

**TO: AN CATHAOIRLEACH
& EACH MEMBER OF KILKENNY COUNTY COUNCIL**

RE: SUBMISSIONS TO DRAFT LOCAL AREA PLAN FOR THOMASTOWN

DATE: 14TH JANUARY, 2019

Dear Councillor,

I attach herewith Report on Submissions to Material Alterations to Draft Local Area Plan for Thomastown.

I recommend that the Material Alterations outlined in the report are accepted by the Council and published for a period of further public consultation in accordance with the requirements of the Planning & Development Acts 2000 to 2018.

Yours sincerely,


Colette Byrne,
Chief Executive

Chief Executive's Report
Draft Thomastown Local Area Plan 2018



January 2019



Kilkenny County Council

Colette Byrne,
Chief Executive

Sean McKeown,
Director of Services

Denis Malone,
Senior Planner

1. Introduction

This report forms part of the statutory procedure for the making of a Local Area Plan (LAP). It addresses the submissions received during the 6 week public consultation period, from the 8th of November to the 20th of December 2018, in relation to the Draft LAP.

The purpose of the report is to:

- (a) Report on the written submissions/observations received in relation to the Draft LAP during the public consultation period.
- (b) Set out the Chief Executive's response to the issues raised in the submissions/observations and;
- (a) Make recommendations to the Elected Members on the issues arising from the consultation process.

This report is being furnished to the Elected Members of Kilkenny County Council in accordance with Section 20(3)(c) of the Planning and Development Act 2000 (as amended), for their consideration.

1.1 Details of Public Display

The documents put on public display for the Draft Local Area Plan were:

- Draft Local Area Plan
- Public Notice
- Appropriate Assessment Screening Report
- Strategic Environmental Assessment Screening Report
- Strategic Flood Risk Assessment

All of the above documents were placed on the consult.kilkenny.ie consultation website and on the Council's own website. Hard copies of the documents were on public display in the following locations:

- Planning Office, Kilkenny County Council, County Hall, John Street, Kilkenny
- Thomastown Area Office
- Thomastown Library (during opening hours)

Submissions could be made from the 8th of November to 5pm on 20th of December 2018 by:

- Email to ourplan@kilkennycoco.ie
- Online at consult.kilkenny.ie
- Written submissions to Director of Services, Planning, Kilkenny County Council, County Hall, John Street, Kilkenny.

An Information Evening took place at the Thomastown Community Centre on the 20th of November 2018 from 4 – 8pm, where copies of the Draft LAP and associated documents were available for interested parties to review.

2. Submissions Received

In total, 19 submissions were received to the Draft Local Area Plan, as set out below¹.

Ref	Name
TTD - 1	James & Jane Flooks
TTD - 2	Thomastown Paddlers (Donnacha Brennan)
TTD - 3	Dept of Housing, Planning & Local Government
TTD - 4	PJ Whelan
TTD - 5	Carol Whelan
TTD - 6	James & Mary Brennan
TTD - 7	Mary Deevy
TTD - 8	Irish Water (Matthew Collins)
TTD - 9	Thomastown Community Network
TTD - 10	Thomastown Community Network
TTD - 11	Kevin Moore (Peter Thompson)
TTD - 12	Lisa Karkut
TTD - 13	Niall O'Gorman (Peter Thompson)
TTD - 14	Anthony Hoyne
TTD - 15	Jennie Castle
TTD - 16	Dept of Culture, Heritage and the Gaeltacht (Development Applications Unit)
TTD - 17	Gerard Gaffney (Simon Clear)
TTD - 18	Tom Prendergast
TTD - 19	Michael O'Brien

¹ The full text of the submissions received are available to view at the following link:
<https://consult.kilkenny.ie/en/node/2531/submissions>

2.1 Submissions from Statutory Bodies

In the recommendations, the deletion of text is indicated with a ~~strike through~~ and the addition of text is indicated in *blue italics*.

Ref No.	Name
TTD - 3	Department of Housing, Planning & Local Government
Submission Summary: <ol style="list-style-type: none"> 1. The Department commends Kilkenny County Council for producing a well thought out, balanced planning strategy for the future development of Thomastown. It is noted and welcomed that a reduction in the amount of residential zoning is being proposed in this plan to ensure that an appropriate core strategy is in place and that the Council are containing future development in a sequential manner whilst at the same time ensuring that land zoned can be activated for housing. 2. The submission from the Department also notes that the Draft Plan includes a number of useful elements in relation to evidence based methodologies including: <ul style="list-style-type: none"> • The setting out of the National Policy Objectives as contained within the NPF • The incorporation of an Infrastructural Assessment • Educational capacity and projected demand. 3. The Department notes that the Plan allows for the vacant site levy to be applied on lands designated as existing residential, new residential, low density residential, general business and industrial. However, individual vacant sites in the town have, as of yet, to be identified. The Department urges the Council to identify specific sites for inclusion on a vacant site register. 4. The Department also recommends the inclusion of the ratio of jobs to workers as contained in the NPF and subsequent calculation of projected increase in jobs and required lands zoned for industry and business in the LAP. 	
Chief Executives Response: <ol style="list-style-type: none"> 1. Noted. 2. Noted. 3. Regarding the identification of Vacant Sites in Thomastown, the Council have been implementing the provisions of the Urban Regeneration & Housing Act, 2015 across the County and have added sites in Thomastown to the Vacant Site Register and the statutory process as regards same is running its course. However, it is understood that there is no requirement to identify these sites in the preparation of an LAP. 4. The ratio of jobs to workers be included in the Draft LAP. 	
Chief Executives Recommendation: <ol style="list-style-type: none"> 1. No change 2. No change 3. No change 4. Inclusion in the LAP of the ratio of jobs to workers as contained in the NPF. 	

Ref No.	Name
TTD - 8	Irish Water
<p>Submission Summary: Irish Water welcomes the opportunity to review the Draft LAP. Submission notes that capacity is available in the water supply network and water treatment plant and advise that there is a project progressing to connect the Inistioge network to the Thomastown network which is due to be completed in 2019.</p> <p>The submission also advises that there is capacity available in the Thomastown Wastewater Treatment Plant.</p> <p>The submissions further notes that the Thomastown network has been included on the national storm-water overflow (SWO) survey and assessment programme which has commenced and will take 2-3 years to complete. In this regard the Thomastown wastewater network is currently listed as possibly constrained in terms of capacity. The outcome of the survey and assessment programme will provide further detail on the capacity of the network on completion and as a result there may be a need for local network reinforcement depending on the location and size of any new developments, however, Irish Water advise that this will be identified during the connection applications procedure.</p> <p>Irish Water has also provided the Council with a suite of policies and objectives which they suggest be included in LAPs in relation to protecting Irish Waters assets and the environment.</p>	
<p>Chief Executives Response: The contents of the submission from Irish Water including the suite of policies and objectives are noted. It is considered that many of these are addressed in the County Development Plan and through the Infrastructural Assessment carried out during the local area plan preparation process, however, those relevant to Thomastown will be included in the LAP.</p>	
<p>Chief Executives Recommendation: It is recommended that the suite of appropriate Objectives/Policies for Water Services as recommended by Irish Water (attached to report) be appended to the Local Area Plan as Appendix 3 and that the following objective be inserted:</p> <p><i>INFO1.2: to have regard to the suite of development objectives from Irish Water set out in Appendix D of this Local Area Plan in assessing applications for new development within the plan area.</i></p>	

Ref No.	Name
TTD - 16	Dept of Culture, Heritage and the Gaeltacht (Development Applications Unit)
<p>Submission Summary: 1. The submission from the Department of Culture, Heritage & the Gaeltacht notes</p>	

that the plan will encompass a large and diverse area ranging from greenfield sites, riverine areas, urban and rural environments and therefore it is recommended that all such relevant and appropriate assessment is contained in a detailed Cultural Heritage Section that looks to assess all aspects of the Thomastown area and its Environs (both for terrestrial and underwater cultural heritage) and thus provide a comprehensive archaeological assessment that will then form part of a strategic assessment process to inform the LAP generally and cover potential developments or works that may not be subject to the normal planning process.

2. The submission suggests that Appropriate Archaeological Impact Assessments (AIA) or Underwater Archaeological Impact Assessments (UAIA) would be particularly relevant where any Flood Risk Management Scheme is proposed or is to be extended. It is therefore recommended that the SEA and any proposed Flood Risk Management Assessments include assessment of the known and potential cultural heritage in all areas to be covered by the LAP.
3. In addition, the Department advise that is the policy of The Heritage & Planning Division and the Underwater Archaeology Unit that proposed developments, due to their location, size, or nature, that may have implications for the archaeological heritage should be subject to archaeological assessment and should be included in the LAP.

Chief Executives Response:

1. The submission from the Dept of Culture, Heritage and the Gaeltacht is noted. The SEA will include section on Cultural Heritage.
2. The Draft Local Area Plan makes provision for the protection of Archaeological Heritage under policy ARC 1. This will be expanded to provide for underwater archaeology.
3. The Departments comments regarding the requirement for an Appropriate Archaeological Impact Assessments (AIA) or Underwater Archaeological Impact Assessments (UAIA) for any Flood Risk Management Scheme and any proposed developments which may have implications for archaeological heritage are also noted and provision for same will be made in the LAP.

Chief Executives Recommendation:

1. Consider cultural heritage in SEA and SFRA.

2. Amend policy ARC 1

'It is the policy of the Council to safeguard the archaeological heritage, including underwater archaeological heritage, in the LAP area....'

3. Add objective ARCO1.3


To require an Archaeological (including underwater) Impact Assessment of proposals for developments, where appropriate, due to their location, size, or nature that may have implications for the archaeological heritage of the town.


2.2 Other submissions

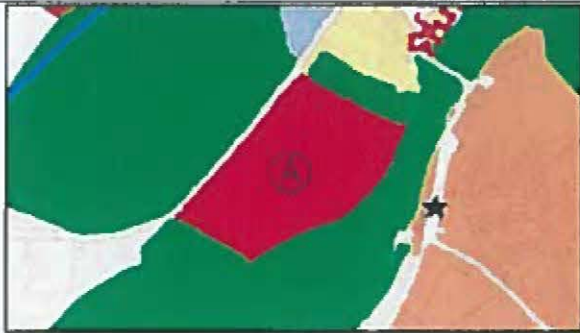
Ref	Name
TTD - 1	James & Jane Flooks
Submission Summary: Supports the objectives of the LAP in terms of support the proposed use of the Sessions House as a community facility, also offers support for the proposed zoning of land to the south of the town along the R448 as Agricultural and Open Space, as excessive development of this area would have an adverse effect on the setting of the town, and detract from the view of the old mills along the Nore from Marsh Street. The proposal to develop new housing along a route to the station, together with some further development to the north adjacent to existing housing, so as to allow for commuter access to the station, and concentrating housing in the vicinity of schools and supermarkets is a well thought out allocation of land use, with the potential to cut down on vehicle journeys.	
Chief Executives Response: The contents of this submission are noted.	
Chief Executives Recommendation: No change.	

Ref	Name
TTD - 2	Thomastown Paddlers Canoe Club (TPCC) (Donnacha Brennan)
Submission Summary: Submission notes that facilities on the Nore are poor and while the club have plans in the pipe line, having these requirements mentioned in the Local Area Plan, would give an even greater show of support. The Clubs submission proposes the development of a waterside boathouse for TPCC, which could also be used as a HQ during any unfortunate river related accidents and improved access to the river Nore for TPCC including steps and ramp, which could also be used by emergency personnel to access the river quickly and safely.	
Chief Executives Response: The Draft Local Area Plan acknowledges that the river is relatively inaccessible at some points in the town and whilst the overarching objectives of the local area plan is to maintain the integrity of the River Nore, providing recreational space for the town is also important. The Council supports the development of safe and suitable access points and boathouse, at appropriate locations, subject to relevant consent and environmental assessments including AA, and Strategic Flood Risk Assessment.	
Chief Executives Recommendation: Add objective <i>OSO2.3; To support and facilitate the provision of safe access points to the river, subject to appropriate environmental and flood risk assessments.</i>	

Ref	Name
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TTD - 4	PJ Whelan
Submission Summary: Mr Whelan's submission relates to his lands at Guter, Thomastown (see lands outlined below marked A) and requests that the zoning of same be Agriculture, not Open Space as proposed.	
	
Chief Executives Response: The submission from Mr Whelan is noted. The lands at Guter are located adjacent to the SAC boundary and partially within Flood Zones A and B and have historically been zoned Open Space. The proposed zoning is considered appropriate and does not affect the existing use of the lands. In this regard, the Draft LAP states that extension and expansion of existing uses will be considered on their own merits.	
Chief Executives Recommendation: No change.	

Ref	Name
TTD - 5	Carol Whelan
Submission Summary: Mrs Whelan's submission relates to lands at Grove, Thomastown (see lands outlined below) and requests that the zoning of same be Mixed Use (Lands Marked A) and Agriculture (Lands Marked B) not Open Space as proposed.	
	
Mrs Whelan's submission also relates to lands at Filbars, Thomastown (see lands outlined below marked A) and requests that same be Agriculture, not Open Space as proposed.	



Chief Executives Response:

The submission from Mrs Whelan is noted.

Lands at Grove

In relation to the lands at Grove and the request for same to be zoned Mixed use, the Draft Local Area Plan is required to comply with the requirements of the National Planning Framework (NPF) in terms of compact and sequential growth and sustainable communities. The Draft Local Area Plan has identified sufficient lands for mixed use at appropriate locations within the town that accords with the level of growth allocated to Thomastown. The lands rise significantly from the road and as such are less suited for development whilst contributing towards the rural amenity value on the approach to Thomastown via the Station Road, including the row of mature trees which run along the north of the road.

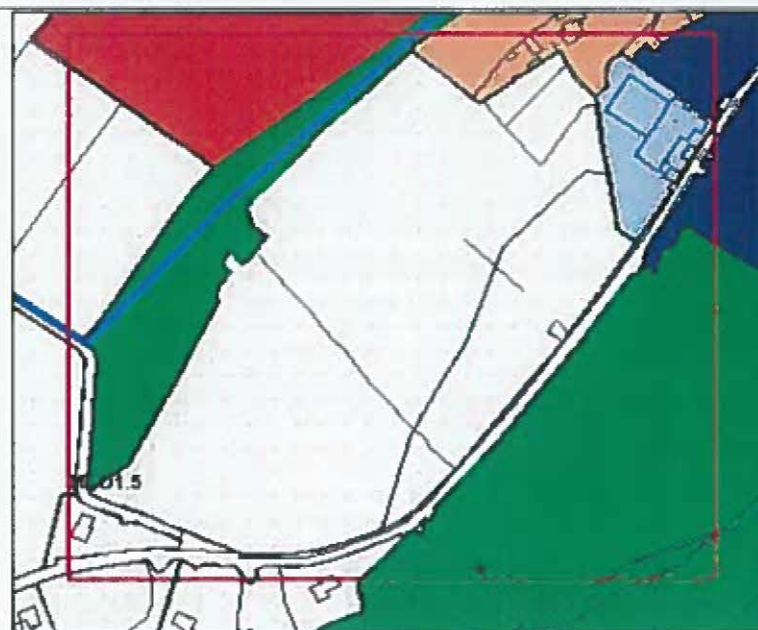
Lands at Filbars

The submission from Mrs. Whelan is noted. The lands at Guter are located adjacent to the SAC boundary and partially within Flood Zones A and B and have historically been zoned Open Space. The proposed zoning is considered appropriate and does not affect the existing use of the lands. In this regard, the Draft LAP states that extension and expansion of existing uses will be considered on their own merits.

Chief Executives Recommendation:

Lands at Grove

Amend zoning to Agriculture and include specific objective in relation to the protection of the rural amenity of the lands to include specific reference to the trees.

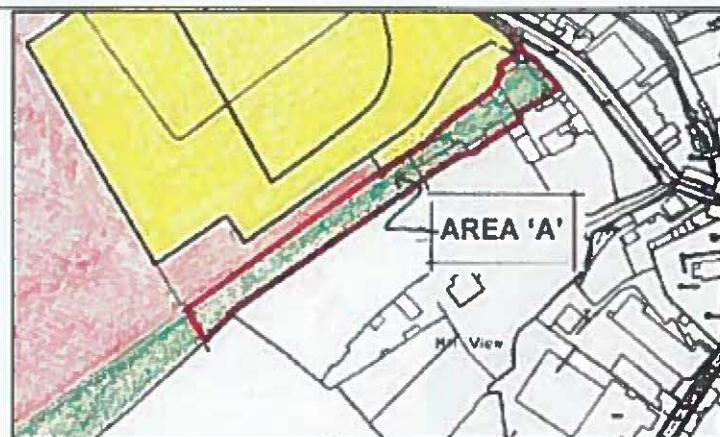


GIO1.3: To protect and maintain the open character of the landscape from the Station Road to the ridge line including the row of mature trees along the southern boundary of these lands and to assess these trees for their suitability for a Tree Preservation Order.

Lands at Filbars

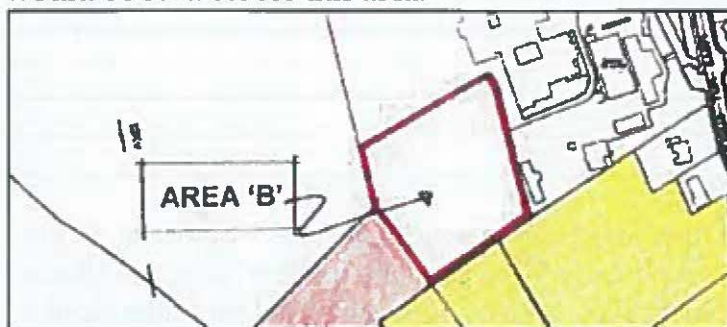
No change

Ref	Name
TT - 6 (kk-c77-6)	James & Mary Brennan
Submission Summary: Submission from James and Mary Brennan, owner of lands at Ladyswell Street, confirm that they will be willing to participate in the preparation of a masterplan for their lands and support the zoning of 3.7ha of their lands for new residential development. However, the submission requests that the extent of the mixed use, new residential, open space and agricultural zoning be revised in two locations.	
Area A The submission requests that the zoning of Area A identified above be amended from Open Space to mixed use. The submission highlights that due to the acute geometry of the access from Ladyswell Street and the one way system currently in operation that the existing farmyard is difficult to access. The submission suggests that once the road and the health care centre are completed, the proposal to zone these lands for open space will not encourage the development or redevelopment of the farm yard, which will continue to deteriorate.	



Area B

The submission states that these lands will be difficult to farm once the masterplan has been prepared and agreed, and requests that the area marked B be zoned mixed use or new residential and suggest that a nursing home or housing for the elderly would be suitable for this area.



Chief Executives Response:

The contents of the submission from Mr & Mrs Brennan are noted.

Area A

The development strategy for Thomastown acknowledges the importance of the lands at Ladyswell Street, in terms of the delivery of new housing but also in terms of the provision of a high quality alternative link to the train station. The proposal regarding the lands currently occupied by the disused farm yard are noted and it is agreed that these lands would present an opportunity to replace a redundant farm yard with potential mixed use proposals which would visually improve Ladyswell Street and provide further opportunities for commercial links to the historic town core. The remainder of the strip of open space long this ridge should remain open space so as to complement the existing rural amenity when viewed from Station Road and to maintain a green corridor towards the train station.

Area B

The LAP is required to be consistent with the requirements of the National Planning Framework including its implementation roadmap, the Draft Regional Spatial & Economic Strategy and the Kilkenny County Development Plan, there is no scope to allocate additional land for residential development within the LAP area.

Chief Executives Recommendation:

Area A

Amend Land Use Zoning Map to reflect zoning change from open space/New residential to mixed use.



Area B

No change

Ref	Name
TTD - 7	Mary Deevy
<p>Submission Summary:</p> <ol style="list-style-type: none"> 1. This submission suggests that there needs to be a more proactive approach to the development of rural tourism in County Kilkenny and further suggests that a way of doing this is to have initiatives in geographical areas, for example the triangle of the towns/villages of Thomastown/Inistioge/Graiguenamanagh all have accessibility to the river and countryside and same should be linked. The submission also suggests that Kilkenny Tourism/Kilkenny County Council needs to drive this project with consultation from the local communities. The submission highlights that Rural Tourism is a great driver of economic growth and thus resources need to be put into developing it and suggests that the Tourism section in the plan could be expanded considerably with a few more concrete achievable targets in place. 2. The submission states that the section of the Thomastown-Inistioge river walk needs to be further promoted and marketed and a rural bus link provided to bring people back, as most people just do it one way and there is no transport back. In the area of recreation, the TCN are currently developing walking routes in the town and the submission states that this could be incorporated into the plan. Two proposed walking routes are being considered and funding has been secured. 3. Also in the area of sports and recreation, the submission identifies that at a previous public consultation by the Thomastown Community Network, a need for more outdoor spaces for children/teenagers in the town was highlighted and the submission suggests that the 'Social infrastructure' section should acknowledge that there is a need in this area. The existing playground is geared to smaller children and there is a deficit of an outdoor play space that is close to 	

the town for the 10 to 18 year old age group and the submission identifies that there is a tennis court and basketball court behind the community centre that possibly could be upgraded as they are in a bad condition at present.

Chief Executives Response:

1. The Draft Local Area Plan acknowledges the importance of tourism for the town and its hinterland and TO1.2 specifically supports the development of tourism infrastructure, attractions and facilities at appropriate locations in the town subject to the protection of architectural heritage and natural amenities, however, as same is a land use plan, cannot provide marketing mechanisms for particular projects. It should be noted that the Kilkenny County Council Tourism Statement of Strategy and Work Programme 2017 – 2022 identifies tourism projects and a programme of work which the Council will undertake until 2022. The Kilkenny County Development Plan is also under review which will address Tourism in a county context. The wealth of community volunteerism and engagement in Thomastown delivered through the efforts of the various community groups in the town is acknowledged, and the Council will continue to support and assist such groups as resources allow.
2. In relation to the development of walking routes within the town, the Draft LAP acknowledges (in Section 7.2 Open Space) that the River Nore provides a significant opportunity for strategic Open Space that can connect into a wider regional network and support opportunities for strategic walking and cycling routes, in addition to ecology and biodiversity linkages. Furthermore, Objective OSO2.1 makes provision for the promotion of a *'network of paths and cycle tracks to enhance the use of strategic open spaces in the town...'*
3. Regarding the identification of a need for more outdoor spaces for young people in the town (in particular 10-18 year olds) the Council acknowledges that there may be a requirement for additional services. In this regard, the Draft Local Area Plan states that *'the Council will facilitate and secure the provision of social infrastructure to support existing and new communities'*.

Chief Executives Recommendation:

1. No change
2. No change
3. Add Objective

COMO1.1 To support and facilitate the provision of multi-functional community facilities to meet the needs of the youth population of Thomastown.

Ref	Name
TTD - 9 + 10	Thomastown Community Network (TCN)
Submission Summary:	
<ol style="list-style-type: none"> 1. TCN's submission (no. 9) highlights that the existing playground is not appropriate for older children/ adolescents and the town could use a space for this age group. 2. TCN's submission (No. 10) also highlights that Thomastown has been promised new facilities at St. Columba's for 2021 and states that the Local Area Plan should acknowledge this development. 	
Chief Executives Response:	

1. Regarding the identification of a need for more outdoor spaces for young people in the town (in particular 10-18 year olds) the Council acknowledges that there may be a requirement for additional services. In this regard, the Draft Local Area Plan states that 'the Council will facilitate and secure the provision of social infrastructure to support existing and new communities'.
2. In relation to new facilities at St. Columba's Hospital, the Council support and encourage such proposals, and as such, provision for same will be made in the Draft LAP.

Chief Executives Recommendation:

1. See recommendation no. 3 on submission no. 7.
2. **Add Objective**
COMO1.2 To continue to work with healthcare service providers and key stakeholders, including the HSE, to support their investment in healthcare operations at the St Columba's Hospital Complex in Thomastown.

Ref	Name
TTD - 11	Kevin Moore

Submission Summary:

The submission relates to lands of ca. 5ha at Cloughabrody, west of the Dublin Road, to the rear of Berkley Lawns. The submission seeks to have the subject lands of ca. 5ha zoned new residential.

The submission highlights that the lands have been zoned for residential development since 2002 and a number of applications have been made on the lands in 2006 (both refused on roads grounds).

The submission notes that the landowner has a track record in building housing and has built in excess of 100 houses in the town since 1996. The submission also outlines the lands which are zoned for new residential development in the Draft LAP.



The submission sets out that there are 2 no. access points to the lands from the Berkeley Lawns development which were retained by the landowner following the development of the existing estate, and the submission suggests therefore that the lands are service, in the context of the NPF guidance on the methodology for a tiered approach to zoning. The submission argues that although the historic town centre at Market Street etc forms the centres in terms of the sequential approach, the

supermarkets and post office are located on the Dublin Road and as such should be given equal consideration.

Chief Executives Response:

The contents of the submission on behalf of Mr Moore are noted.

The Draft LAP is required to comply with the National Planning Framework (NPF), and NPF Implementation Roadmap and the Kilkenny County Development Plan 2014-2020 Core Strategy by identifying a quantum of housing land to meet the proportionate growth of Thomastown over the Plan period. The quantum of housing lands required within the Draft Local Area Plan to deliver ca. 160 housing units in ca. 6.7 ha (with additional 2.5 ha low density), to accommodate social and private housing requirements over the plan period.

The Draft LAP must accord with, where relevant, with the Strategic Objectives of the NPF, including Compact Growth and Access to Quality Childcare, Education and Health Services. In this regard, the NPF encourages the activation (through appropriate zoning) of potential development lands which are centrally located in urban areas, while achieving effective density and consolidation rather than continued sprawl.

In determining the proposed development strategy for Thomastown, including the most appropriate locations for residential development, various lands were considered throughout the plan area. The development strategy for Thomastown is set out in Chapters 3 and 4, and this outlines that development is to be focused primarily around the Ladyswell Street area, in close proximity to existing and future social infrastructure with provision for smaller schemes also provided at Newtown and Cloughabrody. These lands provide a significant opportunity to deliver compact growth, in a sequential manner where access to physical infrastructure and services such as the train station, schools and the town centre and will also deliver a critical connection to the train station to the west of the town.

Whilst it is acknowledged that the subject lands are located within the LAP area, they are located at the most northern boundary and at this time, when considered sequentially there are more appropriate lands suitable for residential development, which are located closer to critical services and physical and social infrastructure.

Chief Executives Recommendation:

No change.

Ref	Name
TTD - 12	Lisa Karkut
Submission Summary:	
This submission notes that the LAP will support carpooling and other more sustainable means of transport. The submission suggests that the Council review the parking options for people carpooling with a view to providing a location for car pool parking in the town.	

Chief Executives Response:

The process of reviewing the car parking options in the town and the possible identification of specific lands for such use is not within the remit of the local area plan. However, it should be noted that the Kilkenny County Development Plan 2014-2020 and the Draft LAP supports the promotion of the relevant initiatives contained within Smarter Travel, A Sustainable Transport Future 2009-2020, or any successor to same.

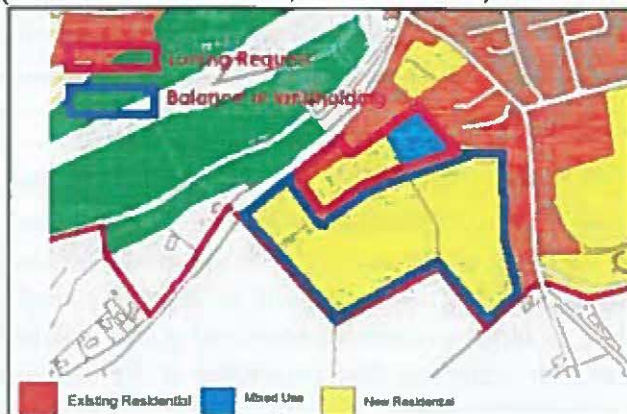
Chief Executives Recommendation:

No change.

Ref	Name
TTD - 13	Niall O'Gorman

Submission Summary:

The submission on behalf of Mr. O'Gorman relates to a total landholding of 8.4 lands (ca. 1.4ha at Friarshill, Thomastown, south of regional road towards Jerpoint.



The submission seeks new residential zoning on part of the landholding and phase 2 on the remainder.

The submission highlights that the lands have been zoned for residential development since 2002 and an application was made (subsequently refused) in 2007.

The submission suggests that the lands are serviced, in the context of the NPF guidance on the methodology for a tiered approach to zoning.

Chief Executives Response:

The contents of the submission on behalf of Mr O'Gorman's are noted.

The Draft LAP is required to comply with the National Planning Framework (NPF), and NPF Implementation Roadmap and the Kilkenny County Development Plan 2014-2020 Core Strategy by identifying a quantum of housing land to meet the proportionate growth of Thomastown over the Plan period. The quantum of housing lands required within the Draft Local Area Plan to deliver ca. 160 housing units in ca. 6.7 ha (with additional 2.5 ha low density), to accommodate social and private housing requirements over the plan period.

The Draft LAP must accord with, where relevant, with the Strategic Objectives of the NPF, including Compact Growth and Access to Quality Childcare, Education and Health Services. In this regard, the NPF encourages the activation (through appropriate zoning) of potential development lands which are centrally located in urban areas, while achieving effective density and consolidation rather than continued sprawl.

In determining the proposed development strategy for Thomastown, including the most appropriate locations for residential development, various lands were considered throughout the plan area. The development strategy for Thomastown is set out in Chapters 3 and 4, and this outlines that development is to be focused primarily around the Ladyswell Street area, in close proximity to existing and future social infrastructure with provision for smaller schemes also provided at Newtown and Cloughabrody. These lands provide a significant opportunity to deliver compact growth, in a sequential manner where access to physical infrastructure and services such as the train station, schools and the town centre and will also deliver a critical connection to the train station to the west of the town.

Whilst it is acknowledged that the subject lands are located within the LAP area, they are located at the southern boundary of the town and at this time, when considered sequentially there are more appropriate lands suitable for residential development, which are located closer to critical services and physical and social infrastructure.

Chief Executives Recommendation:

No change

Ref	Name
TTD - 14	Anthony Hoyne
Submission Summary: Submission sets out a number of suggestions for inclusion in the LAP	
1. Age Friendly Submission suggests that the LAP identify suitable sites within the town core to develop for dwellings for the Old Age cohort.	
2. Heritage A number of suggestions regarding surveying and recording of artefacts in the town and suggests conditions to protect stonework such as the medieval town walls remnants. Also suggests a plan to protect Jerpoint Abbey, as no works have been carried out at the abbey for many years.	
3. Tourism Suggests combining efforts from local, administrative and national bodies to examine and prepare a 20 year strategy, including proposals for the River Nore.	
4. Heritage Buildings	

Supports the reuse of heritage buildings which could form part of the tourism product of the town.

Chief Executives Response:

1. The Draft LAP sets out policies and objectives to promote positive ageing and objectives AFO 1.1 and AFO 1.2 of the Draft LAP supports the actions set out in Kilkenny Age Friendly County Strategy 2017 – 2022 regarding the implementation of Age Friendly principles in the planning, design and delivery of physical infrastructure, public realm works, business and commercial premises, with particular reference to the Thomastown Age Friendly Action Plan where practicable, and also supports and facilitates the delivery of age friendly seating, bus stops and other public realm initiatives identified in the Walkability study carried out for Thomastown. In relation to identification of specific sites, whilst the Council will encourage the provision of housing for the elderly, the identification of sites for the provision of housing for the elderly is not a matter for the local area plan.
2. In terms of heritage and the protection of same, the Draft LAP makes provision, through objectives ARCO1.1 and 1.2 respectively which, protect the preservation of items of archaeological interests from inappropriate development and promotes awareness of the medieval town walls and other notable archaeological sites. It is recommended that an objective be inserted into the plan regarding the restoration and reuse of heritage buildings.
3. The Draft Local Area Plan acknowledges the importance of tourism for the town and its hinterland and TO1.2 specifically supports the development of tourism infrastructure, attractions and facilities at appropriate locations in the town subject to the protection of architectural heritage and natural amenities, however, as same is a land use plan, cannot provide marketing mechanisms for particular projects. It should be noted that the Kilkenny County Council Tourism Statement of Strategy and Work Programme 2017 – 2022 identifies tourism projects and a programme of work which the Council will undertake until 2022. The Kilkenny County Development Plan is also under review which will address tourism in a county context. The efforts of the various community groups in the town are acknowledged by the Council, and the Council will continue to support and assist such groups as resources allow.
4. See 2 above

Chief Executives Recommendation:

1. No change
2. Add new objective
ACAO1.4: To support the sensitive restoration and reuse of heritage buildings, to address dereliction and vacancy in the town centre and promote appropriate uses subject to good conservation principles.
3. No change
4. See 2 above

Ref	Name
TTD - 15	Jennie Castle
Submission Summary:	
<ol style="list-style-type: none"> Submission from Ms Castle notes that the Draft LAP and the Flood Risk Management draft there is continuous reference to the resolution of the OPW CFRAM proposals, however suggests that it is important to note that the programme for the scheme is yet to be finalised and It is proposed that consideration be given to the combination of defence mechanisms, such as hard defences - walls, embankments with natural defences, with the use of lakes/water reservoirs and natural barriers being placed upstream from the town itself. The submission suggests the inclusion of a new objective regarding protection of the integrity of the medieval town and its special relationship to the river to be maintained while achieving the required protection from flooding. The submission also provides sketch proposals for options as part of the flood relief works which will also have potential to address droughts which may be experienced. The submission further suggests that adjacent to the river, a 'green corridor', is retained on all rivers and streams. This will have a number of benefits, including: <ul style="list-style-type: none"> Retention of all, or some, of the natural floodplain; Potential opportunities for amenity, including riverside walks and public open spaces; Maintenance of the connectivity between the river and its floodplain, encouraging the development of a full range of habitats; Natural attenuation of flows will help ensure no increase in flood risk downstream; Allows access to the river for maintenance works; 	
Chief Executives Response:	
<ol style="list-style-type: none"> Following examinations, assessment and public consultation the OPW published a Flood Risk Management Plan (FRMP) for 29 river catchment areas, including the River Nore, in May of 2018. The Plan identifies non structural and structural flood measures proposed to protect communities from the risk of flooding. Structural works were aimed at reducing the likelihood and/or degree of flood identified during the programme. In relation to Thomastown, potentially viable flood relief works have been identified that can be implemented subject to further project-level assessment and planning. The potential works identified in the plan consist of building hard defences, embankments, walls and sheet piling where necessary. It is important to note that measures identified are not definitive or final and project level assessment will be required in advance of planning /public exhibitions, during which more detailed assessments will be undertaken at local level. Further public and stakeholder consultation will also occur at this time. Details of the preferred flood relief works are set out in the FRMP. The responsibility for implementation of the schemes rests with the OPW and significant funding (€1bn) has been indentified to implement this scheme and all other schemes nationally over the next 10 years. Kilkenny County Council has committed to working with the OPW in this regard, and appropriate objectives are included in the plan to this effect. The OPW has agreed to fund the 	

<p>appointment of staff to Kilkenny County Council to manage design, planning and construction of flood relief measures in Thomastown and at 5 other location through the County.</p> <p>2. It is recommended that a new objective be added to protect and maintain the integrity of the medieval town.</p>
<p>Chief Executives Recommendation:</p> <p>1. No change</p> <p>2. Amend objective INFO3.3; INFO3.3; To support and co-operate with the OPW in delivering flood alleviation work under the South Eastern CFRAM Programme, <i>whilst maximising the protection of the integrity of the medieval town.</i></p>

Ref	Name
TTD - 17	Gerard Gaffney
<p>Submission Summary:</p> <p>The submission from Mr Gaffney relates to ca. 2.4 ha of lands (of a significantly larger landholding) to the east of Thomastown the townland of Dangan. The submission sets out that the lands have been zoned historically for residential development, until 2012 when same was restricted by the introduction of phasing.</p> <p>The submission acknowledges the core strategy in the Draft LAP and suggests that same is overly simplistic and suggests that Thomastown has significant potential for growth. The submission requests that the Planning Authority review the approach to population allocation and zone additional lands for residential development.</p>	
<p>Chief Executives Response:</p> <p>The contents of the submission on behalf of Mr Gaffney submission are noted.</p> <p>The Draft LAP is required to comply with the National Planning Framework (NPF), and NPF Implementation Roadmap and the Kilkenny County Development Plan 2014-2020 Core Strategy by identifying a quantum of housing land to meet the proportionate growth of Thomastown over the Plan period. The quantum of housing lands required within the Draft Local Area Plan to deliver ca. 160 housing units in ca. 6.7 ha (with additional 2.5 ha low density), to accommodate social and private housing requirements over the plan period.</p> <p>The Draft LAP must accord with, where relevant, with the Strategic Objectives of the NPF, including Compact Growth and Access to Quality Childcare, Education and Health Services. In this regard, the NPF encourages the activation (through appropriate zoning) of potential development lands which are centrally located in urban areas, while achieving effective density and consolidation rather than continued sprawl.</p> <p>In determining the proposed development strategy for Thomastown, including the most appropriate locations for residential development, various lands were considered throughout the plan area. The development strategy for Thomastown is set out in Chapters 3 and 4, and this outlines that development is to be focused</p>	

primarily around the Ladyswell Street area, in close proximity to existing and future social infrastructure with provision for smaller schemes also provided at Newtown and Cloughabrody. These lands provide a significant opportunity to deliver compact growth, in a sequential manner where access to physical infrastructure and services such as the train station, schools and the town centre and will also deliver a critical connection to the train station to the west of the town.

Whilst it is acknowledged that the subject lands are located within the LAP area, they are located at the most eastern boundary and at this time, when considered sequentially there are more appropriate lands suitable for residential development, which are located closer to critical services and physical and social infrastructure and therefore no change is recommended to the proposed development strategy.

Chief Executives Recommendation:

No change

Ref	Name
TTD - 18	Tom Prendergast
Submission Summary: Submission requests the rezoning of ca. 9.3 ha of lands at Stampspark and Jerpoint west from Agricultural to residential. The submission also sets out the benefits of such a proposal.	
Chief Executives Response: The contents of Mr Prendergast submission are noted. The Draft LAP is required to comply with the National Planning Framework (NPF), and NPF Implementation Roadmap and the Kilkenny County Development Plan 2014-2020 Core Strategy by identifying a quantum of housing land to meet the proportionate growth of Thomastown over the Plan period. The quantum of housing lands required within the Draft Local Area Plan to deliver ca. 160 housing units in ca. 6.7 ha (with additional 2.5 ha low density), to accommodate social and private housing requirements over the plan period. The Draft LAP must accord with, where relevant, with the Strategic Objectives of the NPF, including Compact Growth and Access to Quality Childcare, Education and Health Services. In this regard, the NPF encourages the activation (through appropriate zoning) of potential development lands which are centrally located in urban areas, while achieving effective density and consolidation rather than continued sprawl. In determining the proposed development strategy for Thomastown, including the most appropriate locations for residential development, various lands were considered throughout the plan area. The development strategy for Thomastown is set out in Chapters 3 and 4, and this outlines that development is to be focused primarily around the Ladyswell Street area, in close proximity to existing and future social infrastructure with provision for smaller schemes also provided at Newtown and Cloughabrody. These lands provide a significant opportunity to deliver compact	

growth, in a sequential manner where access to physical infrastructure and services such as the train station, schools and the town centre and will also deliver a critical connection to the train station to the west of the town.

The subject lands are located outside of the LAP area, at a location which is remote from services such as schools, childcare and retail and at this time, when considered sequentially there are more appropriate lands suitable for residential development, which are located closer to critical services and physical and social infrastructure and therefore no change is recommended to the proposed development strategy.

Chief Executives Recommendation:

No change

Ref	Name
TTD - 19	Michael O'Brien
Submission Summary:	
<ol style="list-style-type: none"> 1. Submission states that the objectives relating to the construction of the relief road and the preparation of a Masterplan for the lands west of Ladyswell Street require strengthening. 2. Submission requests the inclusion of an additional Strategic Objective in Chapter 3: Vision, to "carry out improvements to enhance aesthetic values on town approach roads". 3. Submission requests minor amendments to the text of Section 4.3.2 New Residential Zoning in relation to compact growth and sequential development. Submission seeks that the Plan include an objective to engage with Government to bring the site identified as the location for the decentralisation of the Health and Safety Authority, into Council control. 4. Submission requests amendments to the text of EDO1.3 to reflect Thomastown's strategic location for regional distribution of goods ports. 5. Submission requests minor amendments to the text of ACCE1 Arts, Culture and the Creative Economy. Submission requests additional objective in relation to improved connectivity between the town and Jerpoint Abbey. Submission seeks that the Plan includes consideration of pedestrian safety, especially for school children, particularly at the Mall, and from the Mall to the bridge. A public realm and traffic management plan should be provided for Mill Street, extending to Friarshill and this, it is suggested would aid the areas of Grennan and Friarshill. 6. Submission requests strengthening of objective relating to the construction of the relief road, to "lobby Central Government to approve construction into its capital programme for early completion". Submission requests additional objective relating to the Metropolitan Area Network, to engage with the Department of Communications to bring the unused MAN into use. 	

Chief Executives Response:

The contents of Mr O'Brien's submission are noted.

1. In relation to the suggestion that the objective relating to the construction of the relief road, the Local Area Plan, once adopted provides a framework for the future development of Thomastown, however, the delivery of roads and other physical infrastructure is a capital project which will be addressed in the context of the infrastructural needs of the county. It is therefore considered that the objective in the LAP (MTO1.2) regarding the delivery of the road is appropriate.
2. In relation to the suggested amendment to SO3 of the draft LAP, it is agreed to include the text "to encourage, through new development and road schemes, improvements to enhance the approach roads to the town".
3. The lands previously identified for the HSA are in state ownership.
4. It is considered that the objective (and the descriptive narrative in Section 11.3.1) relating to the preparation of a masterplan for the lands at Ladyswell Street is adequate in terms of providing a basis for such a masterplan.
5. It is considered also that the land use objectives relating to industry and warehousing are adequate in guiding and supporting existing and future development in Thomastown.
6. The MAN network in Thomastown has been installed and is operational under E-net on behalf of the Department of Communication, Climate Action and Environment. Connection to this facility by residents/business operators in the town is not a matter for the local area plan and it is not considered necessary to include an objective for same, given that the infrastructure is in place.

Chief Executives Recommendation:

1. No change.
2. Amend Strategic Objective
SO3; To facilitate the development of high quality, integrated residential neighbourhoods that cater for an appropriate demographic mix and deliver, where possible, community, recreation and amenity facilities in tandem with housing and to encourage, through new development and road schemes, *improvements to enhance the approach roads to the town.*
3. No change
4. No change
5. No change
6. No change

2.2 Matters Arising

A number of changes to text within the LAP are also required as follow;

- Remove section 1.6.10² in its entirety and renumber sections
- Amend CSO 1.4; CSO1.4: To manage the provision of one off housing on lands zoned as 'Agriculture' and '~~Open Space~~'. Limited one off housing will be permitted, *in accordance with policy set out under Section 6.4 in these zones subject to compliance with the criteria set out in Appendix A (Land Use Zoning Objectives).*
- Amend VSO1.2: To promote the sustainable development of vacant residential and regeneration sites in Thomastown through the application of the Urban Regeneration and Housing Act 2015, Vacant Site Levy, on lands zoned 'Town Centre' and 'Mixed Use' *for Regeneration*, and 'New Residential', 'Low Density Residential' and 'Existing Residential' *for housing*.
- Remove objective NHO1.1 from Section 8.4.1 and add Objective AAO1.1 under Section 1.5 as follows;
NHO1.1; To ensure that any plan or project within the functional area of the Planning Authority is subject to appropriate assessment in accordance with the Guidance Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, 20093 and is assessed in accordance with Article 6 of the Habitats Directive in order to avoid adverse impacts on the integrity and conservation objectives of the site.
- Amend Agriculture Note in Appendix A Land Use Zoning Objectives
~~Residential, or Caravan Park, development within the flood zones (as identified in the Strategic Flood Risk Assessment of this LAP or other superceding document) will not be permissible. Extensions and expansions of existing uses will be considered on their own merits.~~
Flood Risk:
All proposed development within this zone which falls within flood zone A or B shall be subject to a site specific flood risk assessment. No highly vulnerable uses (as set out in the Flood Risk Management Guidelines) other than extensions to existing structures and uses, will be permitted within Flood Zone A or B. Less vulnerable uses will also not be allowed within Flood Zone A other than extensions to existing structures and uses as set out in the Flood Risk Management guidelines.

² Vacant Site Levy addressed in Section 6.5 of the Draft LAP

3. Next Steps

The members shall consider this Chief Executive's Report, and following consideration, the Local Area Plan shall be deemed to be made or amended, unless the Planning Authority by resolution, decides to make or amend the plan otherwise than as recommended in the Chief Executive Report, or decides not to make or amend the Plan. A Strategic Environmental Assessment Screening Report and an Appropriate Assessment Screening report accompany the Draft LAP.

If the Members decide to alter the Draft Local Area Plan, and the proposed alteration(s) would be a material alteration(s) a further period of public consultation will be required.

Any Material Alterations to the Draft LAP must be screened to determine if an SEA or AA or both are required of any of the material alterations and what period is necessary for the carrying out of any SEA or AA.

This screening, and if necessary the SEA or AA, must be carried out before proceeding to the public consultation period and will be carried out as soon as possible after the Council's resolution. The public display of any material alterations is a minimum of 4 weeks during which submissions with respect to the proposed material alterations will be taken into account before the LAP is made.

Following the public consultation period a further Chief Executive's Report on the submissions and observations received to the Proposed Material Alterations is prepared and the members must consider the Draft LAP, the Proposed Material alterations to the Draft LAP, any environmental reports and the CE's Report on any submissions received and decide whether to make the LAP with or without the proposed alterations.

4. Summary of Recommendations of the Chief Executive


In total 19 submissions were received on the Draft Thomastown LAP from a wide range of consultees including Government Departments, state agencies, local interest groups and the general public.

The submissions from the Department of Housing, Planning and Local Government and other statutory bodies are dealt with separately within this report.

This report has summarised and responded to all submissions received and where appropriate recommendations for alterations to the published draft are proposed.

I recommend that the material alterations outlined in the report are accepted by the Council and published for a period of further public consultation in accordance with the requirements of the Planning and Development Acts 2000 (as amended).

Further to the recommendation outlined above regarding the publication of the Material Alterations, same have been screened for SEA and AA and it has been determined that Strategic Environmental Assessment and Appropriate Assessment are not required.


Colette Byrne,
Chief Executive

Menu of appropriate Objectives/Policies for Water Services in development plans

General Policies in relation to Water Services

- a) To work closely with Irish Water to identify and facilitate the timely delivery of the water services required to realize the development objectives of this plan;
- b) When identifying areas for development, to ensure that full consideration is given to the level of investment that will be required in the provision of water services – particularly in environmentally sensitive areas - to ensure that the provision of water services does not negatively impact on habitat quality, species diversity or other environmental considerations
- c) To facilitate the provision of integrated and sustainable water services through effective consultation with Irish Water on the layout and design of water services in relation to the selection and planning of development areas and the preparation of master plans and SDZs;
- d) To maximise the use of existing capacity in water services in the planning of new development;
- e) To ensure that adequate water services will be available to service development prior to the granting of planning permission for those developments and to require developers to consult Irish Water regarding available capacity, prior to applying for planning permission;
- f) To protect existing way leaves and buffer zones around public water services infrastructure through appropriate zoning and to facilitate the provision of appropriate sites for required water services infrastructure as necessary;
- g) To ensure that development proposals comply with the standards and requirements of Irish Water in relation to water and wastewater infrastructure to facilitate the proposed developments

Water Supply

- h) To protect both ground and surface water resources and to work with Irish Water to develop and implement Water Safety Plans to protect sources of public water supply and their contributing catchment;
- i) To minimise wastage of water supply by requiring new developments to incorporate water conservation measures;
- j) To promote water conservation and demand management measures among all water users;

Wastewater Services

- k) To ensure that the Local Authority provides adequate storm water infrastructure in order to accommodate the planned levels of growth within the plan area and to ensure that appropriate flood management measures are implemented to protect property and infrastructure;
- l) To require all new development to provide a separate foul and surface water drainage system and to incorporate sustainable urban drainage systems;
- m) To prohibit the discharge of additional surface water to combined (foul and surface water) sewers in order to maximise the capacity of existing collection systems;
- n) To support Irish Water in the promotion of effective management of trade discharges to sewers in order to maximise the capacity of existing sewer networks and minimise detrimental impacts on sewage treatment works;
- o) To refuse residential development that requires the provision of private waste water treatment facilities, other than single house systems;
- p) To ensure the changeover from septic tanks to collection networks in all cases where this is feasible (subject to connection agreements with Irish Water) and that all new developments utilise and connect to the public wastewater infrastructure. The provision of individual septic tanks and treatment plants in the plan area will be strongly discouraged to minimise the risk of groundwater pollution. Where such facilities are permitted, full compliance with the prevailing regulations and standards, including the EPA's Code of Practice Wastewater Treatment and Disposal Systems Serving Single Houses (PE. ≤10) (EPA 2009), as may be amended, will be required;
- q) To ensure that private wastewater treatment plants, where permitted, are operated in compliance with their wastewater discharge license, in order to protect water quality;
- r) To require existing developments that are in close proximity to a public sewer to connect to that sewer, subject to a connection agreement with Irish Water;