverse mix in new residential developments or indeed for specific housing groups within the community.</p> <p>Requests the Council to amend Table 17.4 to ensure consistency with the appropriate minimum house size standards in the Quality Housing for Sustainable Communities Guidelines (2007).</p>	<p>Chief Executive's Recommendation</p> <p>This item does not refer to a specific material alteration, therefore cannot be considered at this stage.</p>
<p>Material Alteration Ref. Chapter 4 – No. 1</p> <p>The Department previously requested the Council to provide an appropriate specific objective in Section 4.1.2 of the Plan requiring a future review of the Housing Strategy in conjunction with the future Regional Spatial & Economic Strategy (RSES) by the Eastern and Midland Regional Assembly.</p> <p>Whilst additional text has been added to Policy HS1, the Council is advised that this policy should make specific reference to a review of the Housing Strategy following adoption of the RSES as this is the statutory regional policy document that the CDP is required to adhere to.</p>	<p>Chief Executive's Response</p> <p>This submission refers to Material Alteration Ref. Chapter 4 – No. 1 as proposed:</p> <p>Section 4.1.2 Housing Strategy <i>Amend Policy HS1 as follows;</i></p> <p>HS 1: <i>To implement the Housing Strategy 2017-2023 (and any superseding Housing Strategy agreed by the Council) and to carry out a review of the Housing Strategy as part of the mandatory two year progress report of the County Development Plan. Where this review outlines that new or revised housing needs have been identified since the adoption of the County Development Plan, the Council will take appropriate steps to adjust the Housing Strategy.</i></p> <p>The forthcoming Regional Spatial Economic Strategy (RSES) will replace the Regional Planning Guidelines (RPGs) as the regional spatial planning policy document. While it is anticipated that the RSES will be adopted during the lifetime of this plan it is unclear whether it will be adopted prior to the two year review. It is therefore recommended that policy HS 1 is further amended to include reference to the RSES and to omit the reference to the two year review.</p>

	<p>Chief Executive' Recommendation:</p> <p>Revise policy HS 1 as follows:</p> <p>HS 1: To implement the Housing Strategy 2017-2023 (and any superseding Housing Strategy agreed by the Council) and to carry out a review of the Housing Strategy following adoption of the Regional Spatial and Economic Strategy as part of the mandatory two year progress report of the County Development Plan. Where this review outlines that new or revised housing needs have been identified since the adoption of the County Development Plan, the Council will take appropriate steps to adjust the Housing Strategy.</p>
<p>Material Alteration Ref. Chapter 3 – No. 7</p> <p>Proposed Objective SO13 should be revised to make reference to the RSES in order to provide the proper context for any review of residential zonings in villages in Kildare.</p>	<p>Chief Executive's Response</p> <p>This submission refers to Material Alteration Ref. Chapter 3 – No. 7 as proposed:</p> <p>Section 3.9 Settlement Strategy Objectives</p> <p><i>Insert a new objective SO 13 in Section 3.9 Settlement Strategy Objectives as follows:</i></p> <p>SO 13: <i>To carry out a review of residential zonings in villages prior to the publication of the Chief Executive's Two Year Progress Report on the County Development Plan. Where, taking into account national and regional planning policy, a shortfall of zoned land is identified, the Chief Executive shall initiate steps to address this.</i></p> <p>The forthcoming RSES will replace the RPGs as the statutory regional policy document of the CDP. Given that the RSES will be adopted during the lifetime of this plan, it is considered appropriate to revise objective SO 13 to include reference to the RSES. As it is unclear whether the RSES will be adopted prior to the two year review it is recommended that the reference to the two year review be omitted.</p>

	<p>Chief Executive's Recommendation Revise Objective SO 13 as follows:</p> <p>SO 13: To carry out a review of residential zonings in villages following the adoption of the Regional Spatial and Economic Strategy prior to the publication of the Chief Executive's Two Year Progress Report on the County Development Plan. Where, taking into account national and regional planning policy, a shortfall of zoned land is identified, the Chief Executive shall initiate steps to address this.</p>
<p>Flood Risk</p> <p>Reference is made to the Departments previous submission emphasising the need to fully comply with <i>'The Planning System and Flood Risk Management'</i> Guidelines (2009). The Chief Executive's Report advised that an updated strategic flood risk assessment was being prepared.</p> <p>The Council is advised that the findings of the amended SFRA should be fully reflected and incorporated into the Draft Plan including recommendations in relation to the appropriate zoning of residential lands to comply with the required sequential approach to flood risk management (e.g. lands in identified Flood Zones A & B should not be zoned for residential or other 'Highly vulnerable development' per Table 3.2 of the Guidelines'.</p>	<p>Chief Executive's Response</p> <p>The comments in relation to SFRA are noted. Arising from submissions received from both the DHPCLG and OPW in relation to the methodology of the initial Strategic Flood Risk Assessment (SFRA) contained in the Draft CDP, the Planning Authority prepared and published a revised SFRA report for County Kildare as part of the proposed material alterations to the Draft CDP. The revised SFRA report includes a full Stage 2 assessment of flood risk in the county for all land use plans contained in Volume 2 of the draft plan including the identification of Flood Zones A & B. Other larger urban centres that have their own Local Area Plan will be subject to a separate SFRA exercise as part of their LAP preparation.</p> <p>It is considered that the revised SFRA report satisfactorily addresses flood risk management for all land use plans contained in the Draft CDP in accordance with the requirements & principles set out in <i>'The Planning System and Flood Risk Management – Guidelines for Planning Authorities, November 2009'</i>.</p> <p>Chief Executive's Recommendation No change recommended.</p>

2. National Transport Authority	
<p>The submission welcomes those alterations which address the issues raised in the NTA's previous submission to the Draft Plan. On reviewing the proposed material alterations, the following observations / recommendations are made;</p> <p>Material Alteration Ref. Chapter 5 – No. 2</p> <p>The submission notes that Objective ECD 3 has been altered to reflect the requirements that may emerge from the Regional Spatial & Economic Strategy.</p> <p>Material Alteration Ref. Chapter 5 – No. 3</p> <p>The submission notes that a new objective has been inserted to incorporate a core principle of the Transport Strategy for the GDA. The phasing of employment development, as recommended has not been fully incorporated however. The submission recommends that Objective ECD 4 be amended as follows;</p> <p>'The Council will ensure that development of employment land will occur in line with the provision of transport infrastructure, services and supporting measures as set out in the Transport Strategy for the Greater Dublin Area 2016-2035, insofar as practicable.'</p>	<p>Chief Executive's Response</p> <p>This submission refers to Material Alteration Ref. Chapter 5 – No. 3 as proposed:</p> <p>Section 5.3.3 Land Use and Economic Development <i>Insert a new objective after ECD 3 in Section 5.3.3 as follows:</i> <i>(Note: Renumber subsequent objectives accordingly)</i></p> <p>ECD 4: <i>To seek, in so far as is possible, to locate people intensive employment development close to the strategic public transport network for the region that is outlined in the Transport Strategy for the Greater Dublin Area 2016-2035 and other Regional Plans.</i></p> <p>It is considered that the changes proposed in the Material Alterations Report (November 2016) to both policies ECD 3 and ECD 4 adequately address the issues raised by the NTA. The identification of future employment lands will be carried out as part of future Local Area Plan reviews for the larger urban centres in the county which will be guided by and have regard to the overall principles for land use and transportation planning as set out in the new NTA Transport Strategy for the Greater Dublin Area 2016-2035.</p> <p>Chief Executive's Recommendation</p> <p>It is recommended that the County Development Plan be made with the proposed Material Alteration as displayed.</p>

<p>Objective PTO 5</p> <p>The NTA reiterates its initial recommendation that Objective PTO 5 is removed as the Transport Strategy does not provide for the creation of a rail, road and bus transport hub near Naas. There is concern that the pursuit of such a standalone project may compromise other transport measures in Kildare and the GDA which are being pursued at present as part of the implementation of the Transport Strategy.</p>	<p>Chief Executive's Response</p> <p>This item does not refer to a specific material alteration and cannot, therefore be considered at this stage.</p> <p><i>Objective PTO 5 is as follows:</i> <i>'To work with statutory agencies and stakeholders to promote and facilitate the development of a public transport hub near Naas which will connect road, rail transport and public transport.'</i></p> <p>Kildare County Council is of the view, given the status of Naas as a Large Growth Town I under the RPGs, its linkages and connectivity to the wider Dublin region, in addition to the significant road, rail and public transport options currently available, that the new County Development Plan 2017-2023 should include an objective that supports initiatives to improve the integration between transport modes to be developed in consultation with statutory agencies and stakeholders, including the NTA.</p> <p>Chief Executive's Recommendation</p> <p>This item does not refer to a specific material alteration and cannot, therefore be considered at this stage.</p>
<p>Material Alteration Ref. Chapter 3 – No. 6</p> <ul style="list-style-type: none"> The NTA notes the insertion of new Objective SO 12 which provides for the future growth of Leixlip to the north of the rail corridor. This approach to the growth of the settlement is consistent with the principles of land use integration as set out in the Transport Strategy. 	<p>Chief Executive's Response</p> <p>The support is noted for Material Alteration Ref. Chapter 3 –No. 6 as proposed.</p> <p>Section 3.9 Settlement Strategy Objectives <i>Insert a new objective SO 12 in Section 3.9 Settlement Strategy Objectives as follows:</i></p>

<p>Given the absence of linkages to all transport modes across the rail line between the existing built-up area and the proposed development lands, including across to Confey Station, it is of critical importance that the development of these lands takes place in line with investment in transport infrastructure and in accordance with a statutory Local Area Plan.</p> <p>The NTA recommends that additional text be inserted into Objective SO 12 which states that the growth envisaged at this location will be undertaken in a phased, coherent manner in line with investment in infrastructure, including transport, according to a Local Area Plan agreed with all relevant statutory agencies.</p>	<p><i>SO 12: To investigate, in consultation with government departments, statutory agencies and stakeholders, options for the future growth of Leixlip, including the feasibility of developing a new residential district to the north of the Dublin – Sligo rail corridor. The Regional Planning Guidelines designate Leixlip as a Large Growth Town II within the metropolitan area of Dublin. The future growth strategy for Leixlip should be consistent with emerging regional and national spatial planning policy, represent efficient use of public investment in infrastructure and facilities (transport, water, waste water and roads) and seek to minimise impacts on the environment.</i></p> <p>It is considered more appropriate to address this issue at Local Area Plan level.</p> <p>Chief Executive's Recommendation It is recommended that the County Development Plan be made with the proposed Material Alteration as displayed.</p>
<p>3. Department of Education and Skills</p>	
<p>The submission outlines that the Department of Education has worked closely with the Council in relation to securing sites for educational infrastructure and in relation to the provision of new schools and development of existing schools. It emphasises the critical importance of the Council in ensuring sufficient land is zoned for this purpose.</p> <ul style="list-style-type: none"> Schools will develop within the lifetime of the Development Plan. It is important that suitable sites are zoned to cater for this provision. The Department requests that site reservations are made, where possible, as close as possible to community facilities such as sports facilities, libraries, etc. So that these can be shared between the 	<p>Chief Executive's Response & Recommendation</p> <p>This item does not refer to a specific material alteration or seek any alteration to the Draft County Development Plan. The information submitted on future school requirements is however welcomed and noted.</p> <p>Chief Executive's Recommendation</p> <p>No change recommended.</p>

school and the community.

- The Department is also open to the concept of multi-campus school arrangements, for example where two or three primary schools are located side by side or a primary and post primary school shares the same site. Both of these approaches can have the effect of reducing the land take for school development.
- Where possible land adjacent to existing schools should be zoned appropriately to allow for the potential expansion of these schools.
- In addition, the Council is requested to consider a policy of introducing a buffer zone around existing school sites, where possible to facilitate separation from housing and reasonable scope for increased school heights, particularly in established neighbourhoods that are identified for consolidation or intensification of population.
- It would be strategically valuable for the educational zoned lands be placed beside open-space or green belt zonings if possible, as this would allow ready access to these amenities.
- Based on the county population projections published in the Proposed Material Alterations for Kildare at 253,600 persons by 2023, the Department has provided a table outlining the potential number primary classroom and Post Primary school places which would be required to meet the projected increase in population (if this level of population growth was to materialise). At primary level 140 classrooms would be required and at post primary level 2,675 school places would be required.
- The Department has also set out a table listing more detailed analysis of where additional school provision may be required during the lifetime of the County Development Plan on a town by town

<p>basis.</p> <ul style="list-style-type: none"> • Based on the Councils projections for residential development in the area, and taking into account analysis of data from the Dept. of Education & Skills, it is requested that sufficient lands are reserved to accommodate 11 primary schools and four post primary schools to serve the local population. • The submission includes a copy in its appendices of the Capital Investment Plan for schools as it relates to Kildare. 	
<p>4. Environmental Protection Agency</p>	
<p>Material Alteration Ref. Chapter 3 - No. 5</p> <p>The EPA notes the significant increase in population allocation proposed for Leixlip. The submission also notes that the Draft Leixlip Local Area Plan 2017 – 2023 is currently being prepared. The Plan should ensure that the proposed significant increase in population allocation associated with the proposed material alteration is reflected and assessed in the context of both the SEA and AA for the Draft Leixlip LAP.</p> <p>The proposed alterations should remain consistent with the policies and objectives of the Regional Planning Guidelines and associated County Core Strategy. They should also take into account that the National Planning Framework (NPF) and Regional Spatial & Economic Strategies are currently being prepared and should be incorporated as appropriate and relevant upon their adoption.</p> <p>The requirements of the Planning System and Flood Risk Management Guidelines (2009) should also be fully integrated/implemented.</p>	<p>Chief Executive's Response</p> <p>The future population allocation for Leixlip is being considered as part of the Draft Leixlip LAP 2017-2023 and associated SEA and AA processes for this new LAP.</p> <p>It can be confirmed that the proposed material alterations have had regard to the current Regional Planning Guidelines and the County Core Strategy. There are policies within the draft plan which acknowledge the future preparation of the National Planning Framework and Regional Spatial & Economic Strategy.</p> <p>The requirements of the Planning System and Flood Risk Management Guidelines (2009) have been integrated in the draft CDP.</p> <p>Chief Executive's Recommendation</p> <p>No changes required.</p>

<p>Material Alteration Ref. RS No.1, RS No.2 and RS No. 3</p> <p>Alterations outline proposed 'Settlement Expansions in Rural Areas' in Staplestown, Maganey & Levitstown and also Two Mile House. The Plan should clarify any proposed land use for these additional lands. Any such expansion should also reflect proper planning and sustainable development and be aligned to the ability to provide appropriate critical service infrastructure.</p> <p>1. EPA Code of Practice</p> <p>The submission highlights the publication of the EPA Code of Practice: Wastewater Treatment and Disposal Systems Serving Single Houses (p.e ≤10) in 2009. This publication establishes an overall framework of best practice in relation to the development of wastewater treatment and disposal systems, in unanswred rural areas, for protection of the environment and specifically water quality.</p> <p>2. Recent EPA Publications</p> <p>The submission highlights that the EPA recently published a state of the environment report for 2016 'Ireland's Environment – An Assessment EPA 2016'. The recommendations, key issues and challenges described within this report should be taken into account in the context of the Proposed Material Alterations and considered prior to the adoption of the Draft Plan. Other recent relevant EPA publications include the following</p> <ul style="list-style-type: none"> - Air Quality in Ireland 2015 – Key Indicators of Ambient Air Quality (EPA 2016) - Urban Waste Water Treatment 2015 (EPA 2016) <p>The DECLG Circulars (PSSP 6/2011) 'Further Transposition of the EU Directive 2001/42/EC on Strategic Environmental Assessment (SEA) and</p>	<p>Chief Executive's Response</p> <p>The Settlement expansion areas shown in Volume 2 of the Draft CDP identify the most appropriate locations to accommodate population growth to cater for local demand over the plan period.</p> <p>The Draft Plan includes a policy in relation to complying with the EPA Code of Practice for Wastewater Treatment Systems for single houses (2009).</p> <p>The recent EPA publications are noted. The proposed Material Alterations were the subject of a determination pursuant to Section 12(7)(aa) of the Planning & Development Act 2000 (as amended) and SEA and AA screening reports were available for review during the statutory consultation period.</p> <p>An SEA Statement will be prepared and published following the adoption of the Plan.</p> <p>Chief Executive's Recommendation</p> <p>No change recommended.</p>
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Circular PL 9 of 2013 'Article 8 (Decision Making) of EU Directive 2001/42/EC on Strategic Environmental Assessment (SEA) as amended' should also be taken into account.

3. Future Alterations/Amendments to the Draft Plan

Kildare County Council should determine whether or not the implementation of the proposed Alterations would likely have significant effects on the environment. This assessment should take into account of the SEA Regulations Schedule 2A Criteria (S.I No. 436 of 2004) and should be subject to the same method of assessment as undertaken in the 'environmental assessment' of the Draft Plan.

4. SEA Statement – "Information on the Decision"

Following adoption of the Plan, an SEA Statement should summarise the following;

- How environmental considerations have been integrated into the Plan;
- How the Environmental Report, submissions, observations and consultations have been taken into account during the preparation of the Plan;
- The reasons for choosing the Plan adopted in the light of other reasonable alternatives dealt with; and,
- The measures decided upon to monitor the significant environmental effects of implementation of the Plan.

A copy of the SEA statement should be sent to any environmental authority consulted during the SEA process.

<p>5. Transport Infrastructure Ireland</p>	
<p>This submission welcomes and acknowledges the significant undertaking for the Council in drafting a development plan and the requirement to consider and address a multiplicity of factors in developing a sustainable spatial planning framework not just issues relating to national roads.</p> <p>However it is submitted that there remain issues in that require review prior to the formal adoption of the plan to ensure consistency with official policy and in order to safeguard the strategic function of the national road network in the area. TII request that the following observations in relation to specific Material Alterations are considered having regard to the initial TII submission:</p> <p>Material Alteration Ref. Chapter 6 – No. 33</p> <ul style="list-style-type: none"> TII notes proposed MA 33 to examine option in consultation with adjoining Local Authorities for the delivery of an orbital link road from the M4 Leixlip to the R419 in Fingal and the M3 in Meath. As outlined in TII's initial submission on the Draft Plan in relation to road projects identified in the Plan that have potential for implications for the national road network but are not schemes promoted by TII, the benefit of such local/regional schemes are acknowledged however the Council should be aware that TII may not be responsible to financing such projects. Such projects should be developed to complement the strategic function of the national road network and should not undermine or compromise this function. The Council should be aware that proposals for additional connectivity to the national road network must be developed in accordance with the provisions of the DECLG Spatial Planning and 	<p>Chief Executive's Response</p> <p>This item refers to Material Alteration Ref. Chapter 6 –No. 33 as proposed:</p> <p><i>Insert new items into Table 6.1 Priority Road and Bridge Projects as follows:</i></p> <p>Table 6.1 Priority Road and Bridge Projects</p> <ul style="list-style-type: none"> <i>Examine options for a link road from the R407 to the R403 including a new Liffey Crossing east of Clane.</i> <i>Examine options in consultation with South Dublin County Council, Fingal County Council, Meath County Council, Transport Infrastructure Ireland and other statutory agencies for the delivery of an orbital link road from the M4 at Leixlip to the R149 in Fingal and to the M3 in Meath.</i> <i>Improvement to Moore's Bridge</i> <i>Improvement to Morristown Bridge</i> <i>Improvement to Kildangan Bridge</i> <p>The comments expressed by TII are noted and the need for consultation on new road projects that have potential to affect the national road network. This is provided for in the draft plan.</p> <p>Chief Executive's Recommendation</p> <p>No change recommended.</p>

<p>National Roads Guidelines (2012). TII welcomes the provision that consultation will occur.</p>	
<p>Material Alteration Ref. Chapter 6 – No. 34</p> <p>It is submitted that while TII has no objection to the proposed MA concerning the Leinster Orbital Route (LOR), it is considered that the initial policy contained in the Draft Plan provided a greater degree of clarity concerning the protection of the proposed critical junction zones and approach route corridors in accordance with the provisions of the DECLG Spatial Planning and National Roads Guidelines. TII recommend against the adoption of the proposed changes and revert to the initial wording of the policy, having regard to the provisions of Section 2.9 of the DECLG Spatial Planning and National Roads Guidelines (2012) concerning the protection of alignments for future road projects.</p>	<p>Chief Executive's Response</p> <p>This item refers to Material Alteration Ref. Chapter 6 –No. 34 as proposed:</p> <p>Section 6.6.2 National Roads</p> <p><i>Delete Policy NR 3 and replace with amended policy as follows:</i></p> <p>NR 3: To recognise the strategic importance of the proposed Leinster Orbital Route infrastructure as recognised in the Regional Planning Guidelines for the Greater Dublin Area and the NTA's Greater Dublin Area draft Transport Strategy 2016 – 2035 and to ensure the protection of the proposed junction zones and likely approach route corridors free of inappropriate development and otherwise facilitate the TII in the delivery of the preferred route.</p> <p><i>NR 3: To recognise the strategic importance of the proposed Leinster Orbital Route (linking Drogheda, Navan, Trim and Naas) and co-operate with the NTA, TII and other Local Authorities in clarifying and finalising the route of route proposed in the Regional Planning Guidelines for the Greater Dublin Area 2010 and the NTA Transport Strategy for the Greater Dublin Area 2016-2035. This is important in order to protect and preserve the corridor free from development.</i></p> <p>The points raised in the submission in relation to the Leinster Orbital Route (LOR) are noted. The Council acknowledges the work that has been carried out to date by the TII (and formerly the NRA) in relation to the 2007 Feasibility Study and 2009 Corridor Protection Study. The importance of the Leinster Orbital Route is outlined in the current Regional Planning Guidelines for the Greater Dublin Area 2010-2022. The RPGs outline that the route has an important role in providing improved</p>

	<p>accessibility and connectivity between the towns in the hinterland of the GDA. In addition, the new NTA Transport Strategy for the Greater Dublin Area 2016-2035 indicates that while the LOR project is not planned for implementation during the period of the Transport Strategy (2016-2035), the finalisation of the route corridor and its protection from development intrusion is recommended.</p> <p>It is considered that the wording of NR3 as per the proposed material alterations is consistent with the latest NTA Transport Strategy recommendations. It is respectfully considered that an objective to protect the Corridor Study Area would be premature pending completion of the planning phase of the project and the identification of a finalised route.</p> <p>Chief Executive's Recommendation No change recommended.</p>
<p>6. Irish Water</p>	
<p>Material Alteration Ref. Chapter 7 No. 1 and No. 2</p> <p>Irish Water made a submission to the Draft Kildare County Development Plan 2017-2023 providing an update on the status of water services in the County and also seeking the inclusion of a number of objectives in relation to water services in the Draft Plan. The submission specifically welcomes Material Alteration Ref. Chapter 7 No. 1 and No. 2.</p>	<p>Chief Executive's Response The issues raised in the submission from Irish Water are noted.</p> <p>Chief Executive's Recommendation No change recommended.</p>

<p>Material Alteration Ref. Chapter 7 –No. 3</p> <p>Irish Water's submission notes that Milltown is a Rural Settlement. Proposed objective WW14 seeks to consult with Irish Water to investigate the feasibility of providing increased waste water treatment capacity to Milltown. Irish Water advises that it is their objective to provide strategic infrastructure to meet the domestic requirements of the Settlement Strategies and Core Strategies of Development Plans prepared in accordance with the NSS and RPGs. Irish Water will endeavour to secure the provision of the infrastructure necessary to support the evolving population change and economic activity, in line with the availability of necessary capital investment and in compliance with environmental objectives and regulations.</p>	
<p>31. Dublin Airport Authority</p>	
<p>The Dublin Airport Authority has no observations to make in relation to the proposed Material Alterations to the Draft Plan.</p>	<p>Chief Executive's Response Noted.</p> <p>Chief Executive's Recommendation No change recommended.</p>

4.5 SUMMARY OF ISSUES RAISED

Volume 1

Chapter 2 Core Strategy

Summary of Issues Raised	Response & Recommendation
<p>16. Celbridge Community Council</p>	
<p>Celbridge Community Council is disappointed to see that no amendments are proposed to Chapter 2 Core Strategy, Section 2.3.1.2 Population Density 2011. This submission reiterates that the text contained in this section of the Draft Plan erroneously interprets AIRO data. The statement is considered to incorrectly interpret AIRO population density data: <i>'It varies significantly from concentrations of over 3,000 persons per square kilometre in major urban centres like Naas, Newbridge, Leixlip and Athy to more sparsely population rural areas in the west and south of the county.'</i></p> <p>The AIRO data that is referenced clearly indicates that none of the 4 towns listed actually has a density of over 3000 per km²</p> <p>Athy has 803 per km² Naas has 1,139 per km² Leixlip has 2,381 per km² Maynooth has 2,443 per km²</p> <p>It is requested that the layer of interpretation of AIRO data be removed from this section and that the AIRO analysis of Census data be included and allowed to speak for itself.</p>	<p>Chief Executive's Response</p> <p>This submission does not relate to a specific Material Alteration.</p> <p>The population density data in Section 2.3 is based on analysis of Census 2011 data by the All Ireland Research Observatory (AIRO). Information is provided at Town and MD level to outline the baseline situation within the County at the time of preparation of the Draft County Development Plan.</p> <p>The anomaly raised in the submission is acknowledged. However, it should be noted that this AIRO report is a document publically available to view on the Council's website and the information contained therein was used as a resource in the preparation of the Draft Plan. The anomaly outlined does not materially affect any of the policies or objectives contained in the Draft Plan or proposed Material Alterations.</p> <p>Chief Executive's Recommendation</p> <p>No change recommended. This does not relate to a specific Material Alteration and therefore cannot be considered at this stage.</p>

23. Le Monde Holdings	
<p>Clane is designated in the Settlement Hierarchy as a Small Town in Table 2.2 of the Draft Plan. It is submitted that under Chapter 2 Core Strategy, that Clane is elevated from <i>Small Town</i> to <i>Moderate Sustainable Growth Town</i> in Table 2.2 of the Draft Plan.</p> <p>It is submitted that Clane has the population, infrastructure and services in place to fulfil the requirements of a Moderate Sustainable Growth Town.</p>	<p>Chief Executive's Response</p> <p>This submission does not relate to a specific Material Alteration and therefore cannot be considered at this stage.</p> <p>The Planning and Development (Amendment) Act 2010 places an obligation on the planning authority to prepare a Core Strategy (inc. Settlement Strategy) that is consistent, as far as practicable, with the national and regional development objectives of the National Spatial Strategy and Regional Planning Guidelines. Moderate Sustainable Growth Towns are designated at Regional level and small towns and villages are defined at a county level through the Development Plan based on the descriptions set out in the RPGs.</p> <p>The Settlement Strategy in the Draft Plan is derived from and consistent with the Settlement Strategy set out in the Regional Planning Guidelines for the Greater Dublin Area (2010-2022). Clane is not identified as a Moderate Sustainable Growth Town in the RPGs and cannot be identified as such in the County Development Plan.</p> <p>Chief Executive's Recommendation</p> <p>This submission does not relate to a specific Material Alteration and therefore cannot be considered at this stage. No change recommended.</p>

24. Martin Lee (Doyle Kent Planning Partnership)

This submission urges the Council to ensure that sufficient land is zoned to meet the growing needs of the population. In this regard, it is submitted that attention should be drawn to Planning and Development Act, 2000, as amended by the Urban Regeneration and Housing Act, 2015. The Act emphasises the need to zone adequate areas of land and in this regard states:

*95(1)(a) In conjunction with the inclusion of the housing strategy in its development plan, a planning authority shall, having regard to the overall strategy for the proper planning and sustainable development of the area of the development plan referred to in section 10, ensure that sufficient and suitable land is zoned for residential use, or for a mixture of residential use, or for a mixture of residential and other uses, to meet the requirements of the housing strategy and to **ensure that a scarcity of such land does not occur at any time during the period of the development plan.***

Material Alteration Ref. Chapter 2 – No. 3

It is stated in this submission that Table 2.4 of the Proposed Material Alterations shows that, in the 2011 population growth and housing provision in Kildare for 2016 were not met. But, whereas the shortfall in population growth (12,292 persons) was only in the region of 5 % of the target, the provision of housing units was almost 14% below target at 13,002 (target 93,748 but actual provision only 80,746 units).

Chief Executive's Response

This item refers to Material Alteration Ref. Chapter 2 – No. 3 regarding revised population allocations and including reference to the Preliminary 2016 Census figures.

Growth targets have been allocated to settlements based on the RPG targets and RPG policy requirements. It is a requirement of the RPGs that a minimum of 35% of overall growth is directed into the Metropolitan area (Maynooth, Celbridge, Leixlip and Kilcock) and the remaining 65% to the Hinterland area (Figure 2.4 refers).

A number of submissions made in respect of the Draft CDP queried the proportion of the County's housing growth allocated to Celbridge (13.2%) a Moderate Sustainable Growth Town (Tier 3), relative to Maynooth (10.9%) and Leixlip (7%) designated as Large Growth Towns (Tier 2). Taking account of the RPG designations it is proposed to reallocate a proportion of the County's growth from Celbridge to Leixlip to better reflect the RPG designations and to ensure that the CDP when adopted is consistent with the objectives of the RPGs (MA Chapter 3 – No. 6).

The new housing allocations for Leixlip and Celbridge proposed in the material alterations appropriately reflect their status in the current Regional Planning Guidelines 2010-2022 and hierarchal position within the metropolitan area of the Greater Dublin Area.

The approach is considered to be consistent with the RPGs objective to consolidate growth in the GDA Metropolitan Area, in towns well served with public transport

<p>In this context, the revised draft Kildare County Development Plan target for 2023 reasonably envisages a very substantial increase in housing provision between now and that year, of 32,497 units or almost 40%. But, this is allocated predominantly to areas outside the Metropolitan Area at a ratio of 65:35. We consider that the Metropolitan Area is the most appropriate location for such growth. Celbridge is centrally placed within the Greater Dublin Area Metropolitan Area, as shown in Chapter 2 of the Draft Development Plan. The new National Transport Agency Transport Strategy for the Greater Dublin Area 2016-2035, includes the extension of DART services as far as Hazelhatch, immediately adjacent to Celbridge.</p> <p>Table 3.3 of the Proposed Material Alterations sets out revised targets for housing and population in all settlements in the county. There has been a reallocation of new housing targets, compared with the previous version of the Draft Development Plan, whereby roughly one thousand new units have been removed from Celbridge and transferred to Leixlip. The 2023 target for Celbridge for 4,224 units to 3,250 units. This seems at variance with the need to consolidate growth in the GDA Metropolitan Area, in towns well served with public transport services. The reason for this change is not clear and it is requested that the Council re-examine this proposal.</p>	<p>services, given the status of Leixlip as a Growth Town within the Metropolitan Area and the presence of 2 no. suburban rail stations in this settlement.</p> <p>Chief Executive's Recommendation</p> <p>No change. It is recommended that the County Development Plan be made with the proposed Material Alteration as displayed.</p>
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Chapter 3 Settlement Strategy

Summary of Issues Raised	Response & Recommendation
15. Cairn PLC	
<p>Material Alteration Ref. Chapter 3 – No. 4</p> <p>The need for additional zoned land in the metropolitan area (Leixlip, Maynooth, Celbridge and Kilcock) is acknowledged by Cairn PLC to cater for the projected population increases for Naas and Maynooth in Table 3.3 of the Plan. However, it is submitted that the allocation of units does not take account of current infrastructure deficiencies of Leixlip Wastewater Treatment Plant which currently restricts the delivery of homes in the metropolitan area. Whilst Irish Water are aware of this issue, it is not included in their work programme up to 2018 and therefore it is unrealistic to expect homes to be delivered in the metropolitan area during this time.</p> <p>It is submitted that the only top tier town in the settlement hierarchy that can accommodate more dwellings for County Kildare is Naas. The number of new units identified for Leixlip up to 2023 is unbalanced and unsustainable and could only be delivered through significant development on Greenfield sites and requires co-operation and funding from Irish Water. The sustainable location of such growth close to the railway station is acknowledged; however the land is currently unserved and rural in nature and will not be developed within the lifetime of this plan.</p>	<p>Chief Executive's Response</p> <p>This submission refers to Material Alteration Ref. Chapter 3 – No. 4.</p> <p>Growth targets have been allocated to settlements based on the RPG targets and RPG policy requirements. It is a requirement of the RPGs that a minimum of 35% of overall growth is directed into the Metropolitan area (Maynooth, Celbridge, Leixlip and Kilcock) and the remaining 65% to the Hinterland area (including Naas) (Figure 2.4 refers). Of the proportion allocated to the Hinterland, in line with national and regional policy to direct growth into designated growth centres, a minimum of 60% of the allocation is directed to the main urban centres (Naas, Newbridge, Kildare, Monasterevin, Athy and Kilcullen) with the remaining 40% to small towns, villages and the rural countryside. An alteration of population growth allocation from Leixlip in the Metropolitan Area to Naas in the Hinterland Area would be contrary to the Regional Planning Guidelines.</p> <p>In response to the comments regarding the capacity of infrastructure in Leixlip, it should be noted that Leixlip Waste Water Treatment Plant (WWTP) is currently being upgraded to cater for an expanding population within the Lower Liffey Valley catchment and for locally based commercial activities. Upon completion the capacity of Leixlip WWTP will be 150,000 population equivalent (PE).</p> <p>In compliance with its status in the Regional Planning Guidelines for the Greater Dublin Area 2010 – 2022, Naas has been afforded the most significant settlement</p>

<p>It is suggested that Naas has significant capacity to accommodate additional homes for the following reasons:</p> <ul style="list-style-type: none"> - Proximity to Kildare Railway Line; - M7 Widening and Sallins Bypass; - Upgrade of Osberstown Waste Water Treatment Plant; - Limited amount of residential zoned land available; - Availability of Service Land (currently not residentially zoned) along the ring road to the south of the town. <p>It is requested that 40 % of the additional 1,075 units being proposed to be allocated to Leixlip is reallocated to other settlement in the county, the majority of which should be Naas as it can deliver them within the lifetime of the plan.</p>	<p>status in Kildare being the only Large Growth Town 1 in the county, and also being a Primary Economic Growth Town linked with Newbridge and supported by Kilcullen in the Hinterland area. The Draft Plan has allocated significant growth for Naas both in terms of population growth/new housing allocation and expanding its economic profile.</p> <p>Chief Executive's Recommendation</p> <p>No change. It is recommended that the County Development Plan be made with the proposed Material Alteration as displayed.</p>
<p>16. Celbridge Community Council</p>	
<p>Material Alteration Ref. Chapter 3 –No. 3</p> <p>Section 3.8</p> <p>It is proposed that rather than delete policy SS5 in its entirety, replace it with alternative wording as follows:</p> <p>SS 5: To provide that where infrastructural deficits within a particular growth area cannot be overcome within the period of this Plan, the growth anticipated for that development centre will be allocated to other serviced town within that level or to serviced towns at a higher level of the Settlement Hierarchy curtailed</p>	<p>Chief Executive's Response</p> <p>This item refers to Material Alteration Ref. Chapter 3 – No. 2 and No. 3 as proposed:</p> <p>SS 4: <i>To review the zoning of lands phase lands for development where in instances where over zoning has occurred and to consider alternative land use zoning objectives to reduce the quantum of housing lands in the first instance. The phased development of housing lands will be considered as a secondary solution only. Phasing will be based on a clear sequential approach with the zoning extending outwards from the town/village core. A strong emphasis will also be placed on encouraging infill opportunities and better use of underutilised lands with options and opportunities for</i></p>

<p>pending rectification of the infrastructural deficits.</p>	<p>brownfield/regeneration prioritised.</p> <p>SS 5: To provide that where infrastructural deficits within a particular growth area cannot be overcome within the period of this Plan, the growth anticipated for that development centre will be allocated to other serviced towns within that level or to serviced towns at a higher level of the Settlement Hierarchy.</p> <p>It should be noted that the proposal to revise policy SS 4 and to omit policy SS 5 arose on foot of a submission from the Eastern and Midland Regional Assembly (Sub. No. 2) to the Draft CDP.</p> <p>Following consideration by the Planning Authority, this Material Alteration was proposed in order is to ensure consistency and alignment with the principles of sustainable growth strategy of the Core Strategy and RPGs and to ensure that the approach to the zoning of land and its implementation is in accordance with the Planning and Development (Amendment) Act 2010 and the Core Strategy Guidance Note 2010. Therefore this proposed material alteration should remain and policy SS 5 should not be included in the Draft Plan.</p> <p>Chief Executive's Recommendation</p> <p>No change. It is recommended that the County Development Plan be made with the proposed Material Alteration as displayed.</p>
<p>Material Alteration Ref. Chapter 3 – No. 4</p> <p>Table 3.3 Settlement Hierarchy and Population and Housing Unit Allocation</p> <p>Celbridge Community Council supports this proposed amendment which reduces growth allocation for Celbridge but recommends that the figures</p>	<p>Chief Executive's Response</p> <p>The Core Strategy is required to be consistent with the population forecasts and housing targets set out in the RPG's. Table 3.3 lists population forecasts and housing targets for the year 2023 using RPG methodology, as this methodology was used to determine the housing targets for County Kildare based on the RPG population</p>

in Table 3.3 be reviewed in the interest of accuracy. Using the figures for Celbridge (rounded for simplicity) as an example, the population forecast for 2023 does not tally with the dwellings forecast.

Chapter 3, No. 4 Table 3.3 (Settlement Hierarchy and Population and Housing Unit Allocation). Using the figures for Celbridge (rounded below for simplicity) as an example, the population forecast for 2023 does not tally with the dwellings forecast.

Celbridge		
2011 (Population)		
2016 (Population)		
2011 (Dwellings)		
2016 (Dwellings)		
2016-2023 Growth	10.00%	Reduction from 13.2%
2016-2023 Dwellings Target	3,250	Reduction from 4,224
2023 Dwellings Forecast	10,333	
2023 Population Forecast	22,801	Increase of only 2,170 66.66% of a person will inhabit each new dwelling

allocations.

For Celbridge an average household size of 2.4 persons is applied across all households (existing and new) and a housing stock vacancy rate of 6.5% is assumed. The council is satisfied that Table 3.3 is in accordance with the RPG methodology.

Chief Executive's Recommendation

No change. It is recommended that the County Development Plan be made with the proposed Material Alteration as displayed.

21. Killross Properties Ltd	
<p>Material Alteration Ref. Chapter 3 –No. 6</p> <p>It is requested that proposed new objective SO 12 is further amended to include the text <i>'and/or to the south of the Dublin Sligo rail corridor and to the west of the R449 at Collinstown'</i> to read as follows:</p> <p>SO 12: To investigate, in consultation with government departments, statutory agencies and stakeholders, options for the future growth of Leixlip, including the feasibility of developing a new residential district to the north of the Dublin – Sligo rail corridor and/or to the south of the Dublin Sligo rail corridor and to the west of the R449 at Collinstown. The Regional Planning Guidelines designate Leixlip as a Large Growth Town II within the metropolitan area of Dublin. The future growth strategy for Leixlip should be consistent with emerging regional and national spatial planning policy, represent efficient use of public investment in infrastructure and facilities (transport, water, waste water and roads) and seek to minimise impacts on the environment.</p> <ul style="list-style-type: none"> • Having regard to the spatial context and characteristics of the established urban area, the location of public and private transportation infrastructure, the location of major employment centres and educational, community, retail, recreational and services amenities, it is submitted that Collinstown represents a highly integrated and sustainable location for the future plan-led expansion of the residential base of the town. The Draft Leixlip Local Area Plan currently on display provides the opportunity to 	<p>Chief Executive's Response</p> <p>This item refers to Material Alteration Ref. Chapter 3 – No. 6 as proposed:</p> <p>Section 3.9 Settlement Strategy Objectives <i>Insert a new objective SO 12 in Section 3.9 Settlement Strategy Objectives as follows:</i></p> <p><i>SO 12: To investigate, in consultation with government departments, statutory agencies and stakeholders, options for the future growth of Leixlip, including the feasibility of developing a new residential district to the north of the Dublin – Sligo rail corridor. The Regional Planning Guidelines designate Leixlip as a Large Growth Town II within the metropolitan area of Dublin. The future growth strategy for Leixlip should be consistent with emerging regional and national spatial planning policy, represent efficient use of public investment in infrastructure and facilities (transport, water, waste water and roads) and seek to minimise impacts on the environment.</i></p> <p>Leixlip (including Collinstown) is designated as a Level 2 Major Town Centre/ Metropolitan Area Major Town and this is acknowledged in the Draft County Development Plan.</p> <p>The lands at Collinstown are also considered to be well positioned to accommodate significant employment, business and technology uses that will support the role of Leixlip as a Primary Economic Growth Town. The proximity of this greenfield area to the Intel and HP campuses creates opportunities for an expansion of the existing economic cluster at this location, supported by its proximity to the strategic road</p>

address the appropriate distribution and mix of uses within the established urban boundary envelope, including Collinstown.

- It is submitted that it is appropriate for the County Development Plan to make provision for the opportunities presented by the strategic landbank at Collinstown to provide for the sustainable expansion of the urban area and for the early delivery of housing on zoned and serviced lands which are not the subject of any development constraints.
- In this regard, it is considered that Killross Properties and the subject lands can make a significant contribution to the implementation of the Housing Strategy for the County as contained in the Draft Plan. Killross Properties is an active House Building company in the Kildare area and is currently at an advanced stage on a current planning application for housing development on lands at Collinstown to the east of the R449. Cronin Sutton Consulting Engineers on behalf of Killross has designed a pedestrian bridge across the R449. Killross can deliver this bridge, providing enhanced and immediate connectivity from the lands to the east for sustainable walking and cycling modes.
- It is submitted that having regard to the opportunities presented by the Collinstown lands to the successful implementation of the Core and Housing Strategies of the County Development Plan, and the inherent suitability and unconstrained status of the lands for the early delivery of housing, the Council is requested to incorporate the proposed amendment in the interests of the proper planning and sustainable development of the area.

network and the rail network.

The lands at Collinstown are considered to be severed from existing residential communities in Leixlip by the R449 dual carriageway and as a result peripheral to and remote from the historic core of the town and established social and community facilities within the town. It is not, therefore, considered appropriate to revise Material Alteration Ref. Chapter 3 –No. 6.

Chief Executive's Recommendation

No change. It is recommended that the County Development Plan be made with the proposed Material Alteration as displayed.

22. Kingscroft Development Ltd.	
<p>Material Alteration Ref. Chapter 3 – No. 1</p> <p>It is requested that the following proposed amendment is revised to read as follows (proposed new text in blue):</p> <p>Section 3.6 Development Capacity Amend Section 3.6 as follows:</p> <p>Table 3.4 details the development capacity of undeveloped zoned and un-zoned identified housing lands in the county. The number of housing units granted planning permission within the last five years and not built is also provided for each town and village. This information was sourced from a Housing Land Availability Study carried out for 2015, and updated where appropriate. The capacity of zoned lands in Local Area Plan (LAPs), Environs Plans, Village Plans and Settlement Plans is set out in addition to the capacity assigned to rural areas. While Table 3.4 illustrates that sufficient land is zoned to cater for the housing demands of the county up to 2023 and beyond, the location of zoned land does not fully accord with the housing allocations in the settlement strategy as outlined in Table 3.3. While sufficient land is zoned to cater for the housing demands of the county up to 2023 and beyond some Towns, Villages and Settlements have surplus capacity relative to the Core Strategy allocation and some have a shortfall. The zoning surpluses and shortfalls that are identified in Table 3.4 will be reviewed through the relevant land use plans. In this regard, there shall be no presumption in law that any land zoned in a particular development plan (including a development plan that has been varied) shall remain so zoned in any subsequent development plan”</p>	<p>Chief Executive's Response</p> <p>This submission relates to Material Alteration Ref. Chapter 3 – No. 1 as proposed:</p> <p>Section 3.6 Development Capacity <i>Amend Section 3.6 as follows:</i></p> <p><i>In order to implement the settlement strategy of this Plan, an understanding of the existing development capacity within each of the designated towns and villages is required. It should also be noted that the relevant requirements of the Habitats Directive and the River Basin Management Plans and Flood Risk Assessment may also impact on the development potential of particular areas.</i></p> <p><i>Table 3.4 details the development capacity of undeveloped zoned and un-zoned identified housing lands in the county. The number of housing units granted planning permission within the last five years and not built is also provided for each town and village. This information was sourced from a Housing Land Availability Study carried out for 2015, and updated where appropriate. The capacity of zoned lands in Local Area Plans (LAPs), Environs Plans, Village Plans and Settlement Plans is set out in addition to the capacity assigned to rural areas. While Table 3.4 illustrates that sufficient land is zoned to cater for the housing demands of the county up to 2023 and beyond, the location of zoned land does not fully accord with the housing allocations in the settlement strategy as outlined in Table 3.3. While sufficient land is zoned to cater for the housing demands of the county up to 2023 and beyond some Towns, Villages and Settlements have surplus capacity relative to the Core Strategy allocation and some have a shortfall. The zoning surpluses and shortfalls that are</i></p>

(Section 10(8) of the Planning and Development Acts 2000-2015 refers). In the first instance, where planning permissions have been granted on zoned lands previously, these lands shall retain their land use zoning status as per the development use permitted. To address surplus zoning, alternative land use zonings will be considered in the first instance on lands where no planning permissions have been granted previously to address surplus zoning. In the event that surplus zonings are retained on lands where no planning permissions have been granted previously, the development of lands will be subject to a sequential phasing approach, with phases extending outwards from the town or village core to more peripheral lands.

Three of the four Metropolitan towns in the north east of the county have insufficient zoned land to cater for the target allocation over the period of this Plan. Kilcock has a slight oversupply while both Leixlip, Maynooth and Celbridge have an undersupply. Within the Hinterland area the towns of Kildare, Athy and Sallins have surplus capacity for residential development. This will be addressed through the relevant LAPs.

Strategic policies to control phasing of land are set out in the Kildare LAP and a similar approach can be adopted for the forthcoming Athy LAP to ensure compliance with the provisions of the Settlement Strategy. The Sallins LAP was adopted on 9th March 2016 and is the subject of a draft Ministerial Direction pursuant to Section 31 of the Planning and Development Act 2000 (as amended) in relation to the zoning of land.

Volume 2 of the Draft Kildare County Development Plan 2017-2023 sets out a planning framework for the future development of each of the Small

identified in Table 3.4 will be reviewed through the relevant land use plans. In this regard, there shall be no presumption in law that any land zoned in a particular development plan (including a development plan that has been varied) shall remain so zoned in any subsequent development plan" (Section 10(8) of the Planning and Development Acts 2000-2015 refers). Alternative land use zonings will be considered in the first instance to address surplus zoning. In the event that surplus zonings are retained the development of lands will be subject to a sequential phasing approach, with phases extending outwards from the town or village core to more peripheral lands.

Three of the four Metropolitan towns in the north east of the county have insufficient zoned land to cater for the target allocation over the period of this Plan. Kilcock has a slight oversupply while both Leixlip, Maynooth and Celbridge have an undersupply. Within the Hinterland area the towns of Kildare, Athy and Sallins have surplus capacity for residential development. This will be addressed through the relevant LAPs.

Strategic policies to control phasing of land are set out in the Kildare LAP and a similar approach can be adopted for the forthcoming Athy LAP to ensure compliance with the provisions of the Settlement Strategy. The Sallins LAP was adopted on 9th March 2016 and is the subject of a draft Ministerial Direction pursuant to Section 31 of the Planning and Development Act 2000 (as amended) in relation to the zoning of land.

Volume 2 of the Draft Kildare County Development Plan 2017-2023 sets out a planning framework for the future development of each of the Small Towns, Environs, Villages and Rural Settlements. Section 1 sets out the planning framework for the six small towns with a population of under 5,000 people (Kill, Prosperous, Rathangan, Athgarvan, Derrinturn and Castledermot). Section 2 sets out the land use

<p>Towns, Environs, Villages and Rural Settlements. Section 1 sets out the planning framework for the six small towns with a population of under 5,000 people (Kill, Prosperous, Rathangan, Athgarvan, Derrinturn and Castledermot). Section 2 sets out the land use strategy for the Villages and Rural Settlements. The planning framework for all towns, environs areas, villages and rural settlements accords with their designated role within the overall core strategy.</p>	<p><i>strategy for the Villages and Rural Settlements. The planning framework for all towns, environs areas, villages and rural settlements accords with their designated role within the overall core strategy.</i></p> <p><i>A strategic land use and transportation study of north east Kildare including the Metropolitan area towns of Leixlip, Maynooth, Celbridge and Kilcock involving all strategic stakeholders (including Meath, Fingal and South Dublin County Councils) will be prepared, which will inform the future planning and development of this area.</i></p> <p>Whilst the points raised in the submission are noted, particularly in relation to where planning permission has been previously granted on residential zoned lands, it is considered that the approach and wording proposed in the Material Alteration is consistent with the national guidance set out under the DoEHLG Circular PSSP6/2010 'Guidance Note on Core Strategies' issued in November 2010, which set out guidance on managing over zoning. Future land use zonings will be determined in accordance with the terms of the Planning and Development Act, Section 28 Guidance and other relevant government policy during the review of Local Area Plans. It is considered inappropriate to include statements within the CDP that have the potential to prejudice compliance with relevant guidance at the time of plan preparation.</p> <p>Chief Executive's Recommendation</p> <p>No change. It is recommended that the County Development Plan be made with the proposed Material Alteration as displayed.</p>
<p>Material Alteration Chapter 3 – No. 2</p> <p>It is requested to amend policy SS 4 and delete policy SS 5 from Section 3.8 Settlement Strategy Policies, as follows (proposed new text in blue):</p>	<p>Chief Executive's Response</p> <p>This submission relates to Material Alteration Ref. Chapter 3 – No. 2 and No. 3 as</p>

SS 4: To **review the zoning of lands** phase lands for development where **in instances** where over zoning has **occurred through retaining lands zoned where planning permissions have been granted previously in the first instance and. To consider alternative land use zoning objectives on lands where no planning permissions have been granted previously to reduce the quantum of housing lands in the first instance as a secondary solution. The phased development of housing lands will be considered as a secondary tertiary solution only.**

~~Phasing will be based on a clear sequential approach with the zoning extending outwards from the town/village core. A strong emphasis will also be placed on encouraging infill opportunities and better use of underutilised lands with options and opportunities for brownfield /regeneration prioritised.~~

proposed:

*SS 4: To **review the zoning of lands** phase lands for development where **in instances** where over zoning has **occurred and to consider alternative land use zoning objectives to reduce the quantum of housing lands in the first instance. The phased development of housing lands will be considered as a secondary solution only. Phasing will be based on a clear sequential approach with the zoning extending outwards from the town/village core. A strong emphasis will also be placed on encouraging infill opportunities and better use of underutilised lands with options and opportunities for brownfield /regeneration prioritised.***

~~SS 5: To provide that where infrastructural deficits within a particular growth area cannot be overcome within the period of this Plan, the growth anticipated for that development centre will be allocated to other serviced towns within that level or to serviced towns at a higher level of the Settlement Hierarchy.~~

This proposed material alteration to revise policy SS 4 and to omit policy SS 5 arose on foot of a submission received from the Eastern Midlands Regional Authority (Sub. No. 2) to the Draft CDP.

This material alteration was proposed by the Planning Authority to address the submission from the Eastern and Midland Regional Assembly which requested the Planning Authority to ensure consistency and alignment with the principles of sustainable growth strategy of the Core Strategy and RPGs and to ensure that the approach to the zoning of land and its implementation is in accordance with the Planning and Development (Amendment) Act 2010 and the Core Strategy Guidance Note 2010. Therefore no further change to this proposed material alteration is considered necessary

	<p>Chief Executive's Recommendation</p> <p>No change. It is recommended that the County Development Plan be made with the proposed Material Alteration as displayed.</p>
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Chapter 4 Housing

Summary of Issues Raised	Response & Recommendation
9. Cllr. Sorcha O' Neill Sinn Fein	
It is requested that more encouragement is given to planners and architects to provide more access friendly accommodation for older persons and persons with disabilities in new residential developments of any size.	Chief Executive's Response This submission does not relate to a specific Material Alteration and therefore cannot be considered at this stage. Chief Executive's Recommendation No change recommended.

Chapter 5 Economic Development, Enterprise and Tourism

Summary of Issues Raised	Response & Recommendation
7. Fáilte Ireland	
<p>This submission reiterates what was submitted by Fáilte Ireland at the previous public consultation stage. Fáilte Ireland seeks to enhance the policy coverage in the new Development Plan to ensure a meaningful framework is established for the enhancement of tourism in the County and the wider region, during the Plan period.</p> <p>The significant number of alterations recommended on foot of Fáilte Ireland's submission are acknowledged. It is requested that a small number of additional recommendations as outlined in the original submission would further strengthen the tourism policies and objectives of the Kildare County Development Plan as follows:</p> <ul style="list-style-type: none"> (i) The inclusion of additional information on Ireland's Ancient East i.e. key objectives of the Ireland's Ancient East; (ii) Removal of all references to the Kildare-Wicklow Grand Tour and replacement with text of the collaboration between Kildare County Council and Fáilte Ireland on other Kildare Wicklow experiences which are aligned to and deliver on the Ireland's 	<p>Chief Executive's Response</p> <p>The support for the significant number of alterations in response to Fáilte Ireland submission is noted. The County Development Plan is a strategic document containing broad support to the various tourism initiatives, plans and policies. Specific information provided by Fáilte Ireland that is not spatial in nature will provide an important resource for the preparation of the Kildare Tourism Strategy.</p> <p>Chief Executive's Recommendation</p> <p>No change recommended.</p> <p>Chief Executive's Response</p> <p>(i) This submission does not relate to a specific Material Alteration and therefore cannot be considered at this stage.</p> <p>Chief Executive's Recommendation</p> <p>No change recommended.</p> <p>Chief Executive's Response</p> <p>(ii) This submission does not relate to a specific Material Alteration and therefore cannot be considered at this stage.</p>

<p>Ancient East Brand promise;</p> <p>(iii) Inclusion of new Tourism and Heritage Objectives and Policies as follows:</p> <p><i>(a) To support the implementation of the Ireland's Ancient East by facilitating the provision of orientation information in line with the policies and objectives with respect to heritage sites; and integrating the objectives of Ireland's Ancient East with transport programmes in the County;</i></p> <p><i>(b) Encourage and support the provision of foreign language interpretation tools in order to ensure the appropriate interpretation and appreciation of the county's heritage asset.</i></p>	<p>Chief Executive's Recommendation No change recommended.</p> <p>Chief Executive's Response (iii) Arising from the submission from Fáilte Ireland (Sub. No. 60) to the Draft Plan, a number of suggested text changes were proposed as material alterations that strengthen the spatial planning policies and objectives of this section. The provision of orientation and foreign language signage/ information is not considered to be spatial in nature and therefore it would not be appropriate to include such a policy in the County Development Plan. The suggested information in relation to Ireland's Ancient East will however inform the Kildare Tourism Strategy.</p> <p>Chief Executive's Recommendation No change recommended.</p>
<p>16. Celbridge Community Council</p>	
<p>Material Alteration Chapter 5 – No. 9</p> <p>Section 5.16 Tourism and Kildare's Economy Celbridge Community Council supports this proposed Material Alteration.</p>	<p>Chief Executive's Response Noted</p> <p>Chief Executive's Recommendation No change recommended.</p>
<p>Material Alteration Chapter 5 – No. 20</p> <p>Section 5.20 Heritage Tourism</p>	<p>Chief Executive's Response Noted</p>

<p>Celbridge Community Council supports this proposed Material Alteration.</p>	<p>Chief Executive's Recommendation No change recommended.</p>
<p>20. Keep Ireland Open</p>	
<p>Material Alteration Chapter 5 – No. 12, No. 16, No.17, No. 22 & No. 24</p> <p>It is submitted that there is an omission re Objective EO 37 as follows:</p> <p>The Minutes record that Objective EO 37 should be amended by the inclusion of the Grand Canal Greenway.</p>	<p>Chief Executive's Response</p> <p>This submission refers to Material Alterations Ref. Chapter 5 –No. 9 as set out in the Material Alterations Report (November 2016), to amend objective EO 37. This material alteration includes reference to the Grand Canal Greenway, therefore no further change is recommended.</p> <p><i>EO 37: To support the expansion and development of tourism in Kildare, investigating the feasibility of key opportunities such as those centred on the racing industry, retail, golf and eco-tourism to include: Arthur's Way, the Dublin – Galway Greenway, the Barrow Blueway, the Shackleton Trail, the Gordon Bennett Route, the Grand Canal Greenway and other opportunities.</i></p> <p>Chief Executive's Recommendation No change. It is recommended that the County Development Plan be made with the proposed Material Alteration as displayed.</p>

Chapter 6 Movement and Transport

Summary of Issues Raised	Response & Recommendation
8. Meath County Council	
<p>Material Alteration Ref Chapter 6 – No. 33</p> <p>It is submitted that Meath County Council supports Material Alteration Chapter 6- No. 33 <i>'to examine options in conjunction with South Dublin County Council, Fingal County Council, Meath County Council, Transport Infrastructure Ireland and other statutory agencies for the delivery of an orbital link road from the M4 at Leixlip to the R419 in Fingal and to the M3 in Meath.'</i></p> <p>The development of this route would assist in the realisation of the objective particularly in relation to economic development proposals in the Dunboyne/Clonee area set out within the Meath County Development Plan 2013-2019 and improve access to the Dublin City Region.</p>	<p>Chief Executive's Response Noted</p> <p>Chief Executive's Recommendation No change recommended.</p>
<p>Material Alteration Ref Chapter 6- No. 34</p> <p>Meath County Council welcomes the recognition of the strategic importance of the proposed Leinster Orbital Route and the acknowledgement of the need for co-operation between the National Transport Authority, Transport Infrastructure Ireland, Louth Meath and Kildare County Councils in clarifying and finalising the route linking the strategic centres of Drogheda, Navan, Trim and Naas.</p>	<p>Chief Executive's Response Noted</p> <p>Chief Executive's Recommendation No change recommended.</p>

14. Bord na Mona	
<p>Material Alteration Ref. Chapter 6 – No. 8</p> <p>Section 6.3 Movement and Transportation</p> <p>It is proposed to revise the proposed new policy to read as follows:</p> <p>MT 15: (i) To seek to channel HGV traffic associated with landfill and extractive sites onto the regional and national road networks insofar as possible.</p> <p>(ii) To seek appropriate contributions to ensure that the full cost of road improvements associated with the development is borne by the developer <u>towards the cost of road improvements which benefit the development, in accordance with Section 48 of the Planning and Development Act 2000, as amended.</u></p>	<p>Chief Executive's Response</p> <p>This submission relates to Material Alteration Ref. Chapter 6 –No. 8. In the interest of clarity and consistency, it is considered reasonable to revise policy MT 15 to reflect the relevant section of the Planning and Development Act 2000 (as amended).</p> <p>Chief Executive's Recommendation</p> <p>Amend proposed Material Alteration Ref. Chapter 6 –No. 8 to read as follows:</p> <p>MT 15: (i) To seek to channel HGV traffic associated with landfill and extractive sites onto the regional and national road networks insofar as possible.</p> <p>(ii) To seek appropriate contributions <u>towards the cost of road improvements which benefit the development, in accordance with Sections 48 or 49 of the Planning and Development Act 2000, as amended.</u></p>
16. Celbridge Community Council	
<p>Material Alterations Ref. Chapter 6 – No. 1, 3, 4, 9, 10, 11, 12, 14, 15</p> <p>Celbridge Community Council wishes to support references to the role of and collaboration with the National Transport Authority in proposed Material Alteration Numbers 1, 3, 4, 9, 10, 11, 12, 14, 15).</p>	<p>Chief Executive's Response</p> <p>Noted</p> <p>Chief Executive's Recommendation</p> <p>No change recommended.</p>

<p>Material Alteration Chapter 6 – No. 9, No. 11, No. 20 and No. 33</p> <p>Section 6.3 Movement and Transportation</p> <p>Celbridge Community Council supports these proposed Material Alterations.</p>	<p>Chief Executive's Response</p> <p>Noted</p> <p>Chief Executive's Recommendation</p> <p>No change recommended.</p>
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Chapter 7 Infrastructure

Summary of Issues Raised	Response & Recommendation
6. Irish Water	
<p>Material Alteration Ref. Chapter 7 – No. 1 and 2</p> <p>The submission acknowledges the Proposed Material Alterations to the Draft Plan and has the following comments to make;</p> <p>(i) Material Alteration Ref. Chapter 7 No. 1 and No. 2</p> <p>Irish Water made a submission to the Draft Kildare County Development Plan 2017-2023 providing an update on the status of water services in the County and also seeking the inclusion of a number of objectives in relation to water services in the Draft Plan. The submission specifically welcomes Material Alteration Ref. Chapter 7 No. 1 and No. 2.</p> <p>(ii) Material Alteration Ref. Chapter 7 –No. 3</p> <p>Irish Water's submission notes that Milltown is identified in the Settlement Strategy as a Rural Settlement. Section 3.4.5 of the Draft Plan identifies the role of rural settlements and rural nodes to develop as local centres for rural catchments with growth appropriate to cater for local demand. Material Alteration Ref. Chapter 7 – No. 3 as proposed:</p> <p>Section 7.5.3 Wastewater</p> <p>Insert a new objective in Section 7.5.3 as follows:</p> <p>WW 14: To consult with Irish Water to investigate the feasibility of</p>	<p>Chief Executive's Response</p> <p>(i) The support of Material Alteration Ref. Chapter 7- No. 1 and No. 2 is noted.</p> <p>Chief Executive's Recommendation</p> <p>No change recommended.</p> <p>Chief Executive's Response</p> <p>(ii) Irish Water's objective to provide both drinking water and wastewater capacity to meet the domestic requirements of the Settlement Strategy and Core Strategy of the Development Plan is noted.</p> <p>Chief Executive's Recommendation</p> <p>No change recommended.</p>

<p>providing increased waste water treatment capacity to Milltown.</p> <p>In relation to Material Alteration Ref Chapter 7 – No. 3 as proposed in the Material Alterations Report (November 2016), Irish Water wishes to advise of their objective to provide both drinking water and wastewater strategic infrastructure capacity to meet the domestic requirements of the Settlement & Core Strategies of Development Plans prepared in accordance with the NSS and RPGs. Irish Water will endeavour to secure the provision of the infrastructure necessary to support the evolving population change and economic activity and is in line with the availability of necessary capital investment and in compliance with environmental objectives and regulations.</p>	
<p>14. Bord na Mona</p>	
<p>Material Alteration Chapter 7 – No. 4</p> <p>It is proposed to revise proposed new policy WM 17 proposed under MA Chapter 7 – No. 4 as follows:</p> <p>WM 17: To facilitate the development of waste management infrastructure that is of an appropriate scale and is related to the needs of the county and the Eastern and Midlands Waste Region, subject to national policy on the movement of waste, the protection of the environment, landscape character, road network and the amenities of the area.</p>	<p>Chief Executive's Response</p> <p>The Eastern and Midlands Waste Management Plan 2015-2021 provides a framework for the prevention and management of waste in the Eastern and Midlands Waste Region in accordance with national policy. The objective as proposed in MA Chapter 7 – No. 4 is considered to be in accordance with national policy.</p> <p>Chief Executive's Recommendation</p> <p>No change. It is recommended that the County Development Plan be made with the proposed Material Alteration as displayed.</p>

<p>Material Alteration Chapter 7 – No. 5</p> <p>This proposed policy is welcomed however it is requested that new policy WM18 is revised to read as follows:</p> <p>WM 18: To facilitate the ongoing operation of the Drehid waste facility in so far as operations at the facility relate to the waste management needs of the County and the Eastern and Midlands Waste Region and subject to national policy on the movement of waste, the protection of the environment, landscape character, road network and the amenities of the area.</p>	<p>Chief Executive's Response</p> <p>The Eastern and Midlands Waste Management Plan 2015-2021 provides a framework for the prevention and management of waste in the Eastern and Midlands Waste Region in accordance with national policy. The objective as proposed in MA Chapter 7 – No. 5 is considered to be in accordance with national policy.</p> <p>Chief Executive's Recommendation</p> <p>No change. It is recommended that the County Development Plan be made with the proposed Material Alteration as displayed.</p>
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Chapter 8 Energy and Communications

Summary of Issues Raised	Response & Recommendation
11. Anne Ryan	
<p>This submission opposes fracking in County Kildare. It is proposed that the following wording is inserted into the final plan:</p> <ul style="list-style-type: none"> • The local development plan will reflect the presumption against unconventional hydrocarbon exploitation in line with the Strategic Planning Policy Statement. Kildare County Council will oppose the granting of petroleum exploration licences over target strata described as shales, mud stones, coal seams and tight sandstone formations. There will be a presumption against planning applications associated with the exploration and/or development of petroleum resources situated in shales, mud – stones, tight sands and coal seams. • This submission is in favour of all Council initiatives to safeguard community assets and support community empowerment especially in regard to development of community owned renewable energy to create sustainable jobs, profit and energy for our community. 	<p>Chief Executive's Response</p> <p>This submission does not refer to a specific material alteration and therefore cannot be considered at this stage.</p> <p>Legislation on fracking is currently being considered by Government a under the '<i>Prohibition of Exploration and Extraction of Onshore Petroleum Bill 2016</i>'.</p> <p>Chief Executive's Recommendation</p> <p>This submission does not refer to a specific material alteration and therefore cannot be considered at this stage. No change recommended.</p>
19. Irish Wind Energy Association	
<ul style="list-style-type: none"> • IWEA recognises in their submission that a robust and efficient “plan led” system is required in Kildare County, and that the County 	<p>Chief Executive's Response & Recommendation</p> <p>This submission does not relate to a specific Material Alteration and therefore</p>

<p>Development Plan will be key in the responsible development and the delivery of the wide reaching economic, social and environmental benefits of Kildare's indigenous renewable resources.</p> <ul style="list-style-type: none"> • It is submitted that relevant strategic policy documents, such as the new County Development Plan, must assist in enabling Ireland to develop its natural green energy resources and meet our EU2020 targets. IWEA members are involved in developing more than 85% of the wind farm capacity that is planned to be built from now to 2020 and we continue to contribute proactively and positively to the development of local, regional and national strategic planning. • IWEA made an initial submission to the Draft plan on 13th July 2016 expressing concerns with the proposal in the Draft Plan not to carry out a Wind Energy Strategy until such time as the current review of the existing Wind Energy Development Guidelines (2006) are completed. The Chief Executive's response to the initial submission is acknowledged, however IWEA requests again that the Council commits to a specific timeline post publication of any revisions to the guidelines to have a WES in place. 	<p>cannot be considered at this stage. No change recommended.</p> <p>In relation to the preparation of a renewable energy strategy, the Department of Housing, Planning, Community and Local Government is currently reviewing the Wind Energy Development Guidelines. The Department of the Environment issued circular PL 20-13 to instruct planning authorities to postpone amending wind energy policy pending the publication of new guidance. As the timeline for publication of the updated national guidance is not known, the Council is not in a position to commit to a timeline for preparing a renewable energy strategy.</p> <p>Chief Executive's Recommendation This submission does not refer to a specific material alteration and therefore cannot be considered at this stage. No change recommended.</p>
<p>27. Deirdre Lane, Shamrock Spring</p>	
<p>This submission opposes fracking in this Council area. It is proposed to insert the following wording into the final plan: <i>The development plan will reflect the presumption against</i></p>	<p>Chief Executive's Response This submission does not refer to a specific material alteration and therefore cannot be considered at this stage.</p>

<p><i>unconventional hydrocarbon exploitation in line the Strategic Policy Planning Policy Statement. Kildare Council will oppose the granting of petroleum exploration licences over target strategy described as shales, mud-stones, coal seams and tight sandstone formations. There will be a presumption against planning applications associated with the exploration and/or development of petroleum resources situated in shales, mud-stone, tight sands and coal seams.</i></p> <p>This submission is in favour of all Council initiatives to safeguard community assets and support community empowerment especially in regard to development of community owned renewable energy to create sustainable jobs, profit and energy for our community.</p>	<p>Legislation on fracking is currently being considered by Government a under the 'Prohibition of Exploration and Extraction of Onshore Petroleum Bill 2016'.</p> <p>Chief Executive's Recommendation</p> <p>This submission does not refer to a specific material alteration and therefore cannot be considered at this stage. No change recommended.</p>
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Chapter 9 Retail

Summary of Issues Raised	Response & Recommendation
8. Meath County Council	
<p>Material Alteration Chapter 9 –No. 9</p> <p>Meath County Council support the policy proposed under MA Chapter 9 –No. 9 as follows:</p> <p><i>‘To encourage and facilitate the regeneration of land and buildings in the Kilcock Core Retail Area and other Town Centre Zoned lands.’</i></p> <p>This will ensure that Kilcock may develop in a balanced manner and provide the necessary commercial and other supporting facilities for the future population likely to be accommodated on zoned lands designated within the Meath County Development Plan 2013-2019 for the Environs of Kilcock.</p>	<p>Chief Executive’s Response Noted</p> <p>Chief Executive’s Recommendation No change recommended.</p>
16. Celbridge Community Council	
<p>Material Alteration Chapter 9 - No. 8</p> <p>Section 9.4.4 Metropolitan Area : Tier 1 Level 3 Town Centres- Celbridge and Maynooth</p> <p>Celbridge Community Council supports this proposed Material Alteration.</p>	<p>Chief Executive’s Response Noted</p> <p>Chief Executive’s Recommendation No change recommended.</p>

32 – 780 Action Alliance Celbridge (Note: Submission Numbers 32 – 781 inclusive all relate to proposed Material Alteration Ref. Chapter 9 – No. 8)	
<p>Material Alteration Chapter 9 –No. 8</p> <p>This submission supports this proposed Material Alteration.</p> <p>Section 9.4.4 Metropolitan Area: Tier 1 Level 3 Town Centres – Celbridge and Maynooth</p> <p>Amend the first Paragraph of Section 9.4.4 as follows;</p> <p>Celbridge is underperforming in meeting the needs of local people in the town and its hinterland in a more efficient and equitable way. The key opportunities for this is to be redressed satisfactorily addressed are to be identified in the forthcoming Celbridge/Castletown Local Area Plan, with due regard to the significance of the heritage of the 18th century streetscape, including buildings and their river frontages, historic houses, their settings, associated demesnes and landscapes being of significant importance. as the backlands area to the east of the town centre and Donaghcumper Demesne, with respect for the heritage and landscape of both areas being of significant importance. The new Celbridge/Castletown Local Area Plan will provide more specific detail at a local level on the most appropriate locations and extent for new retail provision and expansion within the town, taking account of heritage and landscape character.</p>	<p>Chief Executive's Response</p> <p>Noted</p> <p>Chief Executive's Recommendation</p> <p>No change recommended.</p>

Chapter 10 Rural Development

Summary of Issues Raised	Response & Recommendation
14. Bord Na Mona	
<p>Material Alteration Chapter 10 - No. 1</p> <p>It is proposed to revise Policy BL 3 to read as follows:</p> <p>BL 3: To take a balanced approach to the re-development of cutaway bogs recognising their significant landscape, environmental and heritage value. Future development should seek to conserve cutaway bogs and maximise their potential for wildlife, biodiversity, conservation and amenity, whilst the potential for economic uses such as grassland/forestry, renewable energy in some circumstances is acknowledged waste management and other industrial uses is also acknowledged, subject to the protection of the environment and landscape character.</p>	<p>Chief Executive's Response</p> <p>This submission refers to Material Alteration Ref. Chapter 10 – No. 1 as proposed:</p> <p>Section 10.5.6 Boglands <i>Amend Policy BL 3 as follows:</i> <i>BL 3: To take a balanced approach to the re-development of cutaway bogs recognising their significant landscape, environmental and heritage value. Future development of cutaway bog should be developed as areas for seek to conserve cutaway bogs and maximise their potential for wildlife, biodiversity, conservation and amenity in the first instance, whilst other portions can be utilised for acknowledging the potential for economic uses such as grassland, forestry and wind-renewable energy in some circumstances is acknowledged, subject to the protection of the environment and landscape character.</i></p> <p>While Kildare County Council is not the responsible body for the rehabilitation and development of cutaway bogs in Kildare, the local authority is required by national legislation and guidance to protect habitats and landscapes, through its planning and environmental functions. Policy BL3 as set out in MA Chapter 10-1 is considered to provide a robust policy context within which the special landscape, environmental and heritage value of cut-away bogs can be protected, while allowing opportunities for the active reuse of these areas.</p>

	<p>Chief Executive's Recommendation</p> <p>No change. It is recommended that the County Development Plan be made with the proposed Material Alteration as displayed.</p>
<p>26. Roadstone Ltd (SLR Global Environmental Solutions)</p>	
<p>Material Alteration Ref. Chapter 10 – No. 6</p> <p>Section 10.7.8 Extractive Industry Policy</p> <p>It is submitted that MA 10 –No. 6 and MA 13 – No. 10 are inconsistent and require revision to ensure consistency.</p> <p>Amend Policy EI 6 as follows:</p> <p>EI 6: To consult with the Geological Survey of Ireland (GSI), with regard to any developments likely to have an impact on County Geological Sites Sites of Geological Importance listed in the County Development Plan (Chapter 1213).</p>	<p>Chief Executive's Response</p> <p>Noted.</p> <p>Chief Executive's Recommendation</p> <p>No change. It is recommended that the County Development Plan be made with the proposed Material Alteration as displayed.</p>
<p>Roadstone Ltd submits that the County Development Plan should ensure that the extraction of aggregates can take place in suitable locations where resources exist without undue environmental effects. It is important to ensure that the future interpretation of County Development Plan policies does not cause unnecessary operational constraints or place unachievable requirements on the extractive industry and does not prevent the secure, long-term supply of construction aggregates and value-added products such as concrete blocks and road making materials.</p>	<p>Chief Executive's Response & Recommendation</p> <p>This submission does not refer to a specific material alteration and therefore cannot be considered at this stage. No change recommended.</p>

Chapter 11 Social, Community and Cultural Development

Summary of Issues Raised	Response & Recommendation
16. Celbridge Community Council	
Material Alteration Ref. Chapter 11 - No. 2, No. 5, No. 6 and No. 7 Celbridge Community Council support these proposed Material Alterations.	Chief Executive's Response Supportive comments noted Chief Executive's Recommendation No change recommended.

Chapter 12 Architectural and Archaeological Heritage

Summary of Issues Raised	Response & Recommendation
8. Meath County Council	
<p>Material Alteration Ref. Chapter 12 –No. 6</p> <p>Meath County Council welcome that Kildare County Council propose to amend map No. V1 -12.12 'to include the boundary of the Environs area (of Maynooth) included in the Meath County Development Plan 2013-2019' as this will assist in giving an overview of zoned lands in the whole of Maynooth within both administrative boundaries.</p>	<p>Chief Executive's Response Supportive comments noted</p> <p>Chief Executive's Recommendation No change recommended.</p>
16. Celbridge Community Council	
<p>Material Alteration Ref. Chapter 12 - No. No. 9</p> <p>Map Ref V1-12.13 Protected Area Castletown- Donaghcumper</p> <p>Celbridge Community Council supports this proposed Material Alteration.</p>	<p>Chief Executive's Response Noted</p> <p>Chief Executive's Recommendation No change recommended.</p>
<p>Material Alteration Ref. Chapter 12 - No. 1</p> <p>Section 12.4 Protected Structures</p> <p>Celbridge Community Council is <u>not in favour</u> of the proposed insertion of the following material alteration: <i>Insert Text in Section 12.4 as follows:</i> <i>Policies and objectives contained in this section do not seek to preclude</i></p>	<p>Chief Executive's Response The County Development Plan sets out a strategic framework for the development of the county. Specific matters relating to development within Celbridge are more appropriately dealt with at Local Area Plan level.</p> <p>The Draft Celbridge Local Area Plan 2017-2023, which is currently at public</p>

<p><i>development that is sensitive to and integrated with the historic landscape of the Donaghcumper and St. Wolstan's Demesnes. The Celbridge Local Area Plan will provide clarity in relation to the key views and prospects that are to be protected and the nature and scale development that is considered appropriate within these historic landscapes.</i></p>	<p>consultation stage (13th of December 2016 to 3rd of February 2017), includes significant details in relation to the assessment of historic landscapes including the linked demesnes and makes provision for the protection of same through the designation of a 'Historic Landscape Area'. The Draft LAP also notes that lands to the east of the River Liffey at Donaghcumper are situated to the rear of the historic Main Street. These lands are proximate to Celbridge Main Street and, subject to the provision of a bridge link over the River Liffey, have the potential to allow for town centre expansion and improved connectivity between the town centre and residential districts to the east. Lands at Donaghcumper were previously identified for town centre expansion in the Celbridge Development Plan 2002 and in the 2010 LAP. The Draft LAP proposes a reduced town centre extension area, in response to environmental sensitivities associated with the historic landscape and the River Liffey.</p> <p>Chief Executive's Recommendation</p> <p>No change. It is recommended that the County Development Plan be made with the proposed Material Alteration as displayed.</p>
<p>32 -781. Action Alliance Celbridge (Note: Submission Numbers 32 – 781 inclusive all relate to proposed Material Alteration Refs. Chapter 12 – No. 1 and No. 9)</p>	
<p>Material Alteration Ref. Chapter 12 – No. 1</p> <p>This submission does not support this proposed material alteration and requests to remove the proposed new text.</p>	<p>Chief Executive's Response</p> <p>The County Development Plan sets out a strategic framework for the development of the county. Specific matters relating to development within Celbridge are more appropriately dealt with at Local Area Plan level.</p>

<p>Section 12.4 Protected Structures <i>Insert text in Section 12.4</i> <i>Policies and objectives contained in this section do not seek to preclude development that is sensitive to and integrated with the historic landscape of the Donaghcumper and St. Wolstan's demesnes. The Celbridge Local Area Plan will provide clarity in relation to the key views and prospects that are to be protected and the nature of scale of development that is considered appropriate within these historic landscapes.</i></p>	<p>The Draft Celbridge Local Area Plan 2017-2023, which is currently at public consultation stage (13th of December 2016 to 3rd of February 2017), includes significant details in relation to the assessment of historic landscapes including the linked demesnes and makes provision for the protection of same through the designation of a 'Historic Landscape Area'. The Draft LAP also notes that lands to the east of the River Liffey at Donaghcumper are situated to the rear of the historic Main Street. These lands are proximate to Celbridge Main Street and, subject to the provision of a bridge link over the River Liffey, have the potential to allow for town centre expansion and improved connectivity between the town centre and residential districts to the east. Lands at Donaghcumper were previously identified for town centre expansion in the Celbridge Development Plan 2002 and in the 2010 LAP. The Draft LAP proposes a reduced town centre extension area, in response to environmental sensitivities associated with the historic landscape and the River Liffey.</p> <p>Chief Executive's Recommendation No change. It is recommended that the County Development Plan be made with the proposed Material Alteration as displayed.</p>
<p>Material Alteration Ref. Chapter 12- No. 9</p> <p>This submission supports this proposed Material Alteration to the Draft Plan.</p> <p>Amend Map V 1-12.13 Protected Area Castletown- Donaghcumper to include the south western corner of Donaghcumper demesne into the 'Boundary of Area to be Protected'.</p>	<p>Chief Executive's Response Noted</p> <p>Chief Executive's Recommendation No change recommended.</p>

Chapter 13 Natural Heritage and Green Infrastructure

Summary of Issues Raised	Response & Recommendation
26. Roadstone Ltd (SLR Global Environmental Solutions)	
<p>Material Alteration Ref. Chapter 13 – No. 10</p> <p>It is submitted that MA 10 –No. 6 and MA 13 – No. 10 are inconsistent and require revision to ensure consistency.</p> <p>Amend the title of Table 13.4 and throughout text contained in Section 13.9 to <u>'County Geological Sites'</u>.</p>	<p>Chief Executive's Response</p> <p>Noted. Proposed Material Alteration Ref. Chapter 13 – No. 10 should be revised to ensure consistency and revert to the Draft Plan wording as follows:</p> <p>Table 13.4 County Geological Sites <u>Sites of Geological Importance</u></p> <p>Chief Executive's Recommendation</p> <p>Retain the title of Table 13.4 in Chapter 13 as <u>'Sites of Geological Importance'</u> as per the wording contained in the Draft Development Plan.</p> <p>In addition, any reference to 'County Geological Sites' in the text of Section 13.9 shall be altered to <u>'Sites of Geological Importance'</u>.</p>
<p>Material Alteration Ref. Chapter 13 – No. 15</p> <p>Section 13.10.2.1 Trees, Woodlands and Hedgerow Policies & Objectives</p> <p>It is submitted that while the use of plants of local provenance is preferable for the purposes of biodiversity, it should be noted that most tree and hedgerow stock in Ireland is imported. It can be difficult to obtain stock grown in Ireland and it can be even more difficult to source trees and hedgerows of local provenance. It is considered that policy GI</p>	<p>Chief Executive's Response</p> <p>This submission relates to Material Alteration Ref. Chapter 13-No. 15 as proposed:</p> <p>Section 13.10.2.1 Trees, Woodlands and Hedgerow Policies & Objectives Amend Policy GI 16 as follows:</p> <p><i>GI 16: To encourage the planting of woodlands, trees and hedgerows as part of</i></p>

<p>16 should be revised as follows: GI 16: To encourage the planting of woodlands, trees and hedgerows as part of new developments using native plants of local provenance <u>in so far as possible</u>.</p>	<p><u>new developments using native plants of local provenance.</u></p> <p>This policy seeks to encourage the planting of native plants. No further amendment is recommended as each application will be assessed on its own merits and conditions of permission applied relating to the use of native plants of local provenance where appropriate.</p> <p>Chief Executive's Recommendation No change. It is recommended that the County Development Plan be made with the proposed Material Alteration as displayed.</p>
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Chapter 14 Landscape, Recreation and Amenity

Summary of Issues Raised	Response & Recommendation
14. Bord na Mona	
<p>Material Alteration Ref Chapter 14 – No.</p> <p><u>Landscape Sensitivity Classification</u></p> <p>It is a concern that even though it is stated in the Chief Executive's Report on the Draft Plan that areas with a landscape sensitivity designation of 'high' does not preclude development, there remains an inconsistency between the landscape sensitivity classification of 'High' for Western Boglands and Policy LL5 which recognises that cutaway and cutover peatlands (which forms a significant part of the Western Boglands) are robust enough to absorb a variety of appropriate developments.</p> <p>It is proposed to ensure consistency with the recognised dynamic nature of the peatlands within the Western Bogland area that that the landscape sensitivity is deemed to 'medium'. This would also be consistent with the existing County Development Plan.</p> <p><u>Table 14.4 Likely compatibility between a range of land uses and proximity to Principal Landscape</u></p> <p>It is requested that Table 4.4 should be amended to make it clear that the scoring relates to 'undisturbed/intact' peat bogs only. This would ensure no conflict with other policy statements such as LL 5 and BL 3 (as</p>	<p>Chief Executive's Response</p> <p>This submission does not related to a specific Material Alteration and therefore cannot be considered at this stage.</p> <p>The intention of the classification of boglands in Kildare is to recognise the complex nature of this type of landscape by recognising the level of sensitivity while understanding that development of certain types can be accommodated.</p> <p>The classification of boglands in the LCA does not preclude development but advises 'Class 3 High Sensitivity' are sensitive areas that have reduced capacity to accommodate uses without significant adverse effect on the appearance or character of the landscape having regard to prevalent sensitivity factors'.</p> <p>Every development proposal (and accompanying environmental assessments) will be considered on its own merits having regard to the relevant guidance documents and legislation.</p> <p>In light of the ever changing nature of boglands, it is considered that the proposed designations and classification should not be altered.</p> <p>Chief Executive's Recommendation</p> <p>No change. It is recommended that the County Development Plan be made with</p>

<p>proposed in this submission). This amendment would also ensure consistency with the stated level of compatibility between solar development and the Western Boglands as being 'medium' outlined in Table 14.2.</p>	<p>the proposed Material Alteration as displayed.</p>
<p>17. Element Power Ireland Ltd</p>	
<p>Element Power made an initial submission to the Draft Plan on 13th October 2016 raising concerns about the manner in which the Landscape Character Assessment (LCA) has been carried out and the proposal not to carry out a Wind Energy Strategy (WES) until such time as the current review of the existing Wind Energy Development Guidelines, 2006 had been completed. The radical changes to some of the sensitivity ratings of some of the LCA could severely limit wind farm development in the County and in effect, predetermine that these areas may be deemed as unsuitable when the Council does carry out and implement its WES.</p> <p>Since the time of the original submission to this consultation process there have been further developments in this regard which should be taken into account:</p> <ol style="list-style-type: none"> 1. The Minister for Housing, Planning, Community & Local Government recently issued a Direction in the matter of Section 31 of the Planning and Development Act 2000 (as amended) on the Donegal CDP 2012-2018 Variation No. 2. In the Ministers Direction on the proposed extensions to the 'Not Favoured' designation he recognised that Donegal County Council 'failed to demonstrate sufficient and evidentially based reasoning relating to the nature and characteristics of Donegal for the above significant policy departures from guidelines on 	<p>Chief Executive's Response</p> <p>This submission does not refer to a Material Alteration and therefore cannot be considered at this stage.</p> <p>The classification of boglands in the LCA is 'Class 3 High Sensitivity'. This does not preclude development but recognises that these areas are considered to have reduced capacity to accommodate uses without significant adverse effect on the appearance or character of the landscape.</p> <p>The Landscape Character Assessment (LCA) contained in the Kildare CDP 2011-2017 had three levels and sensitivity and designated a significant proportion (approximately 50%) of the county as high and medium sensitivity areas. The landscape classifications contained in the Draft Kildare CDP 2017-2023 is the result of a detailed evidence based assessment of the landscapes of Kildare. Five sensitivity categories are identified that range from 'low' to 'unique'. This provides greater clarity and significantly reduces the proportion of the county that is classified as having high sensitivity.</p> <p>The LCA contained in the Draft CDP classifies the majority of the county as Class 1 and 2 (normal farmland) with capacity to accommodate a wide range of uses; Class 3 (Bogs and Uplands) are identified as having reduced (though still</p>

wind energy and therefore failed to comply with the provisions of Section 28 (1), Section 28 (1B) (b) and Section 31 (c) of the Act ... the Council will fail to maximise wind energy potential in Donegal which directly conflicts with the requirements of Section 5.2 of the Guidelines which states that development plans must secure the maximum potential from wind energy resources of the planning authority's area commensurate with supporting development that is consistent with proper planning and sustainable development. Element Power submits that these comments apply directly to the proposed reclassifications of some of the Landscape Character Area's (LCA) in the Draft Kildare CDP, as by reclassifying large parts of the county to "high" or "special" sensitivity in the proposed Landscape Character Assessment may have the effect of making these areas unsuitable for wind farm development when Kildare County.

2. Since the original submission was made by Element Power, An Bord Pleanála made a decision to refuse the proposed Maighne Wind Farm. In its decision to refuse permission the Board states that the landscape is "one of considerable robustness" (Which is what Element Power stated in its original submission on the Draft Kildare CDP) but yet the Draft Kildare Plan proposes to re-designate the Western Boglands a "high" sensitivity area. As also set out in the original submission by Element Power, in circumstances where there is a National Landscape Strategy being put in place it does not make sense to revise the existing Landscape Character Area and Kildare should await the findings of the National Landscape Strategy before revising its Landscape Character Assessment. In simple terms landscape designations of Unique, Special and High are not backed up by any detailed methodology and are in

significant) capacity to accommodate development; and Classes 4 and 5 are identified as having little or low capacity to accommodate development. Clear evidence is put forward for each of these classifications, supported by detailed descriptions of the general capacity of each area as well as in depth assessment of the compatibility of land uses in each type of area.

The submission received from the DHPCLG in respect of the Draft Kildare CDP, has not raised any concerns in relation to the Landscape Character Assessment, its methodology and the proposed landscape classifications.

As set out in Objective LO 10, Section 14.10 of the Draft Plan, the Council will review the LCA following the publication of a National Landscape Character Assessment. Should any inconsistencies arise the Council will take appropriate steps to address these.

Chief Executive's Recommendation

This submission does not refer to a Material Alteration and therefore cannot be considered at this stage. No change recommended.

direct conflict with some of the text and descriptions of some of the Landscape Areas in the Draft Kildare CDP. Indeed in Table 14.3 of the draft LCA the compatibility of a number of different land uses are analysed for compatibility with each Landscape Character Area. Of the 11 different land use types analysed only two ("rural housing and "urban expansion") are deemed to have a "low" compatibility with the Western Boglands Landscape Character Area. The remaining 9 different land use types.

- As stated in the original submission to the Draft Plan it is difficult to understand how a landscape which remains unchanged in relation to its character, views and prospects and ecological designations as presented in the Draft Kildare CDP should be subjected to such significant sensitivity reclassifications without any reasoning and which conflicts with the methodology for defining the LCA in the Current CDP. The DEHLG Wind Energy Guidelines specifically provides guidance in relation to the siting and design for wind energy developments in landscape character types such as Flat Peatland and Hilly and Flat Farmland which are the predominant Landscape Types in the Western Boglands.
- Landscape Character Area reclassifications are not based on an objective assessment. They are proposed without foundation, in direct conflict with recent ABP findings and statements, through the use of incoherent sensitivity ratings with the LCA methodology and statements in the current Kildare CDP. We request Kildare County Council to review and take into consideration all of our comments and views in this submission.

19. Irish Wind Energy Association (IWEA)

- Following on from the IWEA's initial submission concern is again expressed regarding the proposed changes to sensitivity ratings to some of the Landscape Character Areas. It is reiterated that the effect of the proposed increases in sensitivity in some parts of the county (particularly the Western Boglands LCA) have the potential to severely restrict the development of wind energy within certain areas of the county and will impact the delivery of Ireland's renewable energy targets and in turn could impact FDI and the exclusion of data centres within the County.

IWEA reiterates its original requests that:

1. *"The inclusion of increased landscape sensitivity ratings for certain areas of the county as outlined above be re-considered by Kildare County Council in consultation with key stakeholders in advance of the preparation of a Wind Energy Development Strategy for the county"* and
2. *"any such increase in landscape sensitivity ratings of an area should not arbitrarily preclude that area from wind energy development. Sites need to be assessed on their specific merits, with recognition required within the Wind Energy Development Strategy that certain areas, including those with existing designations, can on assessment, and with careful study and environmental assessment be suitable for sensitively sited renewable energy projects"*.

- IWEA is of the opinion that the findings contained within Table

Chief Executive's Response

This submission does not relate to a specific Material Alteration and therefore cannot be considered at this stage.

The intention of the classification of boglands in Kildare is to accommodate the complex nature of this type of landscape by recognising the level of sensitivity while understanding that development of certain types can be accommodated.

The classification of boglands in the LCA does not preclude development but advises 'Class 3 High Sensitivity. Areas with reduced capacity to accommodate uses without significant adverse effect on the appearance or character of the landscape having regard to prevalent sensitivity factors'.

As with all planning applications, every proposal and accompanying environmental assessments is assessed on its own merits while having regard to the relevant guidance documents and legislation.

In light of the ever changing nature of boglands, it is recommended that the proposed designations and classification should not be altered.

Chief Executive's Recommendation

This submission does not relate to a specific Material Alteration and therefore cannot be considered at this stage. No change recommended.

14.3 of the Draft CDP do not align with the overall sensitivity conclusions for particular LCAs in the county. IWEA requests that at a minimum an acknowledgement should be made by Kildare County Council that a “high” sensitivity landscape area does not necessarily preclude future wind farm development within that LCA.

- IWEA notes that the Minister for Housing, Planning, Community & Local Government recently issued a Direction in the matter of Section 31 of the Planning and Development Act 2000 (as amended) on the Donegal CDP 2012-2018 Variation No. 2, which in IWEA’s opinion the higher sensitivity rating conclusions are not supported and are in fact in conflict with some of the commentary in the LCA.
- Furthermore it is submitted that ABP recently refused planning permission to Maighne Wind Farm, the majority of which was to be located in the Western Boglands LCA. In its decision to refuse permission, ABP stated that ‘ the local landscape is one of conservable robustness wherein extensive cross country views, *while possible given the basin-like nature of the current and former bogland, are rarely achieved due to the extent and depth of barrier and boundary vegetation.*

It is submitted having regard to the assessment carried out by ABP it is difficult to understand the current proposal to re-classify the Western Boglands a “high” sensitivity area. Also as set out in the original submission by IWEA, in circumstances where there is a National Landscape Strategy being put in place it does not make sense to revise the existing Landscape Character

<p>Assessment at this point in time.</p> <ul style="list-style-type: none"> IWEA seeks to reiterate its recommendation against carrying out a revised Landscape Character Assessment at this point in time and an approach similar to the approach taken with implementing a WES should be taken, i.e. Kildare County Council should wait until after the National Landscape Strategy is in place. It is noteworthy that some Local Authorities have taken this approach recently, such as Kerry County Council. <p>Furthermore in circumstances where the results of the proposed revised Landscape Character Assessment propose to increase the sensitivity of some of the LCAs in the county without clear justification (and in certain LCAs against recent ABP findings), which could result in large parts of Kildare being designated as low capacity for Wind, IWEA remains very concerned that Kildare County Council will not maximise the potential for Wind Energy Development in the County which is in accordance with National Policy.</p>	
<p>20. Keep Ireland Open</p>	
<p>MA Chapter 14 – No. 1, No. 6 and No. 10</p> <p>It is submitted that <i>'within two years of adoption'</i> replaces <i>'over the lifetime'</i> for the following reasons:</p> <ol style="list-style-type: none"> The wording in the Planning Act is quite clear: Each new development plan must fulfil the above requirement and no deferment will be permitted. See DOCELG letter to all Councils of 25/10/12 (PL 09/12). 	<p>Chief Executive's Response</p> <p>This submission relates to Material Alteration Ref. Chapter 14- No. 10 as proposed:</p> <p>Section 14.13 Recreation and Amenity Objectives <i>Delete and replace Objective RAO 12 as follows:</i> To provide for the preservation of public rights of way which give access to mountains, lakeshores, riverbanks or other places of natural beauty or</p>

<p>2. Counties who have complied so far: DLR App G, Meath App14, Kerry Volume 2 App 6, Roscommon 8.7 Map 19, Donegal 10.13, Sth Tipp 6.3.7 3rd para, Westmeath App 8, Cavan 8.10 Table 8.4 & Kilkenny App D.</p>	<p>recreational utility, where public rights of way shall be identified both by marking them on at least one of the maps forming part of this Plan and by indicating their location on a list appended to this Plan.</p> <p><i>RAO 12: To seek to identify, list and map public rights of way in County Kildare that give access to seashore, mountain, lakeshore, riverbank or other places of natural beauty or recreational utility over the lifetime of the plan and to provide for the preservation of such public rights of way.</i></p> <p>Whilst the submission comments are noted, it is considered that the task of researching and verifying public rights of way in the county is a significant undertaking that is likely to require more than two years to complete.</p> <p>Chief Executive's Recommendation No change. It is recommended the County Development Plan be made with the proposed Material Alteration as displayed.</p>
<p>Keep Ireland Open submits that the proposed amendments have almost totally ignored the original reasoned and detailed submission which was largely based on precedents in adjoining counties and counties within the GDA and was almost entirely of a non - controversial nature. The word contempt comes to mind to describe the attitude to our submission.</p> <ul style="list-style-type: none"> • It is submitted that the Plan fails to comply with/have regard to/ takes into account: <ul style="list-style-type: none"> - Planning & Development Acts - The NSS - Plans in adjoining counties (including the Draft Fingal & Wicklow Plans) 	<p>Chief Executive's Response</p> <p>The Chief Executive's Report on the Draft Plan (August 2016) summarised the issues raised in submissions / observations received in relation to the Draft County Development Plan and outlined the Chief Executives response and recommendations in relation to the issues raised, in accordance with the requirements of Section 12 (4)(b) of the Planning and Development Act 2000 (as amended).</p> <p>Chief Executive's Recommendation No change recommended.</p>

<ul style="list-style-type: none"> - GDA Regional Planning Guidelines - Development Plan Guidelines <ul style="list-style-type: none"> • Keep Ireland Open submits that KCC is reminded of its obligation to include a Section 28 requirement to give reasons for your failure to comply with these Guidelines. 	
<p>18. Gaelectric Development Ltd</p>	
<p>GDL fully support the Irish Wind Energy Associations submission on this consultation in particular their concluding remarks below.</p> <ul style="list-style-type: none"> • The inclusion of increased landscape sensitivity ratings for certain areas of the county be re-considered by Kildare County Council in consultation with key stakeholders in advance of the preparation of a Wind Energy Development Strategy for the county. • Any such increase in landscape sensitivity ratings of an area should not arbitrarily preclude that area from wind energy development. Sites need to be assessed on their specific merits, with recognition required within the Wind Energy Development Strategy that certain areas, including those with existing designations, can on assessment, and with careful study and environmental assessment be suitable for sensitively sited renewable energy projects. 	<p>Chief Executive's Response</p> <p>This submission does not relate to a specific Material Alteration and therefore cannot be considered at this stage. See detailed response to Submission 19 above.</p> <p>Chief Executive's Recommendation</p> <p>No change recommended.</p>

Chapter 17 Development Management

Summary of Issues Raised	Response & Recommendation
12. Applegreen Service Areas Ltd	
<p>Material Alteration Ref. Chapter 17 – No. 12</p> <p>Section 17.13.6 Petrol Filling Stations/Rest Areas/Service Stations</p> <ul style="list-style-type: none"> • Serious concerns are raised that the proposed wording could prejudice the delivery of new service areas in the County, particularly at the strategic location of Naas. • Planning permission was recently granted for a development including a Motorway Service Area at this location under pl. ref. 15/500. This application was recently withdrawn at appeal stage, Applegreen remain fully committed to the delivery of this development on the subject site. • The CDP and forthcoming Naas LAP must be consistent and it is critical that any references to the CDP are positive in respect of MSA in Naas. • It is proposed to reword Material Alteration Ref Chapter 17 – No. 12 (Section 17.13.6) as follows to be similar to policies contained in the South Dublin CDP 2016-2022, Draft Wicklow CDP 2016-2022 and Draft Clare CDP 2017-2023 and in order to ensure that the wording does not undermine the integrity of the current wording but does avoid potential negative impacts arising on the delivery of a service area facilities at the former CEMEX Site, 	<p>Chief Executive's Response</p> <p>This submission refers to Material Alteration Ref. Chapter 17 – No. 12 as proposed:</p> <p>Section 17.13.6 Petrol Filling Stations/Rest Areas/ Service Stations <i>Replace paragraph 1 of Section 17.13.6 with the following:</i></p> <p><i>The Council supports the development of on-line motorway service facilities in appropriate locations as guided by the TII (Transport Infrastructure Ireland and) in accordance with the guidance set out in the Spatial Planning and National Roads Guidelines for Planning Authorities, DECLG (2012). The Council will also support alternative services in the absence of TII services, in consultation with that body. The Council will consider proposals for off line service facilities at appropriate locations where on-line services are not planned. Proposals will be required to demonstrate that the facility is in accordance with national guidance, is justified by reason of need (e.g. location and traffic volumes), that it would not impact on the safety, capacity or efficiency of the road network and would not impact negatively on the vibrancy or vitality of adjacent town or village centres. A proliferation of private off-line service area facilities at national road junctions will not be permitted.</i></p> <p>The County Development Plan sets out a broad policy framework for the County. Specific land use zoning objectives for Naas will be addressed in the</p>

<p>Naas:</p> <p><i>'The Council supports the development on-line and off- line service facilities in appropriate locations in accordance with the guidance set out in the Spatial Planning and National Roads Guidelines for Planning Authorities, DECLG (2012). Proposals for online or off-line facilities will be required to demonstrate the facility is justified by reason of need (e.g. location and traffic volumes).'</i></p> <ul style="list-style-type: none"> • In light of recent decision by An Bord Pleanála it is submitted that in accordance with the 2012 Ministerial Guidelines that the Council should specifically identify Naas Town as a strategic location for a service area with the specific location to be identified in the future Naas LAP. • It should be noted that the Minister has recently declared that there is inadequate service areas along the national road network and this clearly demonstrates that there is a pressing need for such facilities. 	<p>forthcoming Naas Local Area Plan.</p> <p>In relation to Motorway Services policy, the proposed Material Alteration is not considered to conflict with government policy as set out in the Spatial Planning and National Road Guidelines for Planning Authorities. This policy would not preclude the development of off line service facilities but seeks to ensure that any such facilities will not negatively impact upon the capacity and efficiency of the strategic road network or the vibrancy and vitality of towns and villages in the county.</p> <p>Having reviewed the Section 28 Guidelines in the context of issues raised under this submission and under submission 29 below it is considered appropriate to omit the text “where on-line services are not planned”.</p> <p>Chief Executive's Recommendation</p> <p>Amend proposed Material Alteration Ref. Chapter 17- No. 12 as follows:</p> <p><i>The Council supports the development of <u>on-line</u> motorway service facilities in appropriate locations as guided by the TII (Transport Infrastructure Ireland and) <u>in accordance with the guidance set out in</u> the Spatial Planning and National Roads Guidelines for Planning Authorities, DECLG (2012). The Council will also support alternative services in the absence of TII services, in consultation with that body. <u>The Council will consider proposals for off line service facilities at appropriate locations where on-line services are not planned. Proposals will be required to demonstrate that the facility is in accordance with national guidance, is justified by reason of need (e.g. location and traffic volumes), that it would not impact on the safety, capacity or efficiency of the road network and would not impact negatively on the vibrancy or vitality of adjacent town or</u></i></p>
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	<p><i>village centres. A proliferation of private off-line service area facilities at national road junctions will not be permitted.</i></p>
<p>15. Cairn PLC</p>	
<p>Material Alteration Ref. Chapter 17- No. 3</p> <p>Section 17.4.5 Dwelling Houses – Design/ Layout/ Boundary Treatment The need for suitable bicycle storage is acknowledged, however the requirement for ‘<i>sheltered shared bicycle parking</i>’ is considered unnecessary and onerous. It is requested that this section is amended as follows:</p> <p>(b) Provision of sheltered-shared parking at a public space.</p>	<p>Chief Executive's Response</p> <p>This submission relates to proposed Material Alteration Ref. Chapter 17 – No. 3 regarding bicycle parking/storage. Having further assessed this proposed material alteration, it is considered appropriate to revise the wording of Section 17.4.5 as requested. Each application for development that has a requirement to provide bicycle parking will be assessed on a case by case basis.</p> <p>Chief Executive's Recommendation</p> <p>Amend Section 17.4.5 Dwelling Houses – Design/Layout. Boundary Treatment to read as follows:</p> <p>(b) Provision of sheltered <u>shared</u> parking at a public space.</p>
<p>Material Alteration Ref. Chapter 17 – No. 5</p> <p>Section 17.4.13 Student Accommodation</p> <p>The proposed change of car parking requirements for student accommodation is welcomed. It is acknowledged that the proposed explanatory note indicates that the Planning Authority will exercise flexibility in applying development standards; however this lacks clarity for developers and student accommodation providers.</p>	<p>Chief Executive's Response</p> <p>This submission refers to Material Alteration Ref. Chapter 174 – No. 5 as proposed:</p> <p><i>Insert new Section in Chapter 17 as follows:</i> <i>Section 17.4.13 Student Accommodation</i> <i>Kildare County Council recognises the growing demand for student accommodation in the County and particularly in proximity to Maynooth University. Applications for purpose built student housing will require a</i></p>

It is proposed that the lowest rate in Dublin (up to 1 space per 10 bed spaces) be applied to proposals for student accommodation either on campus or within 1 km of education campuses. Where less than 1 space per 10 bed spaces is proposed, it must be supported by a Mobility Management Plan. For student accommodation proposals in excess of 1km from the campus, the Local Authority can consider this on its merits as it will depend largely on public transport provision.

Cairn proposes the following changes to Table 17.9

Residential	
Student (on or within 1km of campus)	To be determined by the Planning Authority on a case by case basis Up to 1 per 10 bed spaces
Student (in excess of 1km of campus)	To be determined by the Planning Authority on a case by case basis.

statement that outlines the proposed terms of occupation (e.g. term-time for students and short let during academic holiday period), proposed management structure and the design rationale (dwelling mix, open space provision, car parking provision, etc) demonstrating that the design is suitable to meet the accommodation needs of the intended occupants and would not impact on the amenities of the area. The Planning Authority will exercise flexibility with regard to the application of Development Plan standards where it is demonstrated that the proposal adequately addresses the needs of the intended future occupants. Amend the car parking requirement for student accommodation in Table 17.9 so that it will be assessed on a case by case basis.

Material Alteration Ref. Chapter 17 – No. 5 was proposed in response to the submission received from the Department of Housing, Planning, Community and Local Government recommending a more flexible approach to development management standards for student accommodation. A new section was introduced in the Draft Plan that specifically sets out the Council's policy in relation to student accommodation.

It is considered that Table 17.9 affords adequate flexibility to the Planning Authority with regard to the application of Development Plan standards where it is demonstrated that the proposal adequately addresses the needs of the intended future occupants (i.e. students). Each application will be assessed on its own merits on a case by case basis. No further change is recommended.

Chief Executive's Response

No change. It is recommended the County Development Plan be made with the proposed Material Alteration as displayed.

29. Topaz Energy Ltd

Material Alteration Ref. Chapter 17 – No. 12

- It is submitted that the Chief Executive's response to the initial submission from Topaz Energy Ltd does imply that off-line facilities will only be considered where online services are not planned as it does not properly reflect national policy.
- It is unclear why the Planning Authority would propose a policy that is not supported by the relevant national guidelines. The Spatial Planning and National Roads Guidelines , 2012 state the following in relation to Motorway Service Areas:

The presence of long section motorways and high quality dual carriageways on the network of national roads and EU work time requirements under Directive 2002/15/EC and Regulation SI 561/2006, support the provision of service areas for road users who wish to rest during longer journeys and/or avail of fuel, toilet and food facilities. The facilities may come in the formats outlined below:

The submission highlights that the Spatial Planning & National Road Guidelines make a clear distinction between on-line and off-line facilities including providing an extract from Page 16 & 17 of the guidelines on 'On-Line Motorway Service Areas', and 'Off-Line Motorway Service Areas at National Road Junctions'.

The submission states that the national guidelines make no reference whatsoever to a restriction on offline facilities where online facilities are

See response to submission 12 above.

proposed. They do refer to planning authorities considering policies for the provision for offline motorway service area facilities with regard to the requirements and advice included in the most up-to-date NRA guidance on the location and layout of the NRA's service areas.

The most up to date guidance referred to is the *NRA Service Area Policy August 2014*. The policy states the following:

The Authority has no development or operational role in relation to private sector facilities in the vicinity of the national road network, even though the developments in question might include services for motorists. The Authority does, however have a role to play as part of the planning process, and in this regard attention is directed to the Spatial Planning and National Road Guidelines for Planning Authorities (Department of Environment, Community and Local Government, 2012) Any decision to advance these service areas is a matter for the developers, and any decision to approve them is a matter for the planning authorities. The Authority is not advocating or opposing their development, but to the extent that these service areas are developed and fulfil the criteria noted above, the Authority does not envisage providing on-line service areas in their vicinity, at least not in the short or medium term. If we take it that the provision of on-line service areas in their vicinity will be considered again in 2019, allowing for planning and construction it is unlikely that the Authority will open any Service Area in their vicinity before 2022, at earliest.

The Authority is aware that there are many other facilities for roads users available close to the dual carriageway network. These facilities are a welcome provision of services to road users, but do not fulfil the criteria

<p>above.</p> <p>The Authority will provide on-line service areas at the remaining locations identified on the existing dual carriageway network. While that doesn't preclude future developments off-line at these locations, subject to approval by the planning authorities, such off-line facilities will not be considered as an alternative to the Authority's on-line service areas. This policy proposes the general spacing and approximate locations in which service areas should be provided. It does not identify specific sites or detailed locations.</p> <p>Except for the statutory consultee role described in section 1.4, the Authority has no role in determining how off-line developments should be delivered.</p> <p>Therefore, the NRA policy does not state that offline facilities will be prohibited where online facilities are planned. In fact, it states that their consideration is not precluded and that the Authority is does not advocate or oppose their development.</p> <p>It is concluded in the submission therefore that the proposed material alteration, as worded, is contrary to national policy. As a result, the proposed alteration does not strengthen or clarify the policy. Rather, it will result in conflicting policy objectives between local and national level. On this basis, we respectfully ask that the Planning Authority consider rewording the proposed alteration in accordance with national policy guidance.</p>	
<p>Material Alteration Ref. - Chapter 17 - No. 13</p> <p>This submission raises concerns with the inference that café, restaurant and takeaway elements of a service station development are identified</p>	<p>Chief Executive's Response</p> <p>This submission relates to Material Alteration Ref. Chapter 17- No. 13 as proposed:</p>

as retail floorspace and necessarily form part of the 100sqm net retail floorspace calculation undertaken for any service station.

This does not accord with the intention of national policy as set out in the *Retail Planning Guidelines, 2012* where the 100sqm restriction at service stations directly relates to convenience or comparison retail floorspace/goods and is premised on the protection of the retail function of town centre locations.

For the Planning Authority's information, cafes, restaurants or takeaways are not included within the definition of convenience/comparison retailing set out in Annex 1 of the Guidelines. Additionally, the definition of net retail area itself explicitly omits café type uses, as follows:

Net Retail Floorspace – the area within the shop or store which is visible to the public and to which the public has access including fitting rooms, checkouts, the area in front of checkouts, serving counters and the area behind used by serving staff, areas occupied by retail concessionaires, customer service areas, and internal lobbies in which goods are displayed, but excluding storage areas, circulation space to which the public does not have access to, cafes, and customer toilets.

Furthermore, the proposed wording does not accord with the definition of different uses set out in the *Planning and Development Regulations, 2000*, as amended. Café, restaurant and takeaway uses are an entirely different use to retail shops as established in the Regulations. For example, the definition of a shop given in Article 5 of the Regulations, distinctly excludes restaurant type uses, as follows:

...but does not include any use associated with the provision of funeral

Section 17.13.6 Petrol Filling Stations/Rest Areas/ Service Stations

Delete bullet points 6 and 7 as follows:

- ~~• Any associated shop shall remain secondary to the use as a petrol filling station and any application must clearly demonstrate that the retail element would not adversely affect the existing retail development in the relevant town or village centre. The same applies to any cafe / restaurant / take away proposal for the filling station/service area.~~
- ~~• Small convenience type shops associated with the petrol station shall not exceed 100sq. Metres of net sales space, although this may be relaxed where the floorspace will function as the only foodstore in a village. Where there is an application to exceed this in other locations, this required to be supported with a Retail Impact Assessment / Retail Impact Statement which addresses the potential impact of the store on any town or village centre. Planning permission for the provision of such shops however shall be specifically applied for.~~

Replace same with new bullet point as follows:

- *The floor space of all associated retail facilities (shop / cafe / restaurant / takeaway) 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, DELCG, (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 filling facilities) in the same location.*

Having reviewed the Retail Planning Guidelines (2012) in the context of the issues raised in this submission, it is proposed to reword Section 17.13.6 to

services or as a funeral home, or as a hotel, a restaurant or a public house, or for the sale of hot food or intoxicating liquor for consumption off the premises except under paragraph (d), or any use to which class 2 or 3 of Part 4 of Schedule 2 applies

The implication given by the wording of the proposed alteration is that café, restaurant or takeaway uses within a service station form part of the net retail area and are therefore essentially part of the one use. Taking this approach, one would not have to require planning permission for a change of part of the retail area to a restaurant use, something clearly not permitted by the Regulations.

It is suggested that the Planning Authority should further strengthen and clarify the proposed material alteration by omitting reference to café, restaurant and takeaway uses being part of the overall 100sqm net retail space.

Not alone will this strengthen and clarify the policy in line with national guidance but it will also reflect planning precedence at both local and national level where it has been repeatedly accepted that café/ restaurant facilities within service stations do not form part of the net retail area calculation, as suggested in the proposed alteration. The overwhelming majority of service stations now include café/ restaurant/ sit down areas by commercial necessity and in response to consumer behaviour.

On this basis, we respectfully ask that in accordance with the policies and objectives of the *Retail Planning Guidelines*, the definitions set out in the

exclude the reference to cafe, restaurant and takeaway to align more closely with the wording contained in the Guidelines.

Chief Executive's Recommendation

It is recommended to carry out the following further modification to the proposed new bullet point of Section 17.13.6

- The **retail** floor space of **the shop** ~~all associated retail facilities (shop/cafe/restaurant/takeaway)~~ 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 filling facilities) in the same location.

<p><i>Planning and Development Regulations</i> and established planning precedence at both local and Bord Pleanala level, the wording of the proposed alteration is amended to omit reference to café, restaurant or takeaway uses.</p>	
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Volume 2

Small Town Plans

Summary of Issues Raised	Response & Recommendation
25. R.J. Goff & Co. Ltd	
<p>Kill Small Town Plan</p> <p>Material Alteration Ref. – STP – No. 2</p> <p>It is proposed to modify this proposed additional wording of specific Zoning Objective KIE to read as follows:</p> <p><i>“This zoning objective is to facilitate the expansion of an existing equine based development at Kill. This zone is solely for equine based leisure tourism and enterprise.</i></p> <p><i>Any development must be equine based and fully integrated within this primary focus of activities on the site, unless it is demonstrated through a traffic and transport assessment carried out by the applicant, that the proposed development will not have a significant impact on the Kill Junction and M7 mainline. Any application for development shall be accompanied by a Traffic and Transport Assessment. carried out by the applicant to determine impact on the Kill Junction and M7 mainline”.</i></p> <ul style="list-style-type: none"> It is submitted that the rationale for restricting development on this site to ‘equine based’ development is understood given the concerns regarding potential impact of any other form of development on the Kill Junction and the M7. However it is submitted that the proposed modification to the wording will 	<p>Chief Executive's Response</p> <p>This submission relates to Material Alteration Ref. STP – No. 2 as proposed:</p> <p>Amend Table 1.8.1 Land Use Zoning Objectives as follows:</p> <p><i>‘KIE: Equine Based Leisure, Tourism and Enterprise: To develop equine based industry at Goffs’</i></p> <p><i>This zoning objective is to facilitate the expansion of an existing equine based development at Kill. This zone is solely for equine based leisure tourism and enterprise. Any development must be equine based and fully integrated within this primary focus of activities on the site. Any application for development shall be accompanied by a Traffic and Transport Assessment carried out by the applicant to determine impact on the Kill Junction and M7 mainline</i></p> <p>As previously set out in the Chief Executive's Report on the Draft Plan, (August 2016), the specific land use zoning objective assigned to this site reflects the long standing established use at this location. It is considered that this zoning objective adequately supports the established uses at Goffs and allows a level of flexibility. However, the site while incorporated within the Kill Town Plan is peripheral to the town and severed from the Town by the N7 national route.</p>

ensure that this concern is fully addressed in any application for non-equine integrated development to allow for a wider range of potential development on the site (provided it is compatible with and supportive of the main equine based function at Goffs)

- The rationale includes reference to the important point that a sterile environment is necessary, requiring lands adjacent to the Bloodstock Sales facility not to be used for equine activity use. Therefore the balance of the site not used directly for Bloodstock Sales is in effect sterilised from use for equines uses. Therefore, in order to support the bloodstock/equine use of the lands, it is necessary to utilise the remainder of the lands for other complementary uses rather than equine use. It is considered by Goffs that an opportunity exists for tourism and leisure related uses on the lands which are complementary to the bloodstock/equine use and which can support the primary use of the land. Such supporting uses are essential to ensure the medium and long-term sustainability of the Goffs bloodstock operation, particularly having regard to the highly cyclical nature of bloodstock sales.

Therefore development proposals not associated with the equine based industry on site are not considered to be appropriate at this location.

On foot of concerns raised by TII at the Draft Plan stage, it is proposed to revise Table 1.8.1 Land Use Zoning to incorporate the requirement for a Traffic and Transport Assessment for future development proposals. No further change is recommended at this stage (Material Alteration Ref. STP – No. 2 refers).

Chief Executive's Recommendation

No change. It is recommended the County Development Plan be made with the proposed Material Alteration as displayed.

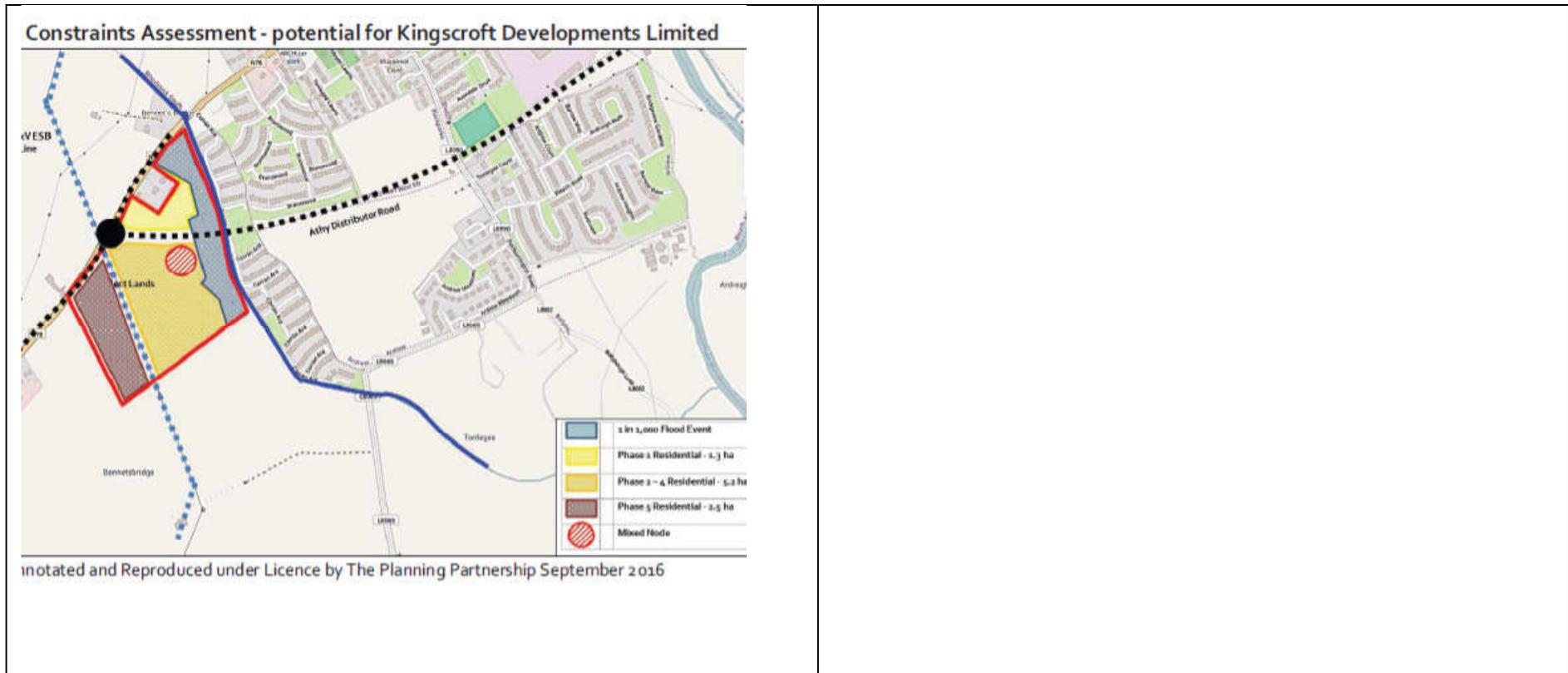
29. Topaz Energy Ltd.	
<p>Kill Small Town Plan</p> <p>Material Alteration Ref. STP – No. 2</p> <ul style="list-style-type: none"> It is submitted that the initial submission from Topaz Energy Ltd. clearly pointed to the fact that, although in separate ownership, the established and permitted service station at Kill was erroneously subject to this equine based zoning objective. It was also highlighted in the initial submission that the objective pertaining to same had the result of undermining the future development of the service station. It appears that the Planning Authority has taken the submission into account and indicated explicitly that development proposals not associated with the equine based industry on the service station site will not be in accordance with this zoning objective. This is an unwarranted and unjustified infringement of private property rights. In addition the Planning Authority has acknowledged the extant planning permission on the subject lands for a redeveloped service station and hotel that is valid until 2019. Despite this the planning authority has not recommended that no change is made to the zoning objective and that all development within that zone be equine based and subject to traffic assessments. Due appreciation is not given by the Planning Authority to the fact that the service station is established for over 40 years, is permitted and a Section 34 planning permission in place to 	<p>Chief Executive' Response</p> <p>This submission relates to Material Alteration Ref. STP – No. 2 as proposed:</p> <p>Amend Table 1.8.1 Land Use Zoning Objectives as follows:</p> <p><i>'KIE: Equine Based Leisure, Tourism and Enterprise: To develop equine based industry at Goffs'</i></p> <p><i>This zoning objective is to facilitate the expansion of an existing equine based development at Kill. This zone is solely for equine based leisure tourism and enterprise. Any development must be equine based and fully integrated within this primary focus of activities on the site. Any application for development shall be accompanied by Traffic and Transport Assessment carried out by the applicant to determine impact on the Kill Junction and M7 mainline.</i></p> <p>It is acknowledged that there is an extant planning permission on the subject site for the development of a service station and hotel under Planning Ref 08/656 and Extension of Duration Ref 14/91. Permission is granted up to 10.02.19.</p> <p>From a review of the Land Use Zoning Matrix Table for Small Towns (Table 1.8.2) contained in Volume 2 of the Draft Plan there is considered sufficient flexibility under the KIE zoning objective to acknowledge the established use at the site.</p> <p>Chief Executive's Recommendation</p> <p>No change. It is recommended the County Development Plan be made with the</p>

<p>facilitate its redevelopment. The property rights of Topaz Energy Ltd are fundamentally undermined.</p> <ul style="list-style-type: none">• It is requested that the proposed KEI Zoning objective be amended to 'General Development' to reflect established and permitted development of the subject site.	<p>proposed Material Alteration as displayed.</p>
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Environs Plans

Summary of Issues Raised	Response & Recommendation
13. Blockstar Ltd	
<p>Material Alteration Ref.- Environs Plans- No. 2</p> <p>Ladytown, Naas Environs</p> <p>(Map Ref. V2-1.9.3)</p> <p>It is requested that the proposed land use zoning matrix is altered so that hotel, film studio and nursing home are all recognised as <i>'permitted in principle'</i> uses, rather than just <i>'open for consideration'</i>.</p>	<p>Chief Executive's Response</p> <p>Having regard to permitted use and to appropriate existing and future development at this location, the new zoning proposal for NE2: 'Integrated Leisure and Film Development' on a section of the Business Park is considered appropriate.</p> <p>The definition of terms set out in Table 1.8.2 of Vol. 2 of the Draft Plan indicate that land uses shown as 'open for consideration' are uses that are not considered acceptable in principle in all parts of the relevant use zone. However, such uses may be acceptable in circumstances where the Council is satisfied that the proposed use would not conflict with the general objectives for the zone and the permitted or existing uses as well as being in the interests of the proper planning and sustainable development of the area.</p> <p>If an application is submitted for the development of a hotel, film studio and nursing home the planning authority would assess it on its merits having regard to the proper planning and sustainable development of the area. No further change is recommended.</p> <p>Chief Executive's Recommendation</p> <p>No change. It is recommended the County Development Plan be made</p>

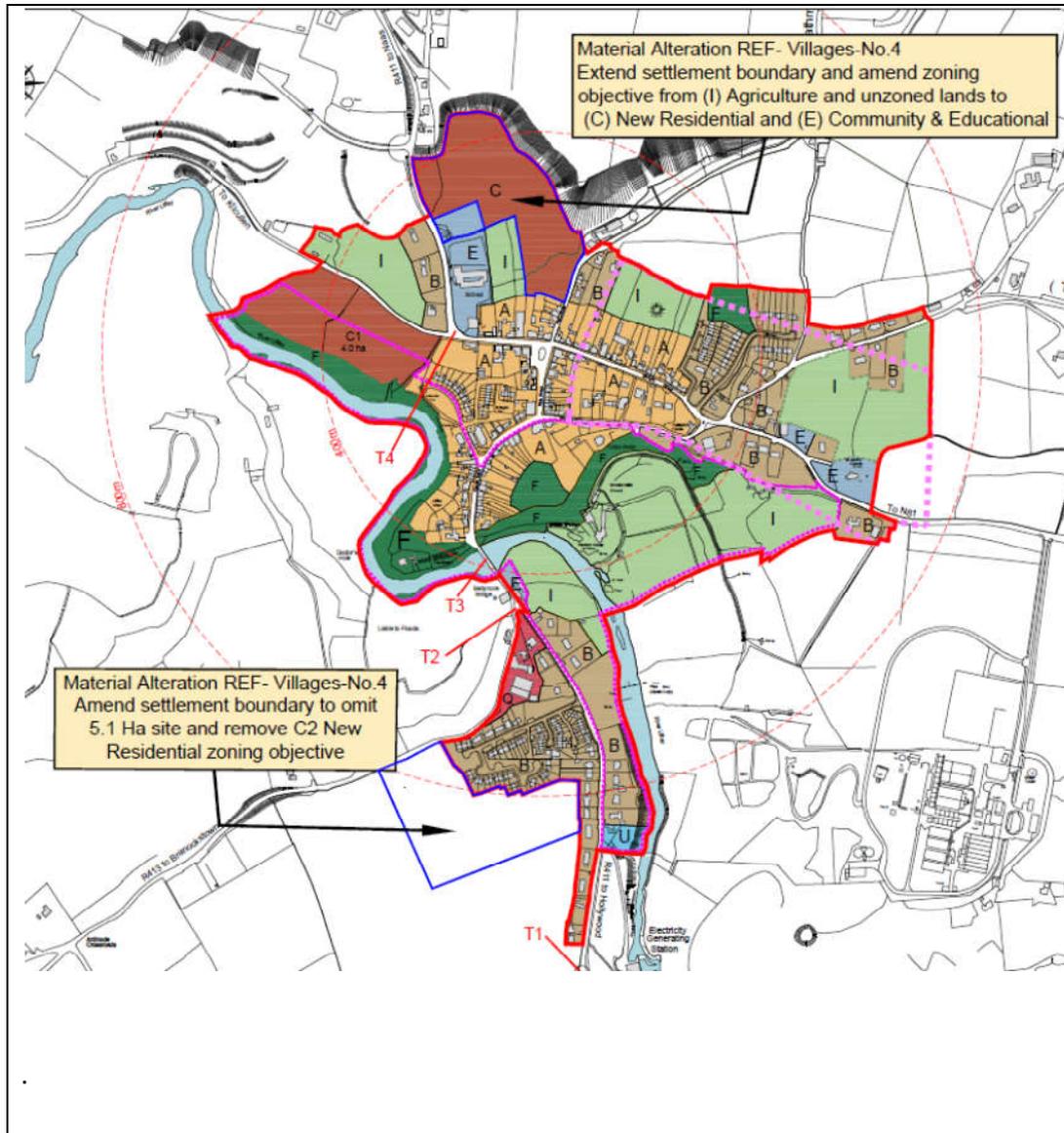
	with the proposed Material Alteration as displayed.
22. Kingscroft Developments Ltd	
<p><u>Bennetsbridge, Athy Environs</u></p> <p>Kingscroft Developments Limited seeks to ensure that the development potential associated with their lands at Bennetsbridge, Kilkenny Road, Athy, Co. Kildare are protected. As such it is considered that Kildare County Council should acknowledge the planning history of lands where zoning surpluses and shortfalls are identified, which is to be reviewed through the relevant land use plans. In such instance, the chronological process which is to be undertaken addressing any surplus of zoned lands, should be based on the following chronological assessment process.</p> <ol style="list-style-type: none"> 1. In the first instance, where planning permissions have been granted on zoned lands previously, these lands shall retain their land use zoning status as per the development use permitted. 2. To address surplus zoning, alternative land use zonings will be considered on lands where no planning permissions have been granted previously. 3. In the event that surplus zonings are retained on lands where no planning permissions have been granted previously, the development of lands will be subject to a sequential phasing approach, with phases extending outwards from the town or village core to more peripheral lands. 	<p>Chief Executive's Response & Recommendation</p> <p>No change. The following item does not refer to a specific Material Alteration and therefore cannot be considered at this stage.</p> <p>It should be noted that the Athy Environs will be considered in the context of the forthcoming Athy Local Area Plan.</p>



Villages Plans

Summary of Issues Raised	Response & Recommendation
<p>10. Adrian Mc Andrews</p>	
<p>Cooleragh Village</p> <p>The submission seeks to zone a site measuring approximately 3 hectares in Cooleragh village to accommodate low density housing/serviced site development that would provide an alternative to suburban type development. If a low density housing scheme aimed at members of the rural community is to be provided it could yield approximately 24 dwellings at 8 units per hectare. Existing residential zoned land in the village have not being built on to date despite one of the two landholdings having the benefit of planning permission. The current proposal offers an alternative land for residential development where existing zoned lands are not delivering housing and adheres to the Department's recent Circular (PL 8/2016).</p> 	<p>Chief Executive's Response & Recommendation</p> <p>No change. The following item does not refer to a specific Material Alteration and therefore cannot be considered at this stage.</p>

28. Shay Boyle	
<p>MATERIAL ALTERATION Ref. – Villages - No. 4</p> <p>Ballymore Eustace</p> <p>This submission appeals the proposed material alterations to the 2017 – 2023 in respect of the rezoning of lands at Ballymore Eustace. Submission 222 to the Draft Plan requested that 4.24 acres of land in the village is zoned to accommodate low density residential development</p> <p>This submission does not appear to have been considered by the Council and whereas the Chief Executive agrees that it lies within the 400m walking band he proposes the zoning of lands (marked C on the map) to the North behind the school as more suitable, some of these lands are outside the 400m band and never had zoning in previous development plans, secondly lands to the south (marked C1 on the map) are also outside the 400m band and yet remain zoned for residential development and have been identified as being within flood risk assessment area, being low lying and on the banks of the river.</p> <p>It is requested that Submission 222 should be brought before Council and considered for rezoning back to its original low-density development status.</p> <p>It is submitted that Section 3.6 Development Capacity of the Draft Plan and Table 4.1 Locations Appropriate for New Residential Development require the development of lands in a sequential approach and the avoidance of ‘leapfrogging’. Both of these principles are disregarded in this proposed material alteration to the plan. The zoning of lands to the north of the village, part of which are outside the 400m walking band is in direct contravention of avoidance of leapfrogging and the sequential approach to development.</p>	<p>Chief Executive's Response</p> <p>This submission refers to Material Alteration Ref. – Villages – No. 4 as proposed:</p> <p><i>Amend Map Ref V2.2.4 A as follows:</i></p> <ol style="list-style-type: none"> <i>Lands to the north of Ballymore Eustace - Extend the settlement boundary and amend zoning objective from 'I: Agriculture' and un-zoned lands to (C) New Residential and (E) Community & Educational.</i> <i>Lands to the south of Ballymore Eustace – Amend settlement boundary to omit 5.1 ha site and remove 'C2: New Residential' zoning objective from these lands.</i> <p>Chief Executive's Response</p> <p>This submission relates to proposed material alterations to the land use zoning objectives map for the village of Ballymore Eustace and in particular where 'C' New Residential Development is proposed.</p> <p>Having considered the submission received and the points put forward, it is still considered that the proposed 'C' New Residential sites identified in the proposed material alterations are the most optimal location for new residential development to be</p>



accommodated in the village on a sequential basis from the village centre.

The site put forward in Submission No. 222 was considered in the Chief Executive Report of the previous Draft CDP stage. Given the elevated and undulating topography of this site relative to the public road it fronts which is a local road with less favourable road geometry conditions for access, it is considered that the proposed site put forward in the material alterations situated to the north of the school is the most appropriate location for new residential development in the village. Only a small portion of the northern end of this site lies outside the 400m sequential band from the village centre and the site does not represent a 'leapfrogging' form of development. The site benefits from landscaping and screening in place along its site boundaries with access opportunities onto both the R411 (Naas Road) and Truce Road.

Chief Executive's Recommendation

No change. It is recommended the County Development Plan be made with the proposed Material Alteration as displayed.

Rural Settlements

Summary of Issues Raised	Response & Recommendation
30. Two Mile House Parish	
<p>Material Alteration Ref. – RS – No. 3</p> <p>Two Mile House</p> <p>Amend Map 2V – 2.34 to designate 1.25ha of land as ‘SE: Settlement Expansion’ in the Rural Settlement of Two Mile House</p> <p>It is submitted that Two Mile House Parish has no objection to the proposed inclusion of the lands at Dowdingstown within the Rural Settlement Boundary (Map Ref. 2V -2.34)</p>	<p>Chief Executive's Response:</p> <p>The Core Strategy allocates 1.3% of the County's growth for the period 2017-2023 to Rural Settlements (it is not a percentage of the current number of housing units).</p> <p>The development objective for each individual rural settlement is to accommodate a population growth level of up to 20%.</p> <p>This level of growth is already accommodated within the Draft Plan.</p> <p>CE's Recommendation:</p> <p>It is recommended that Material Alteration Ref. –RS – No. 3 is not adopted.</p>

SECTION 5 – Determination of Compliance with Section 12 (10) of the Planning & Development Act 2000 (as amended) Regarding Further Modifications to Proposed Material Alterations

The Chief Executive's Report includes recommendations regarding further modifications to proposed Material Alterations.

Section 12 (10) of the Planning & Development Act 2000 (as amended) allows for a further modification to a Material Alteration to be made where:

- (i) it is minor in nature and therefore not likely to have significant effects on the environment or adversely affect the integrity of a European site,
- (ii) it does not relate to an increase in the area of land zoned for any purpose
- (iii) it does not relate to an addition to or deletion from the record of protected structures.

Regarding (ii) and (iii) above, none of the Chief Executive's recommended further modifications relate to an increase in the area of land zoned for any purpose and none relate to the addition or deletion from the record of protected structures.

Regarding (i) above, and taking into account:

- The relatively minor in nature Chief Executive's recommendations regarding further modifications;
- The content Proposed Material Alterations (and associated SEA Screening and AA Screening); and
- The content of the Draft Plan (and associated SEA and AA)
-

it is determined that the Chief Executive's recommendations regarding further modifications are not likely to have significant effects on the environment or adversely affect the integrity of a European site.

Therefore, the Chief Executive's recommendations regarding further modifications to Proposed Material Alterations provide for compliance with the criteria set out under Section 12 (10) of the Planning and Development Act 2000 (as amended).