

VARIATION NUMBER 1

Kilkenny County

Development Plan

2002

as adopted by Kilkenny County Council

in

September 2003

The Kilkenny Open Space, Sport and Recreation Study for the City and County has recommended a set of policies for inclusion in the County Development Plan and the Kilkenny City and environs Development Plan.

Having reviewed the study and the existing policies in the Kilkenny County Development Plan it is now recommended to proceed with a variation of the existing Kilkenny County Development Plan as follows:

Kilkenny County Development Plan 2002

Chapter 5 of the County Development Plan deals with Recreation Tourism and The Arts

This report sets out the proposed changes to the policies and objectives in that chapter as a result of the recommended policies in the recreational needs study report.

5.1 Recreation

The existing text of this section remains unchanged.

At the end of this section add the following.

An objective of the 2002 County Development Plan was to prepare a detailed recreation study of the County dealing with the quantitative and qualitative aspects of recreation within the County and setting out a strategy for the future provision of recreational facilities within the County. Kilkenny Borough Council and Kilkenny County Council jointly commissioned a recreation needs study for Kilkenny City and County and it is now complete fulfilling the stated objective. The report is intended to provide guidance on the future development of open space, sports and amenity policies in Kilkenny City and County. It represents a continuation of the positive approach of the Borough and County Councils to the development of open space and amenity areas demonstrated in the existing policies of the Kilkenny County Development Plan 2002.

Kilkenny County Council will seek to develop a strategic approach to the development of open space amenity and recreation provision throughout Kilkenny City and County as outlined in the Kilkenny Open Space, Sports And Recreation Study. The implementation of the studies policies and recommendations will be subject to the availability of finances and resources.

The County Council will seek to ensure that the current and future needs are:

- 1. guided by appropriate policies and recommendations.*
- 2. reflect the need to develop a hierarchy of sports and recreational opportunities.*
- 3. targeted geographically*
- 4. Implemented and promoted by all statutory undertakers in the area*
- 5. appropriately funded.*

Council with the assistance of the County Development Board and the Local Sports Partnership will seek to :

- a. *Enhance Planning of Sport and Recreation at local level through the Local Area Sports Partnership.*
- b. *Promote Kilkenny City, its environs and the County as a whole as a healthy area.*
- c. *Increase levels of local participation and promote the development of opportunities for all groups to become involved in sports and amenity. This is particularly relevant in the case of disadvantaged groups and specific target groups such as older people, girls and women, people with disabilities, unemployed people and those who live in disadvantaged communities or areas lacking amenity infrastructure.*
- d. *Improve access to all sectors of the population, especially the socially disadvantaged to a range of sport, recreation and leisure facilities.*
- e. *Encourage where appropriate better use of existing facilities and assist in the provision of new facilities.*
- f. *Encourage and provide facilities to enable progression through the sporting pathway of "foundation, participation, performance and excellence."*

The development plan has a specific objective to provide for a new swimming pool in Kilkenny City & Environs under section 5.1.2 Objectives.

The recreational needs report endorses that need and a specific objective for this will be retained in the plan as follows:

5.1.22 Objective

It is an objective of the Council in conjunction with Kilkenny Borough Council to develop a new swimming pool which shall incorporate other sports and leisure facilities on a suitable site within Kilkenny City and its Environs.

Delete the first objective of this section which read as follows:

"During the period of the Plan it is an objective of the Council to prepare a detailed recreation study of the County dealing with the quantitative and qualitative aspects of recreation within the County and setting out a strategy for the future provision of recreational facilities within the County."

5.1.1 Planning Policies.

Drawing from the recommendations of the Kilkenny Open Space, Sports And Recreation Study and the provisions and experience of the previous policies the following will form the Councils policy objectives.

The existing paragraph on the provision of facilities generally remains unchanged.

5.1.2 Protection of Open Space and Recreational Facilities.

This replaces the existing section on "Protection of Open space"

The Planning Authority will not normally permit development which would result in the loss of public or private playing fields, parks, children's play space, amenity open space or land zoned for recreational or open space purposes. An exception may be considered where all of the following requirements are demonstrably met:

- a) *There is a clear excess of playing fields or open space provision within the area. This should take into account the long-term needs of the community, the type and recreational and amenity value and accessibility of such provision.*
- b) *Alternative compensatory provision is made which is both accessible to and of equal or greater quality and benefit to the community.*
- c) *The continued use, proper maintenance and enhancement of the amenity/facility can best be achieved by the redevelopment of a small part of the site that will not adversely affect its overall sporting, recreational and/or amenity value of the facility.*
- d) *The site is indicated for an alternative use in the development plan.*

Playing fields, parks, gardens and informal open spaces are not only important as a recreational resource but also provide valuable green areas for wildlife corridors and habitats, act as buffers between conflicting land uses, enhance visual amenity especially in developed areas and contribute to the health and quality of life of citizens. Only where it is clearly established that open space and playing fields are no longer required for their original purposes, and the County Council has considered the need for other forms of recreational and amenity open space in the locality will it permit alternative development proposals. Many existing areas of open space are of considerable value and are therefore worthy of protection in their own right.

5.1.3 Hierarchy of Open Space.

This is a completely new section

Recreation leisure and sport are important components of a good quality of life and have major landuse implications. Adequate and accessible provision of open space, sport and recreational facilities is an important consideration in assessing the quality of life in a town or area. It is likely to become more important as densities in central areas increase and pressure from competing land uses becomes more intense.

The Council will seek to ensure that all residents have reasonable access to a range of different types of open space.

The Council will seek to implement as a priority the hierarchy of open space identified in the Kilkenny Open Space, Sport and Recreation Study for the City and County.

5.1.4 Open Space in New Residential Development.

This replaces the existing section on “Open space in New Residential development”

The Council will not normally permit new residential development unless open space is provided within the development to a minimum standard of 2.4 hectares per 1,000 population (circa 300 dwellings) or greater. Where a proposed development is located in close proximity to an established park area or zoned open space this may be relaxed depending on the nature and quality of existing provision. This relaxation will only be considered where the development pays a financial contribution towards the improvement of the open space so as to improve its quality and carrying capacity.

Developers will be required to make suitable provision for the future management and maintenance of open space required under this policy where spaces and facilities are not taken in charge by the Local Authority.

Reduced provisions may only be acceptable in urban locations where there are more sustainable patterns of development and maximum use can be made of urban land or redevelopment schemes where open space is already available. With relatively high densities such as flats, townhouses or apartments, good quality landscaped open space should be provided.

Open space provision for smaller residential developments and schemes catering for special needs such as accommodation for the elderly will be considered more flexibly on its merits and having regard to the requirements of likely future residents.

Developers may also be required to provide an equipped children's playground in association with open space provision where a development scheme would be greater than 800 metres from an existing easily accessible equipped children's playground.

Developers will be required to make suitable provision for the future management and maintenance of open space required under this policy either through management companies or agreements with the planning authority.

Adequate areas of open space should be an integral part of any new residential development to meet the needs generated by that development. The overall standard of 2.4 hectares per 1000 population is recognised in the Residential Density Guidelines for Local Authorities and will normally be applied in assessing proposals for open space for children's play and informal amenity. In developments, which are adjacent to and provide for easy access to significant areas of existing public open space a lesser standard of provision may be acceptable.

It is an objective of the Council to secure a high quality of design layout and landscaping in all new residential developments consistent with the Residential Density Guidelines.

Integrated pleasant, attractive and landscaped open space should form an intrinsic element of new residential development. The precise location, type and design of open space provision will be negotiated with developers according to the specific characteristics of the development, the site and its context. All open spaces proposed by developers should be designed and set out by suitably qualified landscape architects or similar design professionals so as to ensure a high standard and consistency with good design and layout practice.

Developers should consider providing a variety of open spaces both formal and informal semi-natural areas should be provided such as wetlands, woodlands, meadows, green corridors as well as formal gardens, and seating areas. These elements work best as part of a structure to the provision of open space.

5.1.5 Design of Open Space.

This is a completely new section

It is the policy of Kilkenny County Council to ensure that open space is provided to enhance the character of residential areas.

The Council will normally expect all open space provision to take account of the following principles.

- a) Open space should be provided in a comprehensive and linked way designed as an integral part of the development.*
- b) Areas should be of a demonstrated recreational or amenity value. Small dysfunctional open spaces should be avoided.*
- c) Wherever possible the majority of open space should be multi-functional. Areas for informal amenity and children's play should be combined.*
- d) Areas should be easily and safely accessible from all dwellings, which the space is designed to serve.*
- e) The design, location and appearance of open space areas should have regard to the amenities of nearby dwellings, for example, areas where children may play should normally be overlooked by the fronts of nearby dwellings to provide for maximum surveillance and overlooking*
- f) Public open space areas should not be located so close to adjoining dwellings so as to cause undue noise or nuisance to existing or proposed residents.*
- g) Attractive natural features should be protected and incorporated into open space areas. Tree planting should normally form an integral part of such open space areas.*
- h) The use of hard landscaping elements such as paving or cobbled areas can play an important role in the design and presentation of open space concepts and will be considered on merit in each case.*
- i) Public open space should be well designed from a visual perspective as well as functionally accessible to the maximum number of dwellings within the residential area.*

To ensure implementation of open space provision the Council will attach appropriate planning conditions to permissions, and where necessary will enter into agreements with developers. These will provide for the laying out and landscaping of open space areas in accordance with a detailed scheme to be agreed with the Council.

5.1.6 Public rights of way and Access to Open space.

This is a completely new section

Kilkenny County Council will preserve suitable rights of way, create new ones where appropriate and promote their greater use in amenity areas. In order to link amenities and facilities, Kilkenny County Council may have to seek the provision of pedestrian ways as a condition of planning permission.

Kilkenny County Council is aware that providing such routes can cause concern as these may give rise to antisocial behaviour particularly along unsupervised and secluded laneways. Every effort shall be made to avoid such a situation, through public lighting, appropriate layout and landscaping.

The Council will examine existing rights of way, paths, access points to the Rivers Nore, Suir and Barrow and other amenity areas to determine where public rights exist and where public rights of way should be created, for the provision of walking routes along the rivers and amenity areas of the County.

It is the policy of Kilkenny County Council to preserve and protect existing rights of way and create new rights – of – way in the interest of amenity as the opportunity or need arises.

It is the policy of the Council to encourage the provision of access routes to amenity areas in co-operation with landowners and protect amenity areas from infringement by inappropriate development.

It is the policy of the Council to seek to improve the provision of local parks and play spaces and extend those spaces and pathways that can usefully form green links, footways and cycle ways to connect residential areas with parks and open spaces and with each other.

It is an policy of the Council to make existing areas of open space as user friendly as possible. As well as seeking to ensure that new open space is well integrated to proposed development it is essential that open space have good pedestrian, cyclist and disabled access.

5.1.7 Childrens Play Facilities

This is a completely new section

It is the policy of the Council to provide, maintain and manage a children's play area in areas where it is appropriate as finance and resources permit. The Council will also require provision for children's play or developer contributions towards providing children's play facilities in association with new residential developments. The Council will apply the this criteria to lands in the Environs of Waterford City the Environs of New Ross Callan Castlecomer Graiguenamanagh, Thomastown and all other areas where statutory plans exist or are prepared in the future..

Within new residential developments where there is a significant family residential component the whole environment should be designed so as to permit children to play in safety.

5.1.8 Provision of sports and Recreation Facilities.

This replaces the existing section on "Appropriate levels of sports and recreation provision"

Developers will be required to make provision for sports and recreational infrastructure commensurate with the needs generated by that development and the capacity of existing facilities in the area to cater for existing and future needs. Residential planning applications in excess of 200 units will require a recreational needs assessment. This assessment should have regard to the Kilkenny Open Space, Sport and Recreation Study for the City and County and any future developer contribution scheme. Recreation provision should form an integral element of development proposals. Where provision is not provided on site it may be directly provided off site.

The Councils will apply the following as guidelines.

Table 5.1: Amenity Development Thresholds

| Site Capacity | Minimum quantity and type of leisure facilities required |
|-------------------------|---|
| No. of Dwellings | |
| <25 | <i>Development Contribution in lieu of Open Space or 2.4 hectares per 1,000 people (a minimum of 0.25 hectares must be provided)</i> |
| 25 or over | <i>Open space 2.4 hectares per 1,000 people (a minimum of 0.25 hectares must be provided)</i> |
| 100 – 199 | <i>Public open space to include a Neighbourhood Play Area</i> |
| 200 – 499 | <i>Equipped public open space to include: One full size grass sports pitch; One local Play area; and One court multi-use games area with Community association/club movement.</i> |
| 500 – 599 | <i>Public space to include: One full size grass sports pitch; One district play area or one local play area and additional neighbourhood play areas; One court multi-use games area; and Two tennis courts / basketball courts etc.</i> |
| 600 + | <i>Equipped public open space to include Two full size grass sports pitches; One district play area or one local play area and additional neighbourhood play areas; One court multi-use games area, and two tennis courts / basketball courts etc.</i> |
| 1,000+ | <i>One community / leisure Building including full size badminton / basketball court with community association / club movement Equipped public open space to include; Two full size grass sports pitches; One district play area or one local play area and additional neighbourhood play areas; One court multi-use games area; and two tennis courts / basketball courts etc. One community leisure building including full size badminton / basketball court with community association /club movement within.</i> |

The above standards will be applied as a minimum requirement for on site provision as part of residential development or for off site provision. In the interests of meeting strategic needs the Council may pool together the requirements of individual and relatively smaller developments to provide facilities and amenities of a strategic nature at the higher end of the hierarchy. Developer contributions may also be sought and may be applied to improve existing facilities nearby.

In areas where new development is proposed and the cumulative impact of the development of new houses will, or is expected to exceed the volume of housing development identified above as thresholds, developers will be required to provide financial contributions or lands towards the development of sports and recreation facilities that will be developed to meet the needs of their development in conjunction with the expected needs of other nearby developments. In instances where this includes, or is expected to include the acquisition of lands this requirement will be specified. This is particularly important in the case of the

- *The Western Environs of Kilkenny City (a 346 acre area within walking distance of Kilkenny City).*
- *The Waterford Environs Area within County Kilkenny.*

5.1.9 Development Contributions

This replaces the existing section on “Development levies for sports and recreation facilities”

Where on site provision is not appropriate the County Council will levy a sum of money from each housing unit in lieu of the provision of public open space / recreation facilities.

The County Council will impose a levy for provision of open space/recreational facilities in accordance with Section 48 of the Planning and Development Act. Development contributions will be used to assist in the provision of open space and recreational facilities while security will be required for the satisfactory completion of open spaces in private developments until taken in charge as per the provisions of section 34(4)(g) and (j) of the Planning and Development Act 2000.

5.1.10 Intensive Sports Facilities

This replaces the existing section on “Intensive Sports facilities”

The Council will normally permit development proposals for intensive sports facilities where all of the following criteria are met.

- *The proposal is compatible with development plan zonings.*
- *There will be no detrimental impact on residential amenity.*
- *It is located so as to be accessible to its catchment population and gives priority to walking, cycling and public transport and does not generate unacceptable levels of traffic.*
- *It is designed so as to minimise the impact of noise and light pollution.*
- *There is no significant detrimental impact on the natural environment or features of the archaeological or built heritage.*
- *The proposal is of high quality design and respects and contributes to the character of its location and townscape.*
- *Public access is provided.*
- *Ancillary facilities are provided such as childcare facilities.*

Intensive sports facilities include stadia, leisure centres, sports halls, swimming pools and other indoor and outdoor sports facilities that provide a wide range of activities as well as facilities attracting significant numbers of spectators and use outside normal sporting periods. The location of intensive sports facilities can often be contentious. They can attract large numbers of people, particularly in the evenings and at weekends. They often also generate high levels of noise, operate long and late hours, attract a large number of vehicle movements and can require large parking areas. Specific concerns may also arise where floodlighting is proposed.

On occasion the Council may need to be satisfied that a management plan is in place to ensure that there is no detrimental impact on surrounding residential amenity. Planning conditions may be imposed to this effect.

5.1.11 Major Sports Facilities and Stadia.

This is a completely new section

Proposals for, and extensions to, major sports stadia will be supported by the County Council where they will be accessible by a range of forms of transport other than the car, and will not cause unacceptable impact to the amenity of nearby residents by way of noise and disturbance.

The Council requires major stadia to be in appropriate locations and to follow the principles of sustainability. For major schemes an Environmental Impact Assessment may be required. Where the Councils are concerned at possible effects on traffic a Transport Impact Assessment may be required where it is demonstrated that proposals would generate significant impact on the transport network a travel plan may be required.

5.1.12 Noise Generating Sports.

This replaces the existing section on “Noise Generating Sport”

The Council will not normally permit development proposals for sport or recreational uses generating high levels of noise unless the following criteria are met.

- *There will be no unacceptable disturbance to local residents.*
- *There will be no unacceptable disturbance to farm livestock and wildlife.*
- *There will be no conflict with the enjoyment of areas used for informal recreation.*
- *The ambient noise level in the area is already high and the noise likely to be produced by the new activity will not be dominant.*

The impact of noise is an important issue in assessing proposals for activities such as motor sports. Appropriate sites for the regular use of these sports are not easy to identify and will depend on the type of activity, the tone, level and duration of any noise generated, local topography and the amount of existing proposed screening.

Proposals for noisy sports will only be acceptable where the likely impact can be contained and minimised by landform or woodland. Other suitable sites may include degraded land, former mineral workings or land adjacent to an existing source of noise. In certain cases the Borough and County Councils may only consider it appropriate to grant a temporary permission to allow the impact of noise levels and any potential disturbance or nuisance to be more fully assessed.

5.1.13 The River Nore

This is a completely new section

It is the policy of the County Council to promote the amenity potential of the River in order to facilitate the development of amenity, recreational, ecological and tourism benefits for the city and region generally.

The river has considerable potential both waterside and landside to be used as recreational asset for the city, the county and the region as a whole.

The open space assessment of the Kilkenny Open Space, Sport and Recreation Study for the City and County has defined a corridor and sites suitable for a development of the river as an amenity of quality. To this end a number of access points or slipways, related boating facilities, promenades, waterborne and waterside activities, green spaces and hard urban spaces and general amenities have also been identified. Parks have also been identified along the river.(refer to Vol. 2 of The Kilkenny Open Space, Sport and Recreation Study for the City and County)

5.1.14 Access to the River Nore.

This is a completely new section

It is the policy of the County Council to protect and improve access to the River Nore. Riverside development will be required to set aside land for pedestrian routes, which will be strategically linked in a series of walks.

A strategic network of walks has been identified by the Council in the Kilkenny Open Space, Sport and Recreation Study for the City and County. For riverside development the Councils will impose a development levy to provide walking amenities and facilities.

5.1.15 The Rivers Suir and Barrow

This is a completely new section

It is a priority of the County Council to protect and improve the amenity potential and accessibility of the Rivers Suir and Barrow. These are important river assets within the County. Riverside development along these rivers will be required to set aside land for pedestrian routes, that could be linked to the broader area and any established settlements in their vicinity.

5.1.16 Riverside Development.

This is a completely new section

*The Council will seek to ensure that proposals along the Rivers Nore **Suir and Barrow** will achieve an appropriate balance of uses commensurate with the sensitivity of the natural environment. Factors that will be taken into account when considering proposals affecting the Rivers include:*

- 1) Any landscape or nature designation for the area.*
- 2) Any proposals to increase the extent of public access.*
- 3) The extent of any environmental improvements to the water environment and its surroundings.*
- 4) The nature of any recreation use proposed; and*

- 5) *Any conflict or compliance with proposals for walking or cycling routes.*

The river is an important natural resource that must be protected. It however also offers exciting opportunities for development.

5.1.17 Development Associated with Water Sports.

This replaces the existing section on “Development Associated with Water Sports”

The County Council will normally only permit proposals for development associated with water sports adjacent to waterways and inland lakes where all the following criteria are met.

- *The proposed facilities are compatible with any existing use of the water, including non-recreational uses;*
- *It will not result in damage to sites of nature conservation importance or features of the archaeological and built heritage;*
- *The development can be satisfactorily integrated into its landscape or townscape surroundings;*
- *The development will not have an unacceptable impact on visual amenity especially in areas of high amenity or other locally important scenic areas; and*
- *The development will not result in over intensification of use leading to pollution, excessive noise and nuisance.*

Water sports cover a wide range of activities from tranquil uses such as angling, sailing, canoeing, rowing and sail boarding to powered activities such as water-skiing and powerboat uses. The Councils may require management plans for particular water areas to address the compatibility of such varying demands.

Most development associated with water sports such as slipways, boathouses, toilet and changing facilities, parking areas and access will require planning permission. In considering such development proposals the Councils will assess the impact of the visual amenity and character of the area. Where permission is granted the Planning authority will require high levels of design both in terms of layout, buildings and other structures and in the treatment of boundaries either adjacent to the road or the actual waterway. The Councils will normally require details of landscaping and surface treatments to accompany all planning applications.

5.1.18 Walking Routes and Trails

This is a completely new section

It is the intention of the Council in conjunction with the Borough Council to identify, promote and maintain a series of walking routes within the city and to link these to a strategic network of trails into the county.

The Council will encourage the development of facilities that are accessible to those who walk and cycle. The Council will also work with other local authorities agencies and organisations to provide a network of walking routes.

5.1.19 Cycle Routes.

This is a completely new section

The Council will require developments to provide routes, facilities and amenities for those cycling.

The Councils will seek to improve cycle facilities throughout the county.

5.1.20 Local Area Regeneration

This is a completely new section

The development of quality open space and recreation amenities will be made a priority in local regeneration and redevelopment initiatives.

Quality open spaces reinforce an areas character and identity and are an important aspect of the regeneration of disadvantaged areas.

5.1.21 Floodlighting of Recreational Facilities.

Kilkenny County Council will normally only permit proposals for the floodlighting of recreational facilities where the amenities of adjacent residents will not be significantly impaired and the visual amenity and character of the locality will not be adversely affected. (unchanged from the existing development plan)

5.1.21 Outdoor recreation in the Countryside

This section to remain unchanged

The following amendments will also be required in the Development Control Section (Chapter 10) of the County Development Plan and a new section (section 4.4.1) on surface water was resolved to be inserted.

Section 10.7.2

Paragraph 9 10.7.2 reads as follows:

A detailed landscaping plan should be prepared as an integral part of the overall development of the estate and submitted as part of the planning application for the development. Planting should be used as for screening purposes and as an essential element of visual amenity. Planting schemes should include characteristic varieties such as chestnut, oak, lime and beech trees. Existing trees and hedgerows should be retained wherever possible and incorporated into the development.

This to be changed to :

Integrated pleasant, attractive and landscaped open space should form an intrinsic element of new residential development. The precise location, type and design of open space provision will be negotiated with developers according to the specific characteristics of the development, the site and its context. All open spaces proposed by developers should be designed and set out by

suitably qualified landscape architects or similar design professionals so as to ensure a high standard and consistency with good design and layout practice.

Section 10.7.4

Replace from the existing bullet points and text to the end of that section by the following :

The Council will normally expect all open space provision to take account of the following principles.

- a) *Open space should be provided in a comprehensive and linked way designed as an integral part of the development.*
- b) *Areas should be of a demonstrated recreational or amenity value. Small dysfunctional open spaces should be avoided.*
- c) *Wherever possible the majority of open space should be multi-functional. Areas for informal amenity and children's play should be combined.*
- d) *Areas should be easily and safely accessible from all dwellings, which the space is designed to serve.*
- e) *The design, location and appearance of open space areas should have regard to the amenities of nearby dwellings, for example, areas where children may play should normally be overlooked by the fronts of nearby dwellings to provide for maximum surveillance and overlooking*
- f) *Public open space areas should not be located so close to adjoining dwellings so as to cause undue noise or nuisance to existing or proposed residents.*
- g) *Attractive natural features should be protected and incorporated into open space areas. Tree planting should normally form an integral part of such open space areas.*
- h) *The use of hard landscaping elements such as paving or cobbled areas can play an important role in the design and presentation of open space concepts and will be considered on merit in each case.*
- i) *Public open space should be well designed from a visual perspective as well as functionally accessible to the maximum number of dwellings within the residential area.*

To ensure implementation of open space provision the Council will attach appropriate planning conditions to permissions, and where necessary will enter into agreements with developers. These will provide for the laying out and landscaping of open space areas in accordance with a detailed scheme to be agreed with the Council.

The Council will not normally permit new residential development unless open space is provided within the development to a minimum standard of 2.4 hectares per 1,000 population (circa 300 dwellings) or greater. Where a proposed development is located in close proximity to an established park area or zoned open space this may be relaxed depending on the nature and quality of existing provision. This relaxation will only be considered where the development pays a financial contribution towards the improvement of the open space so as to improve its quality and carrying capacity.

Developers will be required to make suitable provision for the future management and maintenance of open space required under this policy where spaces and facilities are not taken in charge by the Local Authority.

Reduced provisions may only be acceptable in urban locations where there are more sustainable patterns of development and maximum use can be made of urban land or redevelopment schemes where open space is already available. With relatively high densities such as flats, townhouses or apartments, good quality landscaped open space should be provided.

Open space provision for smaller residential developments and schemes catering for special needs such as accommodation for the elderly will be considered more flexibly on its merits and having regard to the requirements of likely future residents.

Developers may also be required to provide an equipped children's playground in association with open space provision where a development scheme would be greater than 800 metres from an existing easily accessible equipped children's playground.

Developers will be required to make suitable provision for the future management and maintenance of open space required under this policy either through management companies or agreements with the planning authority.

Adequate areas of open space should be an integral part of any new residential development to meet the needs generated by that development. The overall standard of 2.4 hectares per 1000 population is recognised in the Residential Density Guidelines for Local Authorities and will normally be applied in assessing proposals for open space for children's play and informal amenity. In developments, which are adjacent to and provide for easy access to significant areas of existing public open space a lesser standard of provision may be acceptable.

It is an objective of the Council to secure a high quality of design layout and landscaping in all new residential developments consistent with the Residential Density Guidelines.

Integrated pleasant, attractive and landscaped open space should form an intrinsic element of new residential development. The precise location, type and design of open space provision will be negotiated with developers according to the specific characteristics of the development, the site and its context. All open spaces proposed by developers should be designed and set out by suitably qualified landscape architects or similar design professionals so as to ensure a high standard and consistency with good design and layout practice.

Developers should consider providing a variety of open spaces both formal and informal semi-natural areas should be provided such as wetlands, woodlands, meadows, green corridors as well as formal gardens, and seating areas. These elements work best as part of a structure to the provision of open space.

It was resolved and agreed that the following statement be insertion in Chapter 4 as section **4.4.1 Surface Water Disposal** of the Kilkenny County Development Plan 2002.

4.4.1 Surface Water Disposal

It is an objective of the Council to secure the disposal of surface water associated with developments to avoid increase in the risk of flooding.

This objective is to be achieved in keeping with modern good practice and having regard to the characteristics and attributes of each site.

It is the policy of the Council to:

Seek positive surface water drainage incorporating discharge flow attenuation for all green field site developments other than those that are isolated and small in scale and unlikely to increase the risk of flooding.

This means that all storm water shall be collected in a storm water pipe network with attenuation and disposed of to a watercourse, and shall not be directed to a soakpit. It will be the responsibility of the developer to prove that the pipe network and/or watercourse into which discharge is proposed has an adequate capacity, and will not give rise to flooding off site.

Ground soakage for roof water from houses may be permitted subject to the developer establishing that site is suitable.

The onus is on the developer to establish that the receiving drainage system and/or watercourse can cater for the discharge without increased risk of flooding off site.

END