Kilkenny County Draft Development Plan 2008-2014

County Manager’s Report on Submissions to the Draft County Development Plan

January 30th 2008
Introduction
This Report forms part of the statutory procedure for the preparation of a County Development Plan, as required by the Planning and Development Act, 2000, as amended. This is a follow-up document to the County Manager’s Report on Pre-Draft Submissions to the County Development Plan (July 2007) and to the Review of Kilkenny County and City Development Plans and Preparation of new Draft Development Plans County Manager’s Report (December 2006).

The purpose of this Report is -

- To report on the written submissions/observations received in relation to the Draft County Development Plan during the public consultation period which ran from the 10th August to the 19th October 2006.
- To set out the Manager’s response to the issues raised in the submissions/observations and;
- To make recommendations on the incorporation of such issues.

The Report is now submitted to the Members for their consideration.

Submissions
A total of 264 recorded submissions were received on the Draft County and the City Plans, of which 89 related to the City and Environs specifically. A complete list of the persons/bodies that made written submissions, including a short description of the submission, is included in the table attached to this report*.

Each submission is examined in detail and responded to separately in this report. The submissions to the City and Environs Plan are highlighted in grey and are dealt with in more detail in the County Manager’s Report on the submissions to the Draft City & Environs Development Plan.

Of the 175 submissions received to the County Plan:

- 33 related to the Draft Wind Energy Development Strategy
- 45 related to the zoning of land (which were referred to and will be dealt with under each relevant Local Area Plan process)
- 25 related to the Landscape Character Assessment and Areas of High Amenity
- 8 related to the Settlement Strategy
- 1 related to telecommunications structures, D229

The remainder dealt with a variety of topics including heritage, energy, transport, tourism and retail. The following table summarises the main points of each submission and gives the geographical area it relates to, where relevant.
*Note: As submissions were accepted by both e-mail and hard copy, some submissions received two reference numbers. Where this occurred, the submission is noted as “Duplicate submission” and the original reference number is referred to.
<table>
<thead>
<tr>
<th>Name/Group</th>
<th>Summary</th>
<th>AREA</th>
<th>TOPIC</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Roger Beeken Architects, 15 College Square, College Road Kilkenny</td>
<td>Request to rezone site from open space to residential along the Bleach Road.</td>
<td>Kilkenny City &amp; Environs</td>
</tr>
<tr>
<td>2</td>
<td>Seamus Ryan, Ballyhale</td>
<td>Request to rezone land in Ballyhale</td>
<td>Ballyhale</td>
</tr>
<tr>
<td>3</td>
<td>Timothy Byrne, Ballynalina</td>
<td>Request to zone land in Ballynalina for residential and commercial use</td>
<td>Kilkenny City &amp; Environs</td>
</tr>
<tr>
<td>4</td>
<td>Councillor Catherine Connery, Clinston, Jenkinstown</td>
<td>Requests consideration of node status for Foulksrath/Swiftesheath site in Conahy.</td>
<td>County - Conahy</td>
</tr>
<tr>
<td>5</td>
<td>Donna McGreevy &amp; Vincent O'Shea, The Weir, Bleach Road, Kilkenny</td>
<td>Request to rezone site from agriculture to residential along the Bleach Road.</td>
<td>Kilkenny City &amp; Environs</td>
</tr>
<tr>
<td>6</td>
<td>Con O'Shea, 19 Vicar Street, Kilkenny</td>
<td>Request to rezone site from agriculture to residential along the Bleach Road.</td>
<td>Kilkenny City &amp; Environs</td>
</tr>
<tr>
<td>7</td>
<td>Anonymous</td>
<td>Addresses a number of issues, including terminology used in the Draft Plans, role of Kilkenny county council in South Eastern Regional Authority, and public transport</td>
<td>County</td>
</tr>
<tr>
<td>8</td>
<td>Gerard Murphy and Martina Roche, Jamestown, Glenmore</td>
<td>Seek to have area added to the SAC in Glenmore.</td>
<td>Glenmore</td>
</tr>
<tr>
<td>9</td>
<td>Declan Rice, BNS Leader</td>
<td>Addresses rural tourism, transport and broadband issues in the Draft.</td>
<td>County</td>
</tr>
<tr>
<td>10</td>
<td>Martin &amp; Anna Howley &amp; Richard Howley, Ballytarsney, Mooncoin</td>
<td>Request to rezone land in Mooncoin</td>
<td>Mooncoin</td>
</tr>
<tr>
<td>11</td>
<td>Nancy Denieffe</td>
<td>Request to rezone land in Thomastown</td>
<td>Thomastown</td>
</tr>
<tr>
<td>12</td>
<td>Patrick Halley and Associates, Burchall House, Parnell Street, Waterford</td>
<td>Request on behalf of Waterford Golf Club to rezone land from open space to residential.</td>
<td>Waterford City Environs</td>
</tr>
<tr>
<td>13</td>
<td>Liam Mounsey, Drumherin, Ballyfoyle</td>
<td>Objection to the 'local only policy' as outlined in the rural housing policy of Chapter 3.</td>
<td>County</td>
</tr>
<tr>
<td>14</td>
<td>Liam Mounsey, Drumherin, Ballyfoyle</td>
<td>Seeks more public participation in the Development Plan process.</td>
<td>County</td>
</tr>
<tr>
<td>15</td>
<td>National Roads Authority, St. Martin's House, Waterloo Road, Dublin 4</td>
<td>Seeks the inclusion of additional policies in the County plan</td>
<td>County</td>
</tr>
<tr>
<td>16</td>
<td>National Roads Authority, St. Martin's House, Waterloo Road, Dublin 4</td>
<td>Seeks the inclusion of additional policies in the City Plan</td>
<td>Kilkenny City and Environs</td>
</tr>
<tr>
<td>17</td>
<td>Anonymous</td>
<td>Addresses a number of issues, including terminology used in the Draft Plans, maintenance of parks, tourism trails, heritage, library, historic graveyards.</td>
<td>County</td>
</tr>
<tr>
<td>18</td>
<td>Roger Beeken Architects, 15 College Square, College Road Kilkenny</td>
<td>See D1</td>
<td>Kilkenny city and environs</td>
</tr>
<tr>
<td>19</td>
<td>John Moloney, 8 The Meadows, Abbeyfarm, Mitchelstown, Co. Cork</td>
<td>Seeks the zoning of a site in Johnstown</td>
<td>Johnstown</td>
</tr>
<tr>
<td>20</td>
<td>Ann O'Neill, Stone Lodge, Warrington, Bennettsbridge Road, Kilkenny</td>
<td>Seeks the rezoning of a site on the Sion Road from open space to residential</td>
<td>Kilkenny city and environs</td>
</tr>
<tr>
<td>No.</td>
<td>Name and Address</td>
<td>Issue</td>
<td>Location</td>
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<tr>
<td>22</td>
<td>Joseph Hyland, Bleach Road, Kilkenny</td>
<td>Seeks the rezoning of a site on the Bleach Road from open space to residential</td>
<td>Kilkenny city and environs</td>
</tr>
<tr>
<td>23</td>
<td>James Stephen's GAA Club, Larchfield, Kilkenny</td>
<td>Seeks the rezoning of the Nuncio Road sports ground for residential.</td>
<td>Kilkenny city and environs</td>
</tr>
<tr>
<td>24</td>
<td>Robert Harper</td>
<td>Addresses a number of issues, including community development, enterprise and employment, infrastructure, transportation, heritage and rural development.</td>
<td>County</td>
</tr>
<tr>
<td>25</td>
<td>Thomas Purcell, Brownstown, Hugginstown</td>
<td>This submission is in relation to the health hazards of wind turbines.</td>
<td>County</td>
</tr>
<tr>
<td>26</td>
<td>Liam Bennett, 2 St. Roich's Street, Kilkenny</td>
<td>Relates to traffic management issues along Roich Street</td>
<td>Kilkenny city and environs</td>
</tr>
<tr>
<td>27</td>
<td>Martin Carrigan, Clarabicken House, Clifden</td>
<td>Seeks the designation of Clarabicken as a village nucleus</td>
<td>Clarabicken</td>
</tr>
<tr>
<td>28</td>
<td>John Hanley, McCutcheon Mulcahy Planning Consultants, 6 Joyce House, Barrack's Square, Ballincollig, Co. Cork</td>
<td>Seeks the zoning of a site in Urlingford.</td>
<td>Urlingford</td>
</tr>
<tr>
<td>29</td>
<td>Tom Murray, Webbborough House, Ballyfoyle</td>
<td>Request to rezone land in Mooncoin</td>
<td>Mooncoin</td>
</tr>
<tr>
<td>30</td>
<td>Michael Cass, The Old Schoolhouse, Freshford</td>
<td>Requests clarification of the list of Protected Structures in the Plan</td>
<td>County</td>
</tr>
<tr>
<td>31</td>
<td>Joseph O'Shea, Dysart, Castlecomer</td>
<td>Request to zone land in Ballyhemon Castlecomer</td>
<td>Castlecomer</td>
</tr>
<tr>
<td>32</td>
<td>Glenmore Residents Association c/o Justin Hughes, Teach Solais, Cappagh, Glenmore</td>
<td>Requests that Glenmore be considered for a Local Area Plan, or Village Design Statement</td>
<td>Glenmore</td>
</tr>
<tr>
<td>33</td>
<td>Niamh Richardson, 44 Richview, Castlecomer Road</td>
<td>Requests that cycling provision be better dealt with in the two draft plans</td>
<td>County &amp; city</td>
</tr>
<tr>
<td>34</td>
<td>Newpark Hotel Ltd., John Duffy Architecture, 23-24 The Crescent, Monkstown, Co. Dublin</td>
<td>Request to rezone land from open space to general business on the Castlecomer Road</td>
<td>Kilkenny City and Environ</td>
</tr>
<tr>
<td>35</td>
<td>Erica McNiece, Newchurch, Hugginstown</td>
<td>Objection to the designation of the Kilmoganny/Newchurch area as Open for Consideration in the Wind Energy Strategy</td>
<td>County</td>
</tr>
<tr>
<td>36</td>
<td>Michael J.Kenny, Kenny and Associates, Grand canal House, Tullamore, Co. Offaly</td>
<td>Seeks the rezoning of a site from Open space to commercial on the Hebron Road to accommodate a motorway services area.</td>
<td>Kilkenny City and Environ</td>
</tr>
<tr>
<td>37</td>
<td>Anonymous</td>
<td>Addresses a number of issues including the library service, open space maintenance, speed limits, placenames, infrastructure and advertising and signage.</td>
<td>County - General</td>
</tr>
<tr>
<td>38</td>
<td>Philomena Cronin, Ballygowan, Kilmoganny</td>
<td>Objection to the designation of the Kilmoganny area as Open for Consideration in the Wind Energy Strategy and requests change to 'Not normally permissible'.</td>
<td>County</td>
</tr>
<tr>
<td>39</td>
<td>Patrick Cronin, Poulrone, Tullaghought, Owning</td>
<td>Objection to designation of Tullaghought area as Open for Consideration in the Wind Energy Strategy</td>
<td>County</td>
</tr>
<tr>
<td>40</td>
<td>H. P. Tomsett, &quot;Hominfield&quot; Carrick Road, Kilmoganny</td>
<td>Objection to the designation of the Kilmoganny area as Open for Consideration in the Wind Energy Strategy</td>
<td>County</td>
</tr>
<tr>
<td>41</td>
<td>Daniel Hearne, Redgap, Hugginstown</td>
<td>Objection to the designation of the Hugginstown area as Open for Consideration in the Wind Energy Strategy</td>
<td>County</td>
</tr>
<tr>
<td>42</td>
<td>Helen Bacon, Sandfordscourt House, Johnswell</td>
<td>Seeks that speed limits be re-examined in rural areas.</td>
<td>County Transport</td>
</tr>
<tr>
<td>43</td>
<td>Peter Wilsdon, Califa Ltd., Herronville, Dublin Road, Kilkenny</td>
<td>Seeks to rezone a site on the Dublin road from Industrial/Warehousing to Industrial Technology Park</td>
<td>County Zoning</td>
</tr>
<tr>
<td>44</td>
<td>Peter Wilsdon, Califa Ltd., Herronville, Dublin Road, Kilkenny</td>
<td>Seeks to rezone a site on the Dublin road from Residential to Business Park</td>
<td>County Zoning</td>
</tr>
<tr>
<td>45</td>
<td>Peter Wilsdon, Califa Ltd., Herronville, Dublin Road, Kilkenny</td>
<td>Seeks to rezone a site from agricultural to residential development on the Sion road.</td>
<td>County Zoning</td>
</tr>
<tr>
<td>46</td>
<td>Peter Wilsdon, Califa Ltd., Herronville, Dublin Road, Kilkenny</td>
<td>Seeks to rezone a site at Lacken, Dublin Road Kilkenny from residential to mixed use development.</td>
<td>County Zoning</td>
</tr>
<tr>
<td>47</td>
<td>Michael Vereker, c/o Thomas M. Byrne, 18 Dublin Street, Carlow</td>
<td>Seeks zoning of land for industrial use in Gurteens, Slieverue</td>
<td>County Zoning</td>
</tr>
<tr>
<td>49</td>
<td>Anna Walshe, Catswhisker, Friar's hill, Thomastown</td>
<td>Addresses a number of issues in Thomastown</td>
<td>County</td>
</tr>
<tr>
<td>50</td>
<td>William Barron, Brandondale, Graiguenanaghan</td>
<td>Seeks to alter designation of land as a Special Area of Conservation in Brandondale</td>
<td>County</td>
</tr>
<tr>
<td>51</td>
<td>Pat and Joan O'Gorman, Skough Hill, Owning, Piltown</td>
<td>Objection to designation of Tullaghought area as Open for Consideration in the Wind Energy Strategy</td>
<td>County</td>
</tr>
<tr>
<td>52</td>
<td>Thomas W. Cooke, Meitheal na Gaoithe, 42 Parliament Street, Kilkenny</td>
<td>Deals with a number of issues in the Draft Wind Energy Development strategy.</td>
<td>County</td>
</tr>
<tr>
<td>53</td>
<td>Martin Conlon-King, The Shambles, Barnadown, Hugginstown</td>
<td>Objection to the designation of the Kilmoganny area as Open for Consideration in the Wind Energy Strategy</td>
<td>County</td>
</tr>
<tr>
<td>54</td>
<td>Liam Smyth, Irish Concrete Federation, 8 Newlands Business park, Naas Road, Clondalkin, D22</td>
<td>Deals with a number of issues in relation to extractive industries.</td>
<td>County</td>
</tr>
<tr>
<td>55</td>
<td>Newpark Hotel Ltd., John Duffy Architecture, 23-24 The Crescent, Monkstown, Co. Dublin</td>
<td>DUPLICATE OF D34</td>
<td>County</td>
</tr>
<tr>
<td>56</td>
<td>Caroline and Derek Farrell, The Weir View, Kilkenny</td>
<td>Seeks additional emphasis in the Plan on play areas in private housing estates, esp. on Castlecomer Road</td>
<td>County</td>
</tr>
<tr>
<td>57</td>
<td>Darragh O'Dwyer, Managing Director, International Systems and Equipment, Lyraph</td>
<td>Seeks residential zoning at Lyraph. No map included with submission.</td>
<td>County</td>
</tr>
<tr>
<td>58</td>
<td>John Keyes, Winston's Limited, Kilkenny</td>
<td>Seeks the inclusion of Winston's in the Core Retail Area - Figure 5.1.</td>
<td>County</td>
</tr>
<tr>
<td>59</td>
<td>Richenda Talbot</td>
<td>Submission relates to the storage of combustible materials near residential properties.</td>
<td>County</td>
</tr>
<tr>
<td>60</td>
<td>McCorry Homes, c/o Martin Gittens Architects</td>
<td>Seeks zoning of 0.25 hectares of land at Bolton in Callan</td>
<td>County</td>
</tr>
<tr>
<td>61</td>
<td>Dr. Tadhg Crowley</td>
<td>Seeks the inclusion for provision of a primary care centre in the Loughmacask LAP area.</td>
<td>County</td>
</tr>
<tr>
<td></td>
<td>Name and Address</td>
<td>Request/Question</td>
<td>Location</td>
</tr>
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</tr>
<tr>
<td>62</td>
<td>Sean Byrne, Mweenish, Glendine</td>
<td>Seeks the zoning of land at Glendine for commercial use.</td>
<td>Kilkenny City and Environs</td>
</tr>
<tr>
<td>63</td>
<td>Michael Funchion, c/o Philip Funchion, Lower Bridge Street, Callan</td>
<td>Seeks the zoning of land in Bolton, Callan for industrial use.</td>
<td>Callan</td>
</tr>
<tr>
<td>64</td>
<td>Patrick Holden</td>
<td>Question in relation to D10 and CDP145</td>
<td>Kilkenny City and Environs</td>
</tr>
<tr>
<td>65</td>
<td>Elizabeth Byrne, Ashgrove, Glendine, Ballyfoyle Road</td>
<td>Seeks to rezone a site on the Castlecomer road from open space to residential.</td>
<td>Kilkenny City and Environs</td>
</tr>
<tr>
<td>66</td>
<td>Clive O'Brien, Portnahully, Carrigean, Co. Kilkenny</td>
<td>Seeks to zone an area of land at Ballygriffin as Industrial and General Business</td>
<td>Waterford City Environs</td>
</tr>
<tr>
<td>67</td>
<td>Dicksboro Gaa club, c/o Liam McGree, 12 Parliament Street, Kilkenny</td>
<td>Seeks to identify suitable land for playing pitches in the city.</td>
<td>Kilkenny City - Loughmacash</td>
</tr>
<tr>
<td>68</td>
<td>Paddy Raggett homes Ltd., c/o Liam McGree, 12 Parliament Street, Kilkenny</td>
<td>Seeks rezoning of 8 acres on Dunningstown Road from agricultural to low density residential.</td>
<td>Kilkenny City and Environs</td>
</tr>
<tr>
<td>69</td>
<td>Padmore and Barnes Ltd., c/o Liam McGree, 12 Parliament Street</td>
<td>Relates to the line of the proposed inner relief road as shown on the Draft City zoning map, and its impact on the Padmore and Barnes site.</td>
<td>Kilkenny City and Environs</td>
</tr>
<tr>
<td>70</td>
<td>Codeford Ltd., c/o Liam McGree, 12 Parliament Street</td>
<td>Requests a rezoning of a site on the Waterford Road from residential to General Business.</td>
<td>Kilkenny City and Environs</td>
</tr>
<tr>
<td>71</td>
<td>Coogan Autos, Barrack Street, Castlecomer</td>
<td>Seeks to zone a site in Castlecomer for general business</td>
<td>Castlecomer</td>
</tr>
<tr>
<td>72</td>
<td>EDPM Ltd, 5 Village Business Centre, Upper New Street, Kilkenny</td>
<td>Seeks to zone 7 hectares of land at Swiftsheath/Foulksrath, around Clintstown</td>
<td>Clintstown</td>
</tr>
<tr>
<td>73</td>
<td>Niall Kearney, McElroy Associates, 72 Haddington Road, D4</td>
<td>Seeks rezoning from residential to general business on land on Outrath Road at Loughboy, Kilkenny.</td>
<td>Kilkenny City and Environs</td>
</tr>
<tr>
<td>74</td>
<td>Des McCheane, Wellbrook, Freshford</td>
<td>Seeks a change in the policy on Areas of High Amenity in Section 8.3.1 of the Draft County Plan</td>
<td>County</td>
</tr>
<tr>
<td>75</td>
<td>Mr. and Mrs. M. Nolan, c/o Niall Kearney, McElroy Associates, 72 Haddington Road, D4</td>
<td>Seeks zoning of land for agritrade at Rieske</td>
<td>Callan</td>
</tr>
<tr>
<td>76</td>
<td>Brian Nolan, 78 John street, Kilkenny</td>
<td>Seeks zoning of land at Capass - reaffirms submission ref. CDP77</td>
<td>Callan</td>
</tr>
<tr>
<td>77</td>
<td>Miriam Cass, Rocklands Residents Association, Rocklands, Ferrybank.</td>
<td>Seeks inclusion of view of Rocklands Wood from Waterford as a view to be preserved and protected, and also as an Area of High Amenity,</td>
<td>Waterford City Environs</td>
</tr>
<tr>
<td>78</td>
<td>Parma Developments, c/o Stephen Ward, 1 Roden Place, Dundalk, Co. Louth</td>
<td>States that a master plan is being undertaken for an area of 23.6 hectares in the Waterford City environs, and states that this master plan will be submitted to the Waterford Environs LAP.</td>
<td>Waterford City Environs</td>
</tr>
<tr>
<td>79</td>
<td>Noel J. Bourke, Civil Defence Officer, The Court House, Kilkenny</td>
<td>Seeks the insertion of a policy in relation to the civil defence service.</td>
<td>Kilkenny City and Environs</td>
</tr>
<tr>
<td>80</td>
<td>Jill Cregan, Eirgrid, ESBI</td>
<td>Seeks the inclusion of a policy in the plan in relation to the development of an electricity transmission infrastructure.</td>
<td>County - infrastructure</td>
</tr>
<tr>
<td>81</td>
<td>Office of Public Works, c/o Brady Shipman Martin, Block 6, Belfield Office Park, Clonskeagh, D4</td>
<td>Welcomes the inclusion of policies in relation to the settlement strategy, heritage and flood risk management.</td>
<td>County - General</td>
</tr>
</tbody>
</table>
| No. | Name and Address | Main Request/Issue | Location | Category
|-----|------------------|-------------------|----------|--------
| 82  | Office of Public Works, c/o Brady Shipman Martin, Block 6, Belfield Office Park, Clonskeagh, D4 | Welcomes the inclusion of policies in relation to Kilkenny Castle, open space, the settlement strategy, heritage and flood risk management. | Kilkenny City and Environs | General
| 83  | Watty Rochford, Barronswood, Mooncoin | Seeks the zoning of land at Grannagh | Waterford City Environs | Zoning
| 84  | Eugene O'Driscoll, c/o Muiris O Criostoir, The old Library Building, Friary Street, Dungarvan, Co. Waterford | Seeks to zone land at Ardra | Castlecomer | Zoning
| 85  | Michael Doran, Supervalu, Main Street, Graiguenamanagh | Addresses a number of issues in Graiguenamanagh | Graiguenamanagh | General
| 86  | Pat Power, Knockroe, Ahenny, Carrick-on-Suir | Objection to the designation of the Blackbog area as Open for Consideration in the Wind Energy Strategy | County | Wind Strategy
| 87  | James Brennan, Prospect Park, Foulkstown, Waterford Road, Kilkenny | Seeks zoning of 11.3 hectares of land in Foulkstown for residential use | Kilkenny City and Environs | Zoning
| 88  | Myra O'Regan, Ballinalinagh, Kilmoganny | Objection to the designation of the Kilmoganny area as Open for Consideration in the Wind Energy Strategy and requests change to 'Not normally permissible'. | County | Wind Strategy
| 89  | Edward O'Shea, Clashnasmuth, Ahenny, Carrick-on-Suir | Objection to the designation of the Blackbog area as Open for Consideration in the Wind Energy Strategy | County | Wind Strategy
| 90  | Edward Phelan, c/o Fewer Harrington Lawlor, Studio 14, The Atrium, Maritana Gate, Canada Street, Waterford | Seeks the inclusion of a policy in relation to the provision of services along the motorway route, also proposes change to Dunbell interchange. REFERRED TO NRA | Kilkenny City and Environs | Transport
| 91  | Ison Ltd., c/o Devaney and Associates, Rossmore, Ballymacarbry, Clonmel, Co. Tipperary | Proposal to zone 37 acres from agricultural to residential at Bonnettsrath, Kilkenny. | Kilkenny City and Environs | Zoning
| 92  | Mr. and Mrs. J. Holmes, c/o Devaney and Associates, Rossmore, Ballymacarbry, Clonmel, Co. Tipperary | Proposal to zone 18.54ha of agricultural land to residential use (Pococke Golf Course). | Kilkenny City and Environs | Zoning
| 93  | Freshco Ltd. c/o Devaney and Associates, Rossmore, Ballymacarbry, Clonmel, Co. Tipperary | Seeks to rezone a 0.45 acre site on the Dublin Road from residential to Neighbourhood/Village centre | Kilkenny City and Environs | Zoning
| 94  | Owen Sheehan, Kilmacow Development Group, Dun Romain, Dangan, Kilmacow | Addresses a number of issues in relation to the Development Plan settlement hierarchy and infrastructure. | Kilmacow | Zoning
| 95  | James W. Kelly, Aylwardstown House, Glenmore | Requests the zoning of land in Glenmore, and also addresses a number of other issues in relation to traffic and infrastructure. | Glenmore | Zoning
| 96  | Laura Kelly, Aylwardstown House, Glenmore | Requests the zoning of land in Glenmore, and also the upgrading of the sewerage scheme and the improvement of junctions in the village. | Glenmore | Zoning
| 97  | Mary G. Kelly, Aylwardstown House, Glenmore | Requests the zoning of land in Glenmore, and also addresses a number of other issues in relation to traffic and infrastructure. Same as D95. | Glenmore | Zoning
| 98  | Nicholas Kelly, Aylwardstown House, Glenmore | Requests the zoning of land in Glenmore, and also addresses a number of other issues in relation to traffic and infrastructure. Same as D95. | Glenmore | Zoning
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<thead>
<tr>
<th>No.</th>
<th>Name and Address</th>
<th>Request Details</th>
<th>Area</th>
<th>Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>99</td>
<td>James Kelly Snr., Aylwardstown House, Glenmore</td>
<td>Requests the zoning of land in Glenmore, and also addresses a number of other issues in relation to traffic and infrastructure. Same as D95.</td>
<td>Glenmore</td>
<td>Zoning</td>
</tr>
<tr>
<td>100</td>
<td>David Kelly, Aylwardstown House, Glenmore</td>
<td>Requests the zoning of land in Glenmore, and also addresses a number of other issues in relation to traffic and infrastructure. Same as D95.</td>
<td>Glenmore</td>
<td>Zoning</td>
</tr>
<tr>
<td>101</td>
<td>Friars Hill Partnership, Martin Mulligan and Associates, the Studio, Ballyreddin, Bennettsbridge</td>
<td>Requests the zoning of 61 acres of land in Thomastown for residential and mixed use development, and reiterates the previous ref. CDP 35, 37.</td>
<td>Thomastown</td>
<td>Zoning</td>
</tr>
<tr>
<td>102</td>
<td>Anonymous</td>
<td>Addresses a number of issues in relation to transport, heritage, infrastructure and environment, advertising and signage and housing</td>
<td>County - General</td>
<td>General</td>
</tr>
<tr>
<td>103</td>
<td>Theresa and Jim Hayes, Tulla Road, Threecastles, Co. Kilkenny</td>
<td>Requests that Areas of High Amenity retain their significance. Objects to the inclusion of Clashcrow/Carrigeen in the Slieveardagh Uplands.</td>
<td>County</td>
<td>LCA</td>
</tr>
<tr>
<td>104</td>
<td>Ivan Shannon, Felengrove Ltd., Robertstown, Circular Road, Kilkenny</td>
<td>Seeks rezoning of 0.5 hectares of land on the Circular Road from residential to general business.</td>
<td>Kilkenny city and environs</td>
<td>Zoning</td>
</tr>
<tr>
<td>105</td>
<td>Port of Waterford c/o Colin Buchanan, 8 Windsor Place, Dublin 2</td>
<td>Seeks that sufficient land is zoned in Belview to allow the port to develop. Sets out a number of views in relation to the strategic importance of Belview Port.</td>
<td>Waterford city environs</td>
<td>Zoning</td>
</tr>
<tr>
<td>106</td>
<td>Manson Developments, c/o Martin Gittens, c/o Tom Phillips and Associates</td>
<td>Seeks rezoning of area of land at Newpark Upper, Johnstown Road from open space to business park.</td>
<td>Kilkenny City and Environs</td>
<td>Zoning</td>
</tr>
<tr>
<td>107</td>
<td>Mariena Properties, c/o Simon Clear &amp; Associates, 3 Terenure Road West, Terenure, Dublin 6W</td>
<td>Requests the rezoning of 3.91 acres at Lakeside, Hebron road from open space to residential, as submitted under CDP70.</td>
<td>Kilkenny City and Environs</td>
<td>Zoning</td>
</tr>
<tr>
<td>108</td>
<td>Mount Carmel Medical Group, c/o Eamonn Kelly, RPS Planning and Environment, Block E, Fifth floor, Iveagh court, Harcourt Rd, D2</td>
<td>Requests rezoning of part of Aut Even Hospital from community facilities to residential use.</td>
<td>Kilkenny City and Environs</td>
<td>Zoning</td>
</tr>
<tr>
<td>109</td>
<td>Mssrs. Wardrop, Sheridan and Kavanagh, c/o Martin Mulligan, The Studio, Ballyreddin, Bennettsbridge</td>
<td>Request to rezone 5.5 acres of land from industrial to general business in Thomastown.</td>
<td>Thomastown</td>
<td>Zoning</td>
</tr>
<tr>
<td>111</td>
<td>Genevieve Cody, Cois Coillte, Ahenny, Carrick on Suir</td>
<td>Objection to the designation of the Blackbog area as Open for Consideration in the Wind Energy Strategy</td>
<td>County</td>
<td>Wind Strategy</td>
</tr>
<tr>
<td>112</td>
<td>Niall Mellon, c/o MK Home Design Ltd., 22 Upper Patrick Street</td>
<td>Seeks rezoning of area of land in Thomastown from community facilities to residential</td>
<td>Thomastown</td>
<td>Zoning</td>
</tr>
<tr>
<td>113</td>
<td>Colman O'Mahony, Bridge Street, Callan</td>
<td>Seeks to alter designation of land as a Special Area of Conservation at Bolton, Callan.</td>
<td>Callan</td>
<td>SAC</td>
</tr>
<tr>
<td>114</td>
<td>Mark Lonergan, Clashnasmuth, Ahenny, Carrick on suir</td>
<td>Objection to the designation of the Blackbog area as Open for Consideration in the Wind Energy Strategy</td>
<td>County</td>
<td>Wind Strategy</td>
</tr>
<tr>
<td>115</td>
<td>Leo Cody, Ahenny, Carrick on suir</td>
<td>Objection to the designation of the Blackbog area as Open for Consideration in the Wind Energy Strategy</td>
<td>County</td>
<td>Wind Strategy</td>
</tr>
<tr>
<td>116</td>
<td>Seosamh O’Faolain, Cooleshal, Freshford</td>
<td>Requests that Areas of High Amenity retain their significance. Objects to the inclusion of Clashcrow/Carrigeen in the Slieveardagh Uplands.</td>
<td>County</td>
<td>LCA</td>
</tr>
<tr>
<td>No. 117</td>
<td>Frinailla Developments, c/o McCutcheon Mulcathy, 6 Joyce House, Barrack's Square, Ballinacollig, Co. Cork</td>
<td>The submission is in relation to a 2.1 hectare site at Sion Road and seeks the zoning of the site for low-density Residential. This submission is similar to the pre-draft submission, ref. CDP 136.</td>
<td>Kilkenney City and environs</td>
<td>Zoning</td>
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</tr>
<tr>
<td>No. 118</td>
<td>Waterford &amp; Ross Cooperative Marts, c/o Patrick Halley and Associates, Burchall house, Parnell Street, Waterford</td>
<td>Seeks the zoning of land at Ballygriffin for industrial use.</td>
<td>Waterford City environs</td>
<td>Zoning</td>
</tr>
<tr>
<td>No. 119</td>
<td>James and Nancy Hearne, Brownstown, Hugginstown</td>
<td>Objection to the designation of the Blackbog area as Open for Consideration in the Wind Energy Strategy</td>
<td>County</td>
<td>Wind Strategy</td>
</tr>
<tr>
<td>No. 120</td>
<td>Kevin Flavin, Construction Industry Federation, Canal Road, D6</td>
<td>Outlines the CIF views on a number of issues, including Part V, infrastructure, commercial and industrial development, childcare facilities and zoning.</td>
<td>County &amp; City</td>
<td>General</td>
</tr>
<tr>
<td>No. 121</td>
<td>Agnes Reilly, Department of Communications, Energy and Natural Resources</td>
<td>States that the Department of Communications is satisfied that the SEAs have addressed all the key environmental issues of relevance to the Department.</td>
<td>County &amp; City</td>
<td>SEA</td>
</tr>
<tr>
<td>No. 122</td>
<td>Richard Walsh, Kilmacow, Owning, Piltown</td>
<td>Objection to the designation of the Blackbog area as Open for Consideration in the Wind Energy Strategy</td>
<td>County</td>
<td>Wind Strategy</td>
</tr>
<tr>
<td>No. 123</td>
<td>Eugene Woodbyrne, Glanbia, Clonroche, Enniscorthy, Co. Wexford</td>
<td>Objection to the designation of the Ballyragget area as 'not normally permissible' in the Draft Wind Energy Strategy. Also seeks recognition of the Autoproducer category.</td>
<td>County</td>
<td>Wind Strategy</td>
</tr>
<tr>
<td>No. 124</td>
<td>Kieran Reid, c/o Patrick Halley, Burchall house, Parnell Street, Waterford</td>
<td>Seeks zoning of 30 acres in Kilmacow for residential use.</td>
<td>Kilmacow</td>
<td>Zoning</td>
</tr>
<tr>
<td>No. 125</td>
<td>Mrs. Hogan, c/o Patrick Halley, Burchall house, Parnell Street, Waterford</td>
<td>Seeks zoning of land in Belview for industry and port related uses.</td>
<td>Waterford City Environs</td>
<td>Zoning</td>
</tr>
<tr>
<td>No. 126</td>
<td>Ann Murray, c/o Patrick Halley, Burchall house, Parnell Street, Waterford</td>
<td>Seeks zoning of 16 hectares of land at Skeard, near Kilmacow</td>
<td>Kilmacow</td>
<td>Zoning</td>
</tr>
<tr>
<td>No. 127</td>
<td>James Walsh, c/o Patrick Halley, Burchall house, Parnell Street, Waterford</td>
<td>Seeks rezoning of 90 acres in Kilmurray, Slieverue from Strategic Development to general business</td>
<td>Waterford City Environs</td>
<td>Zoning</td>
</tr>
<tr>
<td>No. 128</td>
<td>Mathew Downey, 41 Beach Park, Laytown, Co. Meath</td>
<td>Seeks zoning of land in Muckalee</td>
<td>Muckalee</td>
<td>Zoning</td>
</tr>
<tr>
<td>No. 129</td>
<td>Richard and Josephine Frisby, Carrigatna, Kilmoganny</td>
<td>Objection to the designation of the Kilmoganny area as Open for Consideration in the Wind Energy Strategy</td>
<td>County</td>
<td>Wind Strategy</td>
</tr>
<tr>
<td>No. 130</td>
<td>Josie Quinn, Ballinalinagh, Kilmoganny</td>
<td>Objection to the designation of the Kilmoganny area as Open for Consideration in the Wind Energy Strategy and requests change to 'Not normally permissible'.</td>
<td>County</td>
<td>Wind Strategy</td>
</tr>
<tr>
<td>No. 131</td>
<td>Anthony Costigan and Mary Walshe, Cooleshall, Threecastles</td>
<td>Seeks a change in the policy on Areas of High Amenity in Section 8.3.1 of the Draft County Plan</td>
<td>County</td>
<td>LCA</td>
</tr>
<tr>
<td>No. 132</td>
<td>Peter Kenneally, Barnadow, Hugginstown</td>
<td>Objects to the possibility of any wind farms being developed in the Hugginstown area</td>
<td>County</td>
<td>Wind Strategy</td>
</tr>
<tr>
<td>No. 133</td>
<td>Parma Developments, c/o Stephen Ward, 1 Roden Place, Dundalk, Co. Louth</td>
<td>DUPLICATE OF D78</td>
<td>County</td>
<td>LCA</td>
</tr>
<tr>
<td>No. 134</td>
<td>Tim Vierhout, Crow cottage, Clashacrow, Freshford</td>
<td>Requests that Areas of High Amenity retain their significance. Objects to the inclusion of Clasherow/Carrigeen in the Slieveardagh Uplands.</td>
<td>County</td>
<td>LCA</td>
</tr>
<tr>
<td>135</td>
<td>Grace Kearney, Clashacrow cottage, Freshford</td>
<td>Requests that Areas of High Amenity retain their significance. Objects to the inclusion of Clashacrow/Carrigeen in the Slieveardagh Uplands.</td>
<td>County</td>
<td>LCA</td>
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<tr>
<td>136</td>
<td>Ger O'Reilly, Chairman Freshford 2020, Buncrussia Street, Freshford</td>
<td>Requests that Areas of High Amenity retain their significance. Objects to the inclusion of Clashacrow/Carrigeen in the Slieveardagh Uplands.</td>
<td>County</td>
<td>LCA</td>
</tr>
<tr>
<td>137</td>
<td>Ignatius Cantwell, e/o Mark Cantwell, Lazeybush, Tullaroan Road, Kilkenny</td>
<td>Seeks rezoning of site at Upper Waterbarrack, Kilkenny from community to residential</td>
<td>Kilkenny city and environs</td>
<td>Zoning</td>
</tr>
<tr>
<td>138</td>
<td>Joseph O'Neill, Clashacrow, Freshford</td>
<td>Requests that Areas of High Amenity retain their significance. Objects to the inclusion of Clashacrow/Carrigeen in the Slieveardagh Uplands.</td>
<td>County</td>
<td>LCA</td>
</tr>
<tr>
<td>139</td>
<td>Caroline Cord, Ballydowel, Rathmoyle</td>
<td>Requests that Areas of High Amenity retain their significance. Objects to the inclusion of Clashacrow/Carrigeen in the Slieveardagh Uplands.</td>
<td>County</td>
<td>LCA</td>
</tr>
<tr>
<td>140</td>
<td>Michael Egan, Castlejohn, Windgap</td>
<td>Objection to the designation of the Blackbog area as Open for Consideration in the Wind Energy Strategy</td>
<td>County</td>
<td>Wind Strategy</td>
</tr>
<tr>
<td>141</td>
<td>Pat and Mark Cantwell &amp; family, Lazeybush, Tullaroan Road, Kilkenny</td>
<td>Seeks the zoning of land from agricultural to residential at Loughmacask</td>
<td>Kilkenny city and environs</td>
<td>Zoning</td>
</tr>
<tr>
<td>142</td>
<td>Pat and Mark Cantwell &amp; family, Lazeybush, Tullaroan Road, Kilkenny</td>
<td>Seeks the recognition of Baunmore, Clara as a smaller settlement/node.</td>
<td>Clara</td>
<td>Settlemen t strategy</td>
</tr>
<tr>
<td>143</td>
<td>Helen Tynan &amp; Margaret Tynan, c/o Tom Phillips and Associates, Town Planning Consultants</td>
<td>Requests rezoning of land from Open Space to residential at Kennyswell road</td>
<td>Kilkenny city and environs</td>
<td>Zoning</td>
</tr>
<tr>
<td>144</td>
<td>Collin O Driscoll, An Taisce, Threecastles</td>
<td>Presents views on a number of issues including the Inner relief road, views, trees, ACAs, speed limits, cycle and pedestrian paths, Freestone Hill, public lighting, enforcement, and health impact assessments.</td>
<td>County and City</td>
<td>General</td>
</tr>
<tr>
<td>145</td>
<td>Dr. Declan Murphy, Conservation Committee, Kilkenny Archaeological Society, Rothe House</td>
<td>Makes submission on the Zones of Archaeological Importance, Inner relief road and the Record of Protected Structures.</td>
<td>Kilkenny city and environs</td>
<td>General</td>
</tr>
<tr>
<td>146</td>
<td>Michael Cullen, Thomas Cullen, Thomas Walsh, John Lennon, Willie Blanchfield, Jack/Jim Kelly</td>
<td>Seeks the designation of the Moonteenmore/Freagh Hill/Coppenagh area as 'open for consideration' or 'acceptable in principle' in the Draft Wind Energy Strategy.</td>
<td>County</td>
<td>Wind Strategy</td>
</tr>
<tr>
<td>147</td>
<td>Dr. Declan Murphy, Conservation Committee, Kilkenny Archaeological Society, Rothe House</td>
<td>Makes submission on the Zones of Archaeological Importance, Inner relief road and the Record of Protected Structures.</td>
<td>Kilkenny City and Environs</td>
<td>General</td>
</tr>
<tr>
<td>148</td>
<td>Proprietors and Business owners, Loughboy Industrial estate</td>
<td>Seeks rezoning of land in Loughboy Industrial Estate from Industrial/Warehousing to Business park.</td>
<td>Kilkenny city and environs</td>
<td>Zoning</td>
</tr>
<tr>
<td>149</td>
<td>Dr. Declan Murphy, Chairman An Taisce, Helios, Greenshill, Kilkenny</td>
<td>Presents views on a number of issues including trees, ACAs, speed limits, cycle and pedestrian paths, Freestone Hill, public lighting, enforcement, and health impact assessments.</td>
<td>County and City</td>
<td>General</td>
</tr>
<tr>
<td>150</td>
<td>Sean Halpin, c/o Fewer Harrington Lawlor</td>
<td>Seeks to rezone site in Callan from low-density residential to General Business</td>
<td>Callan</td>
<td>Zoning</td>
</tr>
<tr>
<td>151</td>
<td>M. Walsh, Director of Services, Waterford City Council, Wallace House, Maritana Gate, Canada Street, Waterford</td>
<td>Makes comments on a number of issues including the Waterford Gateway, the Retail Strategy, recreation and amenity, roads, the docklands and the SAC.</td>
<td>County</td>
<td>General</td>
</tr>
<tr>
<td>#</td>
<td>Applicant or Group</td>
<td>Request or Concern</td>
<td>Location</td>
<td>Category</td>
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<tr>
<td>152</td>
<td>D. Walsh and Sons and Grasslands Fertilisers, c/o Simon Clear and Associates, 3 Terenure Road West, Terenure, D6W</td>
<td>Seeks rezoning of Grasslands site from industrial and open space to residential and neighbourhood/village centre.</td>
<td>Kilkenny city and environs</td>
<td>Zoning/Loughmacask</td>
</tr>
<tr>
<td>154</td>
<td>Callan Electoral Area members</td>
<td>Seeks to change the designation of the area around Windgap, Tullahought and Kilmoganny from 'acceptable in principle' and 'open for consideration'.</td>
<td>County</td>
<td>Wind Strategy</td>
</tr>
<tr>
<td>155</td>
<td>Failte Ireland</td>
<td>Suggests changes to the plans to ensure policies contribute to more sustainable development of tourism in the county.</td>
<td>County</td>
<td>Tourism</td>
</tr>
<tr>
<td>156</td>
<td>Dr. Tom Murray, c/o DCSP Architects, 19 Trinity Street, Wexford</td>
<td>Requests changes to Section 4.8.1 Nursing Homes</td>
<td>County</td>
<td>Nursing homes</td>
</tr>
<tr>
<td>157</td>
<td>Kilkenny Co-operative Livestock Mart Ltd. c/o Dalton &amp; O Donnell</td>
<td>Requests modifications to the agritrade zone to permit retailing and office uses</td>
<td>Kilkenny city and environs</td>
<td>Zoning</td>
</tr>
<tr>
<td>158</td>
<td>Liam Mounsey, Drumherin, Ballyfoyle</td>
<td>Objection to the 'local only policy' as outlined in the rural housing policy of Chapter 3.</td>
<td>County</td>
<td>Settlemcnt Strategy</td>
</tr>
<tr>
<td>159</td>
<td>Liam Mounsey, Drumherin, Ballyfoyle</td>
<td>Requests consideration of a footpath along the Kilkenny city ring road</td>
<td>Kilkenny city and environs</td>
<td>Transport</td>
</tr>
<tr>
<td>160</td>
<td>Liam Mounsey, Drumherin, Ballyfoyle</td>
<td>Puts forward view on hedge trimming legislation</td>
<td>County</td>
<td>General</td>
</tr>
<tr>
<td>161</td>
<td>Dan Lenehan, River cottage, Inchmore, Freshford</td>
<td>Requests policies in relation to B and B's and self-catering accommodation</td>
<td>County</td>
<td>Tourism</td>
</tr>
<tr>
<td>162</td>
<td>Yvonne Butler Keane, Cooleshal Beg, Freshford</td>
<td>Expresses view that no changes should be made to the draft which would allow quarry development in Clashacrow/Carrigeen.</td>
<td>County</td>
<td>LCA</td>
</tr>
<tr>
<td>163</td>
<td>Pierce Dalton, Tulla Road, Threecastes</td>
<td>Requests that Areas of High Amenity retain their significance. Objects to the inclusion of Clashacrow/Carrigeen in the Slieveardagh Uplands.</td>
<td>County</td>
<td>LCA</td>
</tr>
<tr>
<td>164</td>
<td>Julie Dalton, Tulla Road, Threecastes</td>
<td>Same as D163</td>
<td>County</td>
<td>LCA</td>
</tr>
<tr>
<td>165</td>
<td>Teresa Dillon, Bawntanameenagh, Freshford</td>
<td>Requests that no change be made to the Areas of High Amenity, for the area of Clashacrow/Carrigeen</td>
<td>County</td>
<td>LCA</td>
</tr>
<tr>
<td>166</td>
<td>Elizabeth Burke, Cooleshal, Freshford</td>
<td>Same as D163</td>
<td>County</td>
<td>LCA</td>
</tr>
<tr>
<td>167</td>
<td>Paddy and Angela Butler, Cooleshal, Freshford</td>
<td>Same as D163</td>
<td>County</td>
<td>LCA</td>
</tr>
<tr>
<td>168</td>
<td>Patrick, John and Grace Dermody, Ballydaniel, Threecastes</td>
<td>Expresses concern at the development of a quarry at Clashacrow/Carrigeen</td>
<td>County</td>
<td>LCA</td>
</tr>
<tr>
<td>169</td>
<td>Claire O'Hara, Carrigeen, Rathmoyle, Co. Kilkenny</td>
<td>Same as D163</td>
<td>County</td>
<td>LCA</td>
</tr>
<tr>
<td>170</td>
<td>Robert O'Hara, Carrigeen, Rathmoyle</td>
<td>Same as D163</td>
<td>County</td>
<td>LCA</td>
</tr>
<tr>
<td>171</td>
<td>Mary and Paul Dalton, Tulla Road, Threecastes</td>
<td>Same as D163</td>
<td>County</td>
<td>LCA</td>
</tr>
<tr>
<td>172</td>
<td>Brenda Cooper, Chairperson, Keep Clashacrow Carrigeen Beautiful Group, Apple Blossom Cottage, Ballydaniel, Threecastes</td>
<td>Same as D163</td>
<td>County</td>
<td>LCA</td>
</tr>
<tr>
<td>No.</td>
<td>Name and Contact Information</td>
<td>Location</td>
<td>Category</td>
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<tr>
<td>173</td>
<td>Gerard Dunne, Veronica Drea,</td>
<td>Same as D163</td>
<td>County LCA</td>
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<tr>
<td></td>
<td>Purcells gardens, Cooleeshell,</td>
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<tr>
<td></td>
<td>Threecastles</td>
<td></td>
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<tr>
<td>174</td>
<td>Brenda Cooper, Chairperson,</td>
<td>Same as D172</td>
<td>County LCA</td>
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<td></td>
<td>Keep Clashacrow Carrigeen</td>
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<td>Beautiful Group, Apple Blossom</td>
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<td></td>
<td>Cottage, Ballydaniel, Threecastles</td>
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</tr>
<tr>
<td>175</td>
<td>Siobhan and Noel Bergin,</td>
<td>Expresses concern about development in Carrigeen</td>
<td>County LCA</td>
<td></td>
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<tr>
<td></td>
<td>Carrigeen, Rathmoyle</td>
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<tr>
<td>176</td>
<td>Margaret Bergin, Cooleeshal,</td>
<td>Requests that area around Cooleeshal retains its high amenity status</td>
<td>County LCA</td>
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<tr>
<td></td>
<td>Freshford</td>
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<tr>
<td>177</td>
<td>Mary Dalton, Purcells garden,</td>
<td>Requests that no quarry should be developed in the area of Clashacrow/Carrigeen</td>
<td>County LCA</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Threecastles</td>
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</tr>
<tr>
<td>178</td>
<td>Tom and Mary Nolan, c/o New ground, Main Street, Bennettsbridge</td>
<td>Seeks zoning of land in Jointersfoley for Industrial/warehousing, Business Park and open space/recreation</td>
<td>Kilkenny city and environs Zoning</td>
<td></td>
</tr>
<tr>
<td>179</td>
<td>Ketmaff Ltd. c/o Liam McGree, 12 Parliament Street</td>
<td>Seeks zoning of land at Blanchfieldsland and Leggetsrath West for industrial/business park use</td>
<td>Kilkenny city and environs Zoning</td>
<td></td>
</tr>
<tr>
<td>180</td>
<td>Kevin Moore Ltd. c/o Liam McGree, 12 Parliament Street</td>
<td>Seeks rezoning of land at New Orchard from low-density residential to residential.</td>
<td>Kilkenny city and environs Zoning</td>
<td></td>
</tr>
<tr>
<td>181</td>
<td>Dicksboro Gaa club, c/o Liam McGree, 12 Parliament Street, Kilkenny</td>
<td>Seeks to identify suitable land for playing pitches in the city. Similar to D67.</td>
<td>Kilkenny City and Environs Playing pitches</td>
<td></td>
</tr>
<tr>
<td>182</td>
<td>Eamon O’Gorman, c/o Reddy Associates, 41 Dean Street</td>
<td>Seeks rezoning from residential to general business use of Lacken House.</td>
<td>Kilkenny city and environs Zoning</td>
<td></td>
</tr>
<tr>
<td>183</td>
<td>John Holland, c/o EDPM Ltd. 5 Village Business Centre</td>
<td>Seeks zoning of land in Ballyragget for Business park, general business and open space</td>
<td>Ballyragget Zoning</td>
<td></td>
</tr>
<tr>
<td>184</td>
<td>John Holland, c/o EDPM Ltd. 5 Village Business Centre</td>
<td>DUPLICATE OF D183</td>
<td></td>
<td></td>
</tr>
<tr>
<td>185</td>
<td>Kevin Fennelly and Tadhg Feeney, c/o Billy Moran, The Square, Castlecomer</td>
<td>Seeks zoning of 6 acres for residential development in Ballyhale</td>
<td>Ballyhale Zoning</td>
<td></td>
</tr>
<tr>
<td>186</td>
<td>Kevin Fennelly and Tadhg Feeney, c/o Billy Moran, The Square, Castlecomer</td>
<td>Seeks zoning of 3.2 acres for commercial development in Ballygriffin</td>
<td>Waterford City Environs Zoning</td>
<td></td>
</tr>
<tr>
<td>187</td>
<td>Codeford Ltd., c/o Liam McGree, 12 Parliament Street</td>
<td>Requests a rezoning of a site on the Waterford Road from residential to General Business. This is similar to D70.</td>
<td>Kilkenny City and Environs Zoning</td>
<td></td>
</tr>
<tr>
<td>188</td>
<td>Roger Garland, Keep Ireland Open</td>
<td>Outlines views on a number of topics including Development plan strategy, rural development, tourism, heritage, infrastructure and environment.</td>
<td>County General</td>
<td></td>
</tr>
<tr>
<td>189</td>
<td>Phil Kenealy, Ecopower Developments, Sion Road</td>
<td>Comments on the Wind Energy Strategy</td>
<td>County Wind Strategy</td>
<td></td>
</tr>
<tr>
<td>190</td>
<td>Phil Kenealy, Brookville, Sion Road</td>
<td>Seeks addition of a policy in relation to buffer planting between industrial and residential areas</td>
<td>Kilkenny city and environs</td>
<td></td>
</tr>
<tr>
<td>191</td>
<td>Menesiah Ltd., c/o Tom Phillips and Associates</td>
<td>Seeks modifications to mixed use zone to include a Discount Food Store and retail uses for site on Hebron road</td>
<td>Kilkenny city and environs Zoning</td>
<td></td>
</tr>
<tr>
<td>192</td>
<td>Deerland Construction, c/o Tom Phillips</td>
<td>Welcomes the designation of the Town Centre for Ferrybank and seeks the addition of a specific policy for the creation of a town centre. Also makes points in relation to other retail issues.</td>
<td>Waterford city environs Retail</td>
<td></td>
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<td>No.</td>
<td>Name/Address</td>
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<tr>
<td>193</td>
<td>Messrs. Leahy, Cantwell, Kenny and Delahunty, c/o New Ground</td>
<td>Makes a number of points in relation to land on the Tullaroan road</td>
<td>Kilkenny city and environs</td>
<td></td>
</tr>
<tr>
<td>194</td>
<td>Ramie Leahy, Kilkenny Local Ecologically Advanced Neighbourhood, c/o New Ground</td>
<td>Requests support and objective for a Locally Advanced Ecologically Advanced Neighbourhood on the Tullaroan Road. Seeks amendments to the Loughmacask LAP.</td>
<td>Kilkenny city and environs, Loughmacask</td>
<td></td>
</tr>
<tr>
<td>195</td>
<td>Ramie Leahy, Kilkenny Local Ecologically Advanced Neighbourhood, c/o New Ground</td>
<td>Requests support and objective for a Locally Advanced Ecologically Advanced Neighbourhood on the Tullaroan Road. Seeks amendments to the Loughmacask LAP. Same as D194.</td>
<td>Kilkenny city and environs, Loughmacask</td>
<td></td>
</tr>
<tr>
<td>196</td>
<td>Thomas Downey and Patrick O'Brien, Cashel Villa, Kells Road</td>
<td>Seek rezoning of land on Kells road from general business to residential.</td>
<td>Kilkenny city and environs, Zoning</td>
<td></td>
</tr>
<tr>
<td>197</td>
<td>Walter Walsh, C/o Fewer Harrington Lawlor</td>
<td>Seeks recognition of Dunkitt as a node</td>
<td>County - Dunkitt, Settlement strategy</td>
<td></td>
</tr>
<tr>
<td>198</td>
<td>Sean Halpin, c/o Fewer Harrington Lawlor</td>
<td>DUPLICATE OF D150</td>
<td></td>
<td></td>
</tr>
<tr>
<td>199</td>
<td>Menesiah Ltd., c/o Tom Phillips and Associates</td>
<td>DUPLICATE OF D191</td>
<td></td>
<td></td>
</tr>
<tr>
<td>200</td>
<td>Alternative Bio Fuels Ireland Ltd., c/o Canavan Associates Ltd., 23 Prince's Street, Derry</td>
<td>Outlines that a bio-ethanol facility is proposed for Drumdowney and seeks a number of modifications to the plan to support this.</td>
<td>County</td>
<td></td>
</tr>
<tr>
<td>201</td>
<td>Monaco Homes and Developments Ltd., Suite 19, The Atrium, Maritana Gate, Canada st. Waterford</td>
<td>Seeks zoning of land at Leggetsrath for multiple uses.</td>
<td>Kilkenny city and environs, Zoning</td>
<td></td>
</tr>
<tr>
<td>202</td>
<td>Melville Developers, c/o New Ground</td>
<td>Seeks the zoning of 25.8 ha of land at Garrineen Blanchfieldsland for a Business and Technology park. It also makes a number of suggestions in relation to modifying the use zones.</td>
<td>Kilkenny city and environs</td>
<td></td>
</tr>
<tr>
<td>203</td>
<td>Katharine Larkin, New Ground Ltd., Main street, Bennettsbridge</td>
<td>Seeks inclusion of a policy providing for landmark development at all appropriate sites on major radial road entrance points to Kilkenny.</td>
<td>Kilkenny city and environs</td>
<td></td>
</tr>
<tr>
<td>204</td>
<td>Katharine Larkin, New Ground Ltd., Main street, Bennettsbridge</td>
<td>Suggests a number of amendments to zoning categories in the Draft plan.</td>
<td>Kilkenny city and environs</td>
<td></td>
</tr>
<tr>
<td>205</td>
<td>Dermot Nolan, c/o New Ground Ltd.</td>
<td>This submission seeks the zoning of land for business and light industry in Joinersfally/Danville and seeks the inclusion of an objective in relation to business and industrial land</td>
<td>Kilkenny city and environs</td>
<td></td>
</tr>
<tr>
<td>206</td>
<td>Gerry Byrne, c/o New Ground Ltd.</td>
<td>Seeks rezoning of land at Kilcreene Lodge from open space to low-density residential and to include for a café/garden centre</td>
<td>Kilkenny city and environs, Zoning</td>
<td></td>
</tr>
<tr>
<td>207</td>
<td>Reginald Brennan, c/o New Ground Ltd.</td>
<td>Seeks rezoning from open space to temporary open space and seeks higher densities on land in Loughmacask LAP. Also seeks amendment regarding the Grasslands plant</td>
<td>Kilkenny city and environs, Zoning</td>
<td></td>
</tr>
<tr>
<td>208</td>
<td>Richard Murphy, c/o New Ground Ltd.</td>
<td>Seeks inclusion of objective to promote the urban development of Thomastown</td>
<td>Thomastown</td>
<td></td>
</tr>
<tr>
<td>209</td>
<td>Nicole Greene, c/o New Ground Ltd.</td>
<td>Seeks zoning of land at Carrigeen for general business, industrial or mixed use</td>
<td>Carrigeen, Zoning</td>
<td></td>
</tr>
<tr>
<td>210</td>
<td>Eamon and Nan Walsh, c/o Bluett and O'Donoghue</td>
<td>Submits that area of land in Danesfort would be suitable for housing development.</td>
<td>Danesfort</td>
<td></td>
</tr>
<tr>
<td>211</td>
<td>Tim Drea and Jim O’Neill, c/o Bluett and O'Donoghue</td>
<td>Outlines that land is suitable for development in Bennettsbridge</td>
<td>Bennettsbridge</td>
<td></td>
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<tr>
<td>No.</td>
<td>Name of Party and Address</td>
<td>Summary of Comments</td>
<td>Location</td>
<td>Category</td>
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<td>212</td>
<td>MCP Group, c/o Bluett and O'Donoghue</td>
<td>Makes a number of points in relation to the Draft Loughmacask LAP and the inner relief road, and seeks changes in zoning along the Granges Road.</td>
<td>Kilkenny city and environs</td>
<td>Zoning Loughmacask</td>
</tr>
<tr>
<td>213</td>
<td>Enable Ireland Disability c/o Bluett and O'Donoghue</td>
<td>Requests rezoning from Open Space to Community Facilities adjacent to the O'Neill centre on St. Joseph's road.</td>
<td>Kilkenny city and environs</td>
<td>Zoning</td>
</tr>
<tr>
<td>214</td>
<td>The Seville Lodge Trust, c/o Bluett and O'Donoghue</td>
<td>Seeks changes to the line reserved for the ring road extension through Seville Lodge as marked on the Draft City plan</td>
<td>Kilkenny city and environs</td>
<td>Zoning</td>
</tr>
<tr>
<td>215</td>
<td>RQB Kilkenny c/o Bluett and O'Donoghue</td>
<td>Welcomes zoning of land at Robertsshill for mixed use. Seeks changes to Objective no. 1 attached to this land. Makes comments on the Retail strategy and seeks that an objective be included to allow for retail on this land.</td>
<td>Kilkenny city and environs</td>
<td>Zoning</td>
</tr>
<tr>
<td>216</td>
<td>James Casey/Heat Merchants, Tubs and Tiles, Duggan Lynch, QEF Ltd., Eng Control Systems, Young Motors and Maxol, c/o Bluett and O'Donoghue</td>
<td>Welcomes the zoning of land on the Dublin road for mixed use development. Seek changes to the objective that development proposals must address the entire area.</td>
<td>Kilkenny city and environs</td>
<td>Zoning</td>
</tr>
<tr>
<td>217</td>
<td>Monaco Homes and Developments Ltd., Suite 19, The Atrium, Maritana Gate, Canada st. Waterford</td>
<td>Seeks rezoning of site of Kilkenny Bridge Club along the Bohernatounish road from residential to General Business.</td>
<td>Kilkenny city and environs</td>
<td>Zoning</td>
</tr>
<tr>
<td>218</td>
<td>Denis Doheny, Rushboro, Ballacolla Road, Abbeyleix</td>
<td>Seeks rezoning of land at Hebron Park along ring road from industrial to mixed use.</td>
<td>Kilkenny city and environs</td>
<td>Zoning</td>
</tr>
<tr>
<td>219</td>
<td>Tom Quinn, c/o New Ground</td>
<td>Seeks zoning of 25 acres for business/mixed use or residential at Granny</td>
<td>Waterford City Environs</td>
<td>Zoning</td>
</tr>
<tr>
<td>220</td>
<td>Damien Keane and Yvonne Butler, Knockcarigre, Cooleshal Beg, Freshford</td>
<td>Requests that Areas of High Amenity retain their significance. Objects to the inclusion of Clashcrow/Carrigeen in the Slieveardagh Uplands.</td>
<td>County LCA</td>
<td>LCA</td>
</tr>
<tr>
<td>221</td>
<td>James Kehoe, 10 Fisherman's Lough, Leihlinbridge</td>
<td>Makes a number of points in relation to the preparation of LAPs for Thomastown, Callan, Castlecomer, Graiguenamanagh and Waterford City Environs</td>
<td>County LAPs</td>
<td>LAPs</td>
</tr>
<tr>
<td>222</td>
<td>Donal Fennelly, Linden, Greenshill</td>
<td>Question in relation to the Manager's report on pre-draft submissions, ref CDP118 and 135, and makes observation on cycle lanes policy.</td>
<td>Kilkenny city and environs</td>
<td>Wind Strategy</td>
</tr>
<tr>
<td>223</td>
<td>Richard and Anne Millea, Castlejohn, Windgap</td>
<td>Objection to the designation of the Blackbog area as Open for Consideration in the Wind Energy Strategy</td>
<td>County Wind Strategy</td>
<td>Wind Strategy</td>
</tr>
<tr>
<td>224</td>
<td>Bernie Gricell, Windgap</td>
<td>Objection to the designation of the Blackbog area as Open for Consideration in the Wind Energy Strategy</td>
<td>County Wind Strategy</td>
<td>Wind Strategy</td>
</tr>
<tr>
<td>225</td>
<td>Eileen Millea, Castlejohn, Co. Tipperary</td>
<td>Objection to the designation of the Blackbog area as Open for Consideration in the Wind Energy Strategy</td>
<td>County Wind Strategy</td>
<td>Wind Strategy</td>
</tr>
<tr>
<td>226</td>
<td>John and Teresa Sheehan, Clashnamuth, Ahenny, Carrick on suir</td>
<td>Objection to the designation of the Blackbog area as Open for Consideration in the Wind Energy Strategy</td>
<td>County Wind Strategy</td>
<td>Wind Strategy</td>
</tr>
<tr>
<td>227</td>
<td>Joe Grinsell, Castlejohn, Co. Tipperary</td>
<td>Objection to the designation of the Blackbog area as Open for Consideration in the Wind Energy Strategy</td>
<td>County Wind Strategy</td>
<td>Wind Strategy</td>
</tr>
<tr>
<td>228</td>
<td>Anonymous</td>
<td>The submission makes two points in relation to the wind strategy: Small scale wind developments should be provided for in more locations. Urban locations should not be designated as ‘not</td>
<td>County Wind Strategy</td>
<td>Wind Strategy</td>
</tr>
</tbody>
</table>
normally permissible’ as they can be provided in urban areas, such as in Dundalk.

<table>
<thead>
<tr>
<th>Page</th>
<th>Name/Role/Location</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>229</td>
<td>Patrick O'Sullivan, Department of the Environment, heritage and local Government</td>
<td>Outlines Department views on a number of topics including heritage, telecommunications, wind energy, quarrying, development management and monitoring and evaluation.</td>
</tr>
<tr>
<td>229</td>
<td>Anne-Marie and Aidan O'Brien, Breda and Trevor Horgan, Mr. and Mrs. Joseph Crowley, c/o Jack O'Sullivan, Environmental Management Services, Outer Courtyard, Tullynally, Castlepollard, Co. Westmeath</td>
<td>Seek additional policy in relation to the equine industry, seeks changes to the Wind Energy Strategy and makes comments in relation to other topics such as landscape, renewable energy.</td>
</tr>
<tr>
<td>230</td>
<td>Ciaran Ruane, Health Service Executive, Lacken, Dublin Road</td>
<td>Seeks rezoning of St. Canice's Hospital on the Dublin Road for a number of uses including general business, community and residential.</td>
</tr>
<tr>
<td>231</td>
<td>Colm Murray, The Heritage Council</td>
<td>Makes a number of points in relation to Architectural Conservation Areas, the Record of Protected Structures and National Monuments.</td>
</tr>
<tr>
<td>232</td>
<td>Mr. and Mrs. M. Nolan, c/o Niall Kearney, McElroy Associates, 72 Haddington Road, D4</td>
<td>Duplication of D75</td>
</tr>
<tr>
<td>233</td>
<td>Paddy Kearney, Drumdowney, Slieverue</td>
<td>Seeks zoning of land in Belview for industrial use.</td>
</tr>
<tr>
<td>234</td>
<td>Mariena Properties, c/o Simon Clear &amp; Associates, 3 Terenure Road West, Terenure, Dublin 6W</td>
<td>Duplication of D107</td>
</tr>
<tr>
<td>235</td>
<td>Eddie Buckley, O'Loughlin Gaels, St. John's Park, Hebron Road</td>
<td>Requests that land be allocated for pitch space in the vicinity of the club, or at Johnswell Road.</td>
</tr>
<tr>
<td>236</td>
<td>Brendan Kehoe, Rockfield, Gowran</td>
<td>Seeks zoning of land in Gowran for residential and general business use.</td>
</tr>
<tr>
<td>237</td>
<td>Kilkenny Retail and Business Park, c/o Simon Clear and Associates</td>
<td>Seeks a change in the permitted uses for the business park zone to include a discount foodstore.</td>
</tr>
<tr>
<td>238</td>
<td>Breda Kelly, Tidy Towns Committee, Abbey Centre, Graignamanagh</td>
<td>Seeks to include the following in the Development plan: commitment to implement Derelict Sites Act, objective to work with other councils for peripheral areas, commitment to bye-laws for CCTV, and commitment to ban bituminous coal.</td>
</tr>
<tr>
<td>239</td>
<td>Deerland Construction, c/o Tom Phillips</td>
<td>Proposal to amend the text of objective R6, which relates to access to the Waterford road from the Murphy lands.</td>
</tr>
<tr>
<td>No.</td>
<td>Name and Address</td>
<td>Description</td>
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</tr>
<tr>
<td>243</td>
<td>Anna Crotty, c/o Bluett and O'Donoghue</td>
<td>Seeks residential zoning at the Dunningstown road in Kilkenny city and environs.</td>
</tr>
<tr>
<td>244</td>
<td>Kathleen Lonergan, Clashnamuth, Ahenny, Carrick on Suir, Co. Tipperary</td>
<td>Objection to the designation of the Blackbog area as Open for Consideration in the Wind Energy Strategy in County.</td>
</tr>
<tr>
<td>245</td>
<td>Sean Halpin, c/o Fewer Harrington Lawlor</td>
<td>DUPLICATE OF D150</td>
</tr>
<tr>
<td>246</td>
<td>Walter Walsh, C/o Fewer Harrington Lawlor</td>
<td>DUPLICATE OF D197</td>
</tr>
<tr>
<td>247</td>
<td>Castlecomer Community Sports Partnership</td>
<td>Proposal for sports facility in Castlecomer in Castlemore.</td>
</tr>
<tr>
<td>248</td>
<td>Willie Maloney, Skough, Owning, Piltown</td>
<td>Objection to wind turbines in the vicinity of his home in County.</td>
</tr>
<tr>
<td>249</td>
<td>B. Maher and N. Kelly, c/o Aylwardstown House, Glenmore</td>
<td>Requests the zoning of land in Glenmore, and also addresses a number of other issues in relation to traffic and infrastructure in Glenmore.</td>
</tr>
<tr>
<td>250</td>
<td>Dr. Tom Murray, c/o DCSP Architects, 19 Trinity Street, Wexford</td>
<td>DUPLICATE OF D156</td>
</tr>
<tr>
<td>251</td>
<td>Alison McGrath, Kilkenny Chamber of Commerce</td>
<td>Outlines the Chamber's views on industrial zoned lands, signage, inner relief road, the Parade and Canal area plan, High street and Bateman Quay in Kilkenny city and environs.</td>
</tr>
<tr>
<td>252</td>
<td>Ramie Leahy, Dysart, Thomastown</td>
<td>Seeks inclusion in plan of proposed rural artisan development on land at Dysart in Thomastown.</td>
</tr>
<tr>
<td>253</td>
<td>Tiros Resources Ltd. Armitage House, 10 Hatch Street Lower, Dublin 2</td>
<td>Seeks inclusion of an objective in relation to no. 26 John Street to allow for a betting office in the premises in Kilkenny city and environs.</td>
</tr>
<tr>
<td>254</td>
<td>ERAC, 6 Chapel View, Stoneyford</td>
<td>Seeks modifications to section 8.3.4 in relation to Sustainability and Energy Efficiency in Buildings in County.</td>
</tr>
<tr>
<td>255</td>
<td>Jim Fennelly, Principal, Church Hill National School, Cuffesgrange</td>
<td>Outlines views in relation to the settlement strategy in County.</td>
</tr>
<tr>
<td>256</td>
<td>T.R. Pembroke, 15 Ormonde Road, Kilkenny</td>
<td>Seeks rezoning on Ormonde Road from residential to general business or mixed use in Kilkenny city and environs.</td>
</tr>
<tr>
<td>257</td>
<td>Menesiah Ltd., c/o Tom Phillips and Associates</td>
<td>DUPLICATE OF D191</td>
</tr>
<tr>
<td>258</td>
<td>Frank Manning, Knocknew, Ballyfoyle</td>
<td>Makes a number of points in relation to High Street and tourism in the city centre in Kilkenny city and environs.</td>
</tr>
<tr>
<td>259</td>
<td>Donal Fennelly, c/o Liam McGree, 12 Parliament Street</td>
<td>Seeks implementation of two residential zonings in Greenshill area, one to protect, provide and improve established residential amenities in Kilkenny city and environs.</td>
</tr>
<tr>
<td>260</td>
<td>Denis Treacy, c/o Liam McGree</td>
<td>Proposes realignment of the Ring Road between Waterford Road and the Callan Road. Seeks to rezone a strip of land between the Breagagh River and the Maidenhill housing scheme to residential use in Kilkenny city and environs.</td>
</tr>
<tr>
<td>261</td>
<td>Kevin Flavin, Construction Industry Federation, Canal Road, D6</td>
<td>Outlines the CIF views on a number of issues, including Part V, infrastructure, commercial and industrial development, childcare facilities and zoning in Kilkenny city and environs.</td>
</tr>
<tr>
<td>263</td>
<td>Tom Burtchaell, c/o Byrne and McCabe Design, Upper Main street, Graiguenamanagh</td>
<td>Seeks residential zoning for 9.3 acre site in Graiguenamanagh in Graiguenamanagh.</td>
</tr>
<tr>
<td>Name</td>
<td>Business</td>
<td>Zoning</td>
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<tr>
<td>Tom Bart, Wholesale</td>
<td>Architectural Salvage</td>
<td>Kilkenny City and Environs Zoning</td>
</tr>
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<td>Seeks change from Open space to residential</td>
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<td>and commercial zoning along the Bleach Road</td>
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</table>
Ref: D2

Name: Seamus Ryan

Summary of Submission:
The submission is in relation to two sites in Ballyhale. The submission seeks the rezoning of the sites to residential.

Assessment & Recommendation:
This should be addressed in the context of the review of the Ballyhale LAP. The Ballyhale LAP was adopted in July 2004 and will be reviewed in 2010.

No change is recommended.

Ref: D4

Name: Councillor Catherine Connery

Summary of Submission:
The submission is in relation to Foulksrath/Swiftesheath in Conahy parish, and seeks that this area close to Clintstown school be designated as a node in the Plan.
To support the designation reference is made to the speed limit for the school and that the location of the proposed cluster is at the junction of the county road and the N77.
A submission in this regard was made at the pre-Draft plan stage ref CDP103 in the name of Michael Lennon. A map from that submission is illustrated below:

Source CDP 103(for illustration purposes)
Mention is also made of additional community facilities being provided for community gain, but these are not specified. The potential benefits of improvements to the junction at this location are also highlighted.

**Assessment & Recommendation:**
The designation of areas within the settlement hierarchy is based around the settlement hierarchy under the 2002 County Development Plan. The current rural housing policy is based on Variation number eight to the County Development Plan (2002) which incorporated this settlement strategy.

In developing a settlement strategy for the County the widely dispersed system of parishes was examined. Within each parish the location of services such as schools, post offices, Garda stations etc. was identified. From that survey the locations of smaller settlements that service the parish and local hinterland were identified.

With this strategy every parish within the county has at least one type of settlement as the main focus for services. The parish of Conahy has the smaller settlement of Conahy itself with St Coleman’s church, the parish hall and Conahy National School located in this area. This is identified as a smaller settlement in the 2002 Development Plan.

Also within the parish there are national primary schools located at Clintstown and Lisnafuncheon and a church at Jenkinstown. Similar situations are experienced in areas such as Clara and Burnchurch where there are isolated services serving the wider catchment removed from the identified cluster within the parish.

Conahy is designated as a smaller settlement/node in the Draft County Plan. Smaller settlements/Nodes are defined in Section 3.3.5 as possessing “a very narrow range of physical and social infrastructure but have some limited capacity to cater for additional housing possibly in the form of cluster development”.

A number of situations have developed during the life of the current 2002 plan where although there is a smaller settlement identified in a particular area there are services such an isolated school or church where proposals have come forward for cluster type development.

The rationale behind the settlement strategy for the County remains valid but in recognition of the situation that has developed with the existing policy the following addition to that strategy is recommended.

Section 3.3.5 of the Draft Development Plan deals with smaller settlements. The following revised policy is recommended.

**Section 3.3.5 Smaller Settlements**
The County Development Plan 2002 contains a further settlement tier not readily identifiable in the RPG’s, which will also form part of the settlement structure. In developing a settlement strategy for the County the widely dispersed system of parishes was examined. Within each parish the location of services such as schools, post offices, Garda stations etc. was identified. From that survey, smaller settlements were identified where there was a cluster of two or more services. In addition to these identified locations there are also isolated rural services which have a role to play in serving the rural community.

Smaller settlements possess a very narrow range of physical and social infrastructure but have some limited capacity to cater for additional housing generally through low-density individual or multiple housing and other developments, in tandem with the provision of services. They will form an important component of the settlement network, by providing a basic level of services and by accommodating new growth that is compatible with the area.

The scale and fabric of these centres must however be respected in new development proposals. Any new development should be of a design, layout, character and scale which fits well with the settlement involved and presents a high quality living environment.

**Policy**

It is the policy of the Council to encourage low density housing in the form of cluster developments within smaller settlements and also immediately adjacent (i.e. within 100m) to an operating isolated rural service such as a school, public house church or shop.

All applications for cluster development shall be assessed against the capacity of the area to absorb development. This capacity assessment will include consideration of environmental issues, roads, water services, community facilities and the surrounding area’s natural and built heritage context.

**Design of Clusters**

(a) The proposed cluster should be context driven, respecting the rural setting and character of the area. The visual impact and appearance of new development should be fully considered when locating and designing new buildings.

(b) Any development should maximise the use of existing hedgerows and landscape features e.g. existing buildings, trees, stone walls etc..

(c) Provide a common entrance and access road, and shall not be permitted to access directly onto a National Primary or Secondary Route,

(d) Be serviced by a common proprietary sewage treatment systems, and have an outfall or suitable ground conditions for percolation,
(e) In the case of a development where serviced sites are to be sold, a design brief and development programme for the execution and completion of the development for the cluster shall be submitted at planning application stage.

(f) A variety of house sizes should be provided.

Clusters are intended to encourage small-scale expansion. They may accommodate a number of dwellings (usually about 8) but the exact number will ultimately depend on scale and pattern of existing development in the vicinity, impact on the landscape and site conditions.

The speed limit proposed for Clintstown national school are set to be active for particular periods of time and it is not appropriate to be used to advocate development proposals.

Therefore while not recommending the designation of Clintstown as a smaller settlement the policy has been altered to cater for locations such as isolated schools and churches etc outside of the identified smaller settlements.

Ref: D7

Name: Anonymous

Summary of Submission:
The submission addresses a number of issues as follows:

- the terminology used in the Draft Plans,
- the role of Kilkenny County Council in South Eastern Regional Authority,
- public transport connections and infrastructure in Waterford,
- the significance of Belview, and
- the emphasis on Waterford and lack of emphasis on other adjacent authorities.

Assessment & Recommendation:
The use of the term ‘Environ of Waterford City’ is used in the Plan to refer to the urban area of South Kilkenny which forms part of Waterford City, including Ferrybank and Newrath. Similarly, the use of ‘Environ of New Ross’ denotes the area within the administration of Kilkenny County Council but which forms part of New Ross town.

These terms have been used to describe these areas since the first plans were prepared by Council back in the 1960’s. The Council has commenced the preparation of a Local Area Plan for the Environ of Waterford City and the issue of identity for the area can be addressed in that forum.

Kilkenny County Council is an active member of the South Eastern Regional Authority, and the Plan contains numerous supporting policies and objectives to co-operate further on a regional basis.
In relation to public transport issues in Waterford City, Kilkenny County Council has committed to the implementation of the PLUTS which provides for improved public transport connections and infrastructure in Waterford.

The submission suggests that Section 5.5.2, could be amended to include Belview as a county asset. I have no objection to that inclusion so that the first line of the second paragraph reads “The Port at Belview is a strategic national, regional and county asset with good road and rail links.

The Draft Plan contains a significant emphasis on Kilkenny’s relationship to Waterford, having due regard to Waterford’s strategic role as a Gateway, as designated in the National Spatial Strategy. The Plan also refers to New Ross, as it has been identified as a Large Town in the Regional Planning Guidelines. County Kilkenny does not adjoin any other strategically important urban areas of neighbouring authorities, therefore no other areas are referred to in this context.

Ref: D8

Name: Gerard Murphy and Martina Roche, Jamestown, Glenmore

Summary of Submission: Seek to have area added to the Special Area of Conservation in Glenmore.

Assessment & Recommendation:
The National Parks and Wildlife (NPWS) DoEHLG is the competent authority charged with the definition of what constitutes a site of European importance, under the Habitats Directive (Council directive 92/43/EEC).

The request for an extension of a boundary to a cSAC or pNHA, should be made in writing through the local National Parks & Wildlife Service staff.

No change is recommended.

Ref: D9

Name: Declan Rice, Barrow Nore Suir Rural Development

Summary of Submission: The submission addresses a number of issues including rural tourism, rural transport, farmers’ markets and broadband. BNS requests that Kilkenny local authorities are proactive in using all the means available to them to secure public usage to traditional
paths in the county. BNS also requests that Kilkenny local authorities plan for and provide cycle lanes.

BNS seeks that Kilkenny County Council works with the SERA and facilitates the roll out of wireless broadband infrastructure.

Assessment & Recommendation:

Rural Tourism

Cycle Lanes
The Draft County Plan contains a comprehensive section on Walking Routes and Trails in Chapter 7, (section 7.3.5) and sets out the Council’s policies in relation to securing public usage, which includes the objective of compiling a register of public rights of way. In relation to cycle lanes, the Draft City Plan contains a Section 8.2.3 on Cycle Routes in the city.

Rural Transport

Section 6.5 of the Draft County Plan sets out the Council’s policies in relation to Rural Transport, which includes a policy of supporting local and community based initiatives such as Ring a Link. Section 8.2.5 of the Draft City Plan outlines a policy for the establishment of a Transport Forum to oversee transport policy for the city and county. Such a forum would provide for integrated public transport systems.

Broadband
Section 9.8.5 of the Draft Plan outlines that Kilkenny County Council will “work with the SERA and all other relevant agencies to ensure the swift and efficient roll-out of broadband telecommunications infrastructure to smaller towns and rural areas in the region”. Also, Kilkenny County Council will “support and facilitate the provision of advanced communications networks and services” (see also policy on prohibition of masts within 500m of a structure page 9-18)

Farmers markets
The submission seeks that a legal regulatory framework be developed that would permit a properly constituted committee to hold a single licence. This is not an issue for the development plan.

The submission also seeks that farmers markets be facilitated. At present farmers markets are facilitated through the planning process and there is one in operation at Cillin Hill and at the Parade,. In other towns and villages farmers markets could be addressed through the LAP process.

No changes are recommended.
Ref: D11

Name: Martin and Anna Howley and Richard Howley

Summary of Submission:
The submission is in relation to two sites in Mooncoin. The submission seeks the rezoning of the sites.

Assessment & Recommendation:
This should be addressed in the context of the review of the Mooncoin LAP. The Mooncoin LAP was adopted in October 2003 and will be reviewed in 2009.

No change is recommended.

Ref: D12

Name: Nancy Denieffe

Summary of Submission:
The submission is in relation to a site in Thomastown. The submission seeks the rezoning of the site for commercial development.

Assessment & Recommendation:
This should be addressed in the context of the making of a Local Area Plan for Thomastown. This process has just commenced and this submission will be dealt with under that process.

No change is recommended.

Ref: D13

Name: Patrick Halley – Waterford Golf Club

Summary of Submission:
The submission is in relation to land adjoining the Waterford Golf club in New Rath, and the submission seeks the rezoning from open space to residential.
Assessment & Recommendation:
This should be addressed in the context of the making of a Local Area Plan for Waterford City Environs. This process has just commenced and this submission will be dealt with under that process.

No change is recommended.

Ref: D14
Name: Liam Mounsey

Summary of Submission:
This submission is in relation to the rural housing policy as set out in Chapter 3 of the Draft County Plan, and states that the ‘local only’ policy is unconstitutional.

Assessment & Recommendation:
The rural housing policy as set out in Chapter 3 was carefully formulated after a lengthy consultative process as a Variation to the 2002 Plan. The policies as outlined were devised to result in sustainable rural communities without compromising the physical, environmental, natural or heritage resources of the county, and is in accord with the Government Guidelines on this issue.

No change is recommended.

Ref: D15
Name: Liam Mounsey

Summary of Submission:
This submission is in relation to making the Development Plan process more inclusive and recommends that more public consultation meetings be arranged.

Assessment & Recommendation:
A number of public participation measures were put in place to engage and solicit the public’s input to the plan. A number of public meetings were held in the pre-draft stage, along with meetings targeted stakeholders. In addition during the public display period of the Draft Plans a series of Open Days (6 in total) were held throughout the County. To coincide with the public meeting a series of newspaper notices and articles were placed in the local press. A flyer was also distributed with the Kilkenny People highlighting the plan process and encouraging people to make submissions. This level of public consultation is high, and Kilkenny County Council is committed to continued public participation in the planning process.
Ref: D16

Name: National Roads Authority

Summary of Submission:
This submission seeks that a number of policies be included in the Plan, and that the
NRA’s statement ‘Development Management and Access to National Roads’ be referred
to in the Plan.

The first policy relates to the provision of on-line service areas providing a fuel station
and toilet block, Garda enforcement area and restaurant/food outlet facilities along the
N9.

In relation to Section 9.4.2 Development Assessment Criteria, the submission seeks that
the requirements in paragraph 3.3.4 of the Sustainable Rural Housing Guidelines relating
to transport be included for all identified Rural Area Types in section 3.4.2 of the Draft
County Development Plan.

The NRA advises that residential policy and standards be amended to incorporate the
requirements of SI No. 140 of 2006, Environmental Noise Regulations.

The NRA seeks that a policy be included such that significant development proposals
must be accompanied by transport and traffic assessments and road safety audits which
need to be assessed in association with their cumulative impact with neighbouring
developments. This should also be highlighted in the County Retail Strategy.

Assessment & Recommendation:
I recommend that Section 9.4.2 of the Draft Plan be amended to refer to ‘Development
Management and Access to National Roads’ by the insertion of a new sentence in
section 9.4 as follows: “In formulating policy in relation the County’s road network
regard has been had to the National Roads Authority policy statement “Development
Management and Access to National Roads””.

On-line service areas
In relation to the provision of on-line service areas, the policy wording suggested is as
follows:

‘to co-operate with the National Roads Authority to identify need for service areas and/or
rest areas for motorists along the route of the N9 dual carriageway and to assist in the
implementation of suitable proposals for provision of service and/or rest areas”. I
recommend that this policy be inserted in the Draft Plan in section 9.4.1.

Access to National Roads
With regard to amending Section 3.4.2 of the Draft Plan, the NRA seeks that it includes a policy that direct access from future development should not be permitted to National Roads outside of the speed limit zones for towns and villages.

Policies in relation to access onto National Routes are detailed in section 9.4.2. There is no need to repeat these in the section on rural housing.

**Noise**
SI No. 140 of 2006, Environmental Noise Regulations requires that planning applications identify and implement noise mitigation measures within the zone of influence of existing national roads, where the proximity of the proposed development to the national road would result in the breach of the Authority’s design goal for sensitive receptors exposed to road traffic noise. The following statement is recommended to be inserted in a new paragraph 10.5.4 Housing Developments and Road Noise. The Environmental Noise Regulations SI No. 140 2006 requires that planning applications identify and implement noise mitigation measures within the zone of influence of existing national roads. Planning applications for housing developments along existing or planned National Routes will be required to have regard to these regulations.

**Transport Assessment**
The NRA seeks that a policy be included such that significant development proposals must be accompanied by transport and traffic assessments and road safety audits which need to be assessed in association with their cumulative impact with neighbouring developments. I recommend that such a policy be inserted in a new Section 9.4.6. as follows: “All significant development proposals will be required to have transport and traffic assessments carried out in accordance with the publication “Traffic Management Guidelines” published by the DoEHLG/DoT/DTO”

**County Retail Strategy**
The submission seeks that text be inserted in Section 5.9.4 to emphasise that ‘in relation to large-scale out of town retail developments, the developer shall submit a transport assessment showing how trips to and from the proposed development might affect the road network and public transport links’. This has been addressed by the insertion of Section 9.4.6.

**Ref: D18**

**Name: Anonymous**

**Summary of Submission:** The submission addresses a number of issues as follows:
• the term ‘node’ used in section 3.12 of the Draft Plans is inappropriate and is an alien word. A name from the Irish tradition should be used,
• Rural Development: The submission seeks employment of a gardener under Leader to end neglect on Linear Park. Also that the Council should cooperate with the S.E. River Basin Group.
• Heritage Council definition of heritage seems narrow, heritage should include cultural heritage including language, customs etc.
• Recreation & tourism: walking trail signage and maintenance library service: The submission seeks more prominence to be given to the Irish Language through the library service.
• Objects to Car rallying on county roads and seeks the amendment of the Roads Act.
• Historic graveyards: Seeks the return of remains removed from Abbey St some 10 years ago by the National Museum

Assessment & Recommendation:
The term node is used to refer to smaller settlements, defined in Section 3.3.5 as possessing “a very narrow range of physical and social infrastructure but have some limited capacity to cater for additional housing possibly in the form of cluster development”. Under submission D4 the use of the word Node has been dropped from the proposed text.

The employment of personnel is an operational issue and not appropriate to a Development Plan. The Council is cooperating fully with the preparation of the SE River Basin Management Plan to achieve good quality in rivers. Appropriate policies to this effect are contained in Section 9.10.3 of the Draft Plan.

The Development plan sets out the policies in relation to Walking Routes and Trails in section 7.3.5. Details of signage and maintenance of recreational trails is an operational issue and is not an appropriate to be dealt with in the Draft Plan.

The definition of the Cultural heritage for the Heritage Council is a legal definition contained in the Act. Heritage issues have been addressed in the Draft Plan, in Section 8.4.3.7.

The submission seeks that the Development Plan give due recognition to the Irish language. The plan will be translated into Irish when completed.

The holding of a car rally is a licensable event and is not an issue that should be addressed in the Draft Development Plan.

Historic graveyards
The submission calls for the return of remains from the City’s Abbey street site from the National Museum. This is an issue which is being pursued with the National Museum by
the Kilkenny Borough Council, and will not be dealt with directly in the Draft Development Plan.

Ref: D20

Name: John Moloney

Summary of Submission:
The submission is in relation to a site in Johnstown. The submission seeks the rezoning of the site for residential development.

Assessment & Recommendation:
This should be addressed in the context of the making of a Local Area Plan for Johnstown. This process will be commenced in 2008

Ref: D24

Name: Robert Harper

Summary of Submission:
Addresses a number of issues, including community development, enterprise and employment, infrastructure, transport/movement, heritage road construction and rural development.
The submission seeks to encourage as wide a use of public buildings as possible, to bring university courses to Kilkenny, spread employment and enterprise as wide as possible through the community and encourage diversification of farm enterprises, include for an anaerobic digester in every parish, and to promote the use of renewable energies.

Assessment & Recommendation:

Community facilities
The submission encourages the use of multi-purpose facilities to deal with social problems. This concept has been endorsed in Section 4.4 of the Plan.

Enterprise and Employment
The submission expresses support for university courses in Kilkenny. It also asks that small scale enterprises should be permitted in rural areas, and that the plan supports anaerobic digesters.

The plan contains policies (Section 5.4) to promote the development of third level in both the city and the region. Chapter 6 of the Plan outlines that the Council will facilitate farm diversification and encourage the sustainable development of alternative rural enterprises.
In relation to anaerobic digesters, section 9.8.3.5 of the plan contains a policy to “facilitate the development of projects that convert biomass to energy”.

Infrastructure
The submission expresses support for recycling and seeks that additional resources be channeled into the promotion of renewable energy. The Draft Plan contains a comprehensive, new section on Renewable Energy (Section 9.3). The Council also employs an Environmental Awareness Officer who works to promote environmentally-friendly practices throughout the county.

Road construction
The submission suggests that as areas are being developed for roads, areas along the road should be identified for extraction and for backfilling, to reduce the transportation necessary. This could add significant difficulties to the delivery of essential infrastructure as sites that would be identified for extraction could present significant additional planning issues to be overcome in addition to the issues surrounding the actual scheme.

No change recommended to the Draft Plan.

Ref: D25

Name: Thomas Purcell

Summary of Submission:
This submission voices an objection to wind turbines, particularly due to the health hazards and possible tv interference associated with them.

Assessment & Recommendation:
As part of this Draft Development a wind energy strategy was developed.

The strategy was developed having regard to all the heritage and amenity constraints and taking into account the Government Guidelines on wind energy published in 2006.

In order to protect against the possibility of tv interference it is recommended that as part of the Councils policy on wind farms that all wind farm applications be referred to RTENL (RTE Transmissions Network Limited) and that this be a stated policy of the Draft Plan.

Ref: D27

Name: Martin Carrigan

Summary of Submission:
This submission seeks the designation of Clarabriicken as a village nucleus suitable for a modest amount of development.

**Assessment & Recommendation:**
No planning arguments are put forward as to why Clarabriicken should be included as a smaller settlement. The position in relation to smaller settlements has been dealt with under submission D4.

No change recommended.

**Ref: D28**

**Name:** John Hanley, McCutcheon Mulcahy Planning Consultants

**Summary of Submission:**
The submission is in relation to a site in Urlingford. The submission seeks the rezoning of the site for residential development.

**Assessment & Recommendation:**
This should be addressed in the context of the review of the Urlingford LAP. The Urlingford LAP was adopted in July 2004 and will be reviewed in 2010.

No change is recommended.

**Ref: D29**

**Name:** Tom Murray

**Summary of Submission:**
The submission is in relation to a site in Mooncoin. The submission seeks the rezoning of the site.

**Assessment & Recommendation:**
This should be addressed in the context of the review of the Mooncoin LAP. The Mooncoin LAP was adopted in October 2003 and will be reviewed in 2009.

No change is recommended.

**Ref: D30**
Name: Michael Cass

Summary of Submission:
The submission requests clarification of the list of Protected Structures in the Plan.

Assessment & Recommendation:
As part of the review of the 2002 Plan, the Record of Protected Structures is being examined with a view to having the format of the RPS easier to read and use. This work is ongoing, and an updated alphabetical list of the existing RPS will be published as part of the final 2008 Plan.

The work required to update the existing Record of Protected Structures and to examine the sites identified in the National Inventory of Architectural Heritage is a significant task which was not possible to undertake within the time frame of adopting a Development Plan.

Work in this area has commenced and will be tackled on a phased basis into the future. The first area where this will be tackled is in each of the Local Area Plans which are currently under way.

No change is recommended.

Ref: D31

Name: Joseph O'Shea

Summary of Submission:
The submission is in relation to land in Castlecomer, and the submission seeks the zoning of the land as residential.

Assessment & Recommendation:
This should be addressed in the context of the making of a Local Area Plan for Castlecomer. This process has commenced and this submission will be dealt with under that process.

Ref: D32

Name: Glenmore Residents Association

Summary of Submission:
This submission outlines the development considerations, and infrastructural issues in Glenmore, and on this basis, seeks that Glenmore be considered for a Local Area Plan, or Village Design Statement.
Assessment & Recommendation:
As the submission points out, Glenmore is designated as a smaller town and village in the Draft Plan. It is envisaged that Local Area Plans or other appropriate planning framework document such as a Village Design Statement would be completed for all these settlements during the term of this plan (2008-2014).

Replace the statement “Before the end of 2008 it is intended that Local Area Plans will be completed for Johnstown, Bennettsbridge and Paulstown” with the following:

“Local Area Plans or other appropriate planning framework documents will be prepared for the remaining smaller towns and villages during the life of this Plan”.

Ref: D33

Name: Niamh Richardson

Summary of Submission:
This submission requests that cycling provision be better dealt with in the two draft plans, and more detail included as regards the location, timing and standards of bicycle lanes.

Assessment & Recommendation:
A number of policies have been included in the Draft Plans, outlining the Council’s support for cycling provision. Particulars in relation to the location, phasing and quality standards of bicycle lanes is too detailed for a Development plan. Detail of this nature will be worked out as road projects are progressed. All new road improvement projects in the City & Environs now incorporate the provision of cycle lanes e.g the extension of the recently opened outer ring.

It is intended that for Kilkenny City & Environs a mobility and traffic management plan will be prepared which will address issues such as modal shift and accessibility for all in and around the City & Environs.

It is recommended that a specific objective be inserted into the City & Environs Plan to complete a mobility and traffic management plan dealing with issues such as modal shift accessibility.

Ref: D35

Name: Erica McNiece

Summary of Submission:
The submission objects to the designation of the Kilmoganny area as Open for Consideration in the Draft Wind Energy Development Strategy due to the effects of windfarms on quality of life, visual amenity, property values, interference with tv and radio reception, health and traffic.

Assessment & Recommendation:
As part of this Draft Development a wind energy strategy was developed. An area of the County centred around Kilmoganny has been designated as ‘Acceptable in Principle’, with an adjacent area designated as ‘open for consideration’.

The strategy was developed having regard to all the heritage and amenity constraints and taking into account the Government Guidelines on wind energy published in 2006.

In order to protect against the possibility of t.v interference it is recommended that as part of the Councils policy on wind farms that all wind farm applications be referred to RTENL ( RTE Transmissions Network Limited ) and that this be a stated policy of the Draft Plan.

Ref: D37

Name: Anonymous

Summary of Submission:
The submission addresses a number of issues as follows:

- Use of Carnegie library
- Maintenance in River Nore Linear Park
- Speeding on local roads
- Use of studs on roads by the NRA
- Placenames
- Bicycle rack provision
- Traffic management in the city
- Environmental sustainability
- Advertising and signage

This submission also contains reference to a number of areas beyond the remit of the County & City Development Plan including Sustainable Energy Ireland’s grant allocations and the times of flood lighting of St. Mary’s Cathedral.

Assessment & Recommendation:
The submission states that the Carnegie Library should continue to be used by the community, even if the library use ceases. The Council envisages that the building would remain as a community use.
The submission refers to the need to hang gates in the River Nore Linear park. Gates were provided at this location, but were inappropriate, and a potential safety hazard. The Parks Department is reviewing the situation and it is hoped that a satisfactory resolution should be implemented in the near future.

In relation to local roads the submission states that the old imperial speed limit system was superior to the metric system, and that the roads have become more dangerous. It also seeks that the Council utilise its powers under the Road Traffic Act 2004 to implement lower speed limits where necessary. The Council carried out a speed limit review during 2007. Submissions and observations from members of the public were requested during that process. In October 07 a Draft Special Speed Limit Bye-Law was published under the Road Traffic Acts 1961 – 2004. Further information is being gathered at present by the Council for submission of the draft scheme to the NRA early in 2008. Following NRA comment and approval the draft scheme will be published again for public comment before approval by the Council. A full list of the locations is available on the Council’s website.

The issue of studs being used by the NRA, in place of painted lines is one that should be dealt with by the NRA.

The term ‘Waterford City Environs’ or ‘Environs of Waterford City’ is used in the Plan to refer to the urban area of South Kilkenny which forms part of Waterford City, including Ferrybank and Newrath. The term has been used to describe the area since the first plans were prepared by Council back in the 1960’s. The Council has commenced the preparation of a Local Area Plan for the Environs of Waterford City and the issue of identity for the area can be addressed in that forum.

Reference is made to climate-change proofing of policies. The plan contains an action to “prepare a climate change action plan over the course of this Development Plan”.

With regard to signage, the submission seeks that the council tighten its policies in regard to signage. The Draft plan contains a comprehensive set of policies in relation to advertising and sign-posting.

No change is recommended.

Ref: D38

Name: Philomena Cronin

Summary of Submission:
The submission objects to the designation of the Kilmoganny area as Open for Consideration in the Draft Wind Energy Development Strategy due to the effects of
windfarms on quality of life, visual amenity, property values, interference with tv and radio reception, health and traffic. The submission points out that off-shore installations could meet the country’s electricity needs and asks that “open for consideration be” changed to “not normally permitted”

Assessment & Recommendation:
The development of a wind energy strategy must be seen in the context of the need to fulfil Ireland’s national and international commitments to renewable energy and the acknowledged quality of the country’s wind energy resource. As part of this Draft Development a wind energy strategy was developed in that context. An area of the County centred around Kilmoganny has been designated as ‘Acceptable in Principle’, with an adjacent area designated as ‘open for consideration’.

The strategy was developed having regard to all the heritage and amenity constraints and taking into account the Government Guidelines on wind energy published in 2006.

In order to protect against the possibility of tv interference it is recommended that as part of the Councils policy on wind farms that all wind farm applications be referred to RTENL (RTE Transmissions Network Limited) and that this be a stated policy of the Draft Plan.

Ref: D39

Name: Patrick Cronin

Summary of Submission:
The submission objects to the designation of the Tullaghought, Owning area as Open for Consideration in the Draft Wind Energy Development Strategy, due to the effects on health and on the landscape.

Assessment & Recommendation:
As part of this Draft Development a wind energy strategy was developed. The area to the north of Owning and Tullahought has been designated as ‘open for consideration’.

The strategy was developed having regard to all the heritage and amenity constraints and taking into account the Government Guidelines on wind energy published in 2006.

In order to protect against the possibility of tv interference it is recommended that as part of the Councils policy on wind farms that all wind farm applications be referred to RTENL (RTE Transmissions Network Limited) and that this be a stated policy of the Draft Plan.
Ref: D40

Name: H.P. Tomsett

Summary of Submission:
The submission objects to the designation of the Kilmoganny area as Open for Consideration in the Draft Wind Energy Development Strategy due to the effect on the scenic beauty of the area. The reasoning behind the submission is that the applicant was refused permission due to visual impact for a bungalow which was only 25 ft in height whereas wind farm turbines are 400 ft in height.

Assessment & Recommendation:
As part of this Draft Development a wind energy strategy was developed. An area of the County centred around Kilmoganny has been designated as ‘Acceptable in Principle’, with an adjacent area designated as ‘open for consideration’.

The strategy was developed having regard to all the heritage and amenity constraints and taking into account the Government Guidelines on wind energy published in 2006.

No change to the proposed strategy is recommended.

Ref: D41

Name: Daniel Hearne

Summary of Submission:
The submission objects to the designation of the Hugginstown area as Open for Consideration in the Draft Wind Energy Development Strategy, based on the effects that windfarms have on the peace and character of the area t.v. and radio signals.

Assessment & Recommendation:
As part of this Draft Development a wind energy strategy was developed. The area west of Hugginstown has been designated as ‘open for consideration’.

The strategy was developed having regard to all the heritage and amenity constraints and taking into account the Government Guidelines on wind energy published in 2006. In order to protect against the possibility of t.v interference it is recommended that as part of the Councils policy on wind farms that all wind farm applications be referred to RTENL (RTE Transmissions Network Limited) and that this be a stated policy of the Draft Plan.
Ref: D42

Name: Helen Bacon, Johnswell

Summary of Submission:
This submission seeks that the Council review speed limits in rural areas.

Assessment & Recommendation:
The Council carried out a speed limit review during 2007. Submissions and observations from members of the public were requested during that process. In October 07 a Draft Special Speed Limit Bye-Law was published under the Road Traffic Acts 1961 – 2004. Further information is being gathered at present by the Council for submission of the draft scheme to the NRA early in 2008. Following NRA comment and approval the draft scheme will be published again for public comment before approval by the Council. A full list of the locations is available on the Council’s website. Some of the roads near Johnswell have been proposed to be reduced to 50 km/h.

Therefore no change is recommended to the Plan.

Ref: D47

Name: Michael Vereker, c/o Thomas Byrne

Summary of Submission:
The submission is in relation to a site in Gurteens, Slieverue. The submission seeks the zoning of the site for industrial use.

Assessment & Recommendation:
This should be addressed in the context of the review of the Slieverue LAP. The Slieverue LAP was adopted in October 2006 and will be reviewed in 2012.

No change is recommended.

Ref: D48

Name: Mount Juliet Properties

Summary of Submission:
The submission seeks changes to the text and maps in relation to Mount Juliet estate.
Assessment & Recommendation:

Typing Changes
(i) On the second line of paragraph 8.2.9 change “Mount Juliet is east of Thomastown” to west. I recommend this change.
(ii) Objective 9 in table 8.5 insert the text "as a variation to" to read: "Provide for the development of 6 no. apartments adjoining the existing rose garden apartments associated with the estates sporting and recreational functions as a variation to permission 02/1632" This change is not recommended.
(iii) Add "associated with the estates sporting and recreational functions" at the end of draft objective 16 in Table 8.5. Objective 16 would therefore read as follows: "Provide for a house at the maintenance facility building previously approved under planning permission 05/925 associated with the estates sporting and recreational functions"

This change is recommended.

Having considered the additional development proposed under this Plan and in light of the heritage and planning issues involved, I also recommend the following insertion:

*The Mount Juliet Area Action Plan was drawn up in 2000, before changes in the architectural heritage protection legislation had been put into practice. Any future proposals for development at Mount Juliet and Ballylinch will be assessed against the carrying capacity of the estates and their ability to absorb development without detracting from the landscape character and built and natural heritage context of each estate. Significant development proposals should be made in the context of a long-term vision for the entire estate.*

Mapping Changes

(iv) Zone E on Figure 8.3 includes the recently constructed Gallops housing and part of the site of the approved (06/1455) equestrian centre, which is currently under construction. Amended zoning to reflect the constructed and approved development at this location is proposed for the Council's approval; see map attached. The proposed changes sought are:

(a) A reduced Zone E area that corresponds to the actual maintenance area,
(b) The addition of Zone J at the Gallops housing, and
(c) A suggested new Zone K: to provide for the creation, maintenance and improvement of equestrian facilities to correspond with the approved equestrian centre site.

This change introduces an equestrian centre zone to the draft plan. The proposed zone is similar to the existing zone E in Table 9.7.1 of the current development plan. If the
Council accepts this new zone, it would need to be added to Table 8.4 in the draft written statement and shown on the legend in Figure 8.3.

I recommend that these changes be made to the Draft Plan.

(v) The submission seeks the designation for existing residential development the established residential development at the Glen and the Inch (adjacent to the SAC) should also be identified as zone J on Figure 8.3. I recommend that this change be made.

(vi) The boundary for the Special Area of Conservation (SAC) appears to have moved slightly westwards from the boundary shown on the Mount Juliet Area Action Plan in the current development plan. As a result, a number of existing dwellings are either partially or wholly within the SAC boundary. On the attached map, the SAC boundary from the current plan is shown on Figure 8.3.

The boundary of the SAC was obtained from the National Parks and Wildlife section of the Department of the Environment, and is correct as at July 2007. This submission has been referred to the NPW for their attention. The boundary to the SAC is something that is outside the remit of the County Development Plan. No change recommended.

(vii) Objectives 6, 8, 11 (x2), 14, 15, 16, and 22 are all shown in the wrong locations on Figure 8.3. The locations will be revised according to the submission.

(viii) Objective 10 hasn't been identified on Figure 8.3. Show objective 10 on Fig 8.3
(ix) An additional "17" should be added to Figure 8.3; Add “17 to Fig 8.3”

(x) V1 from Table 8.6 is incorrectly labelled as V3 on Figure 8.3, Change v3 to v1

Ref: D49

Name: Anna Walshe

Summary of Submission:
The submission asks a series of questions about Thomastown relating to the building of communities with new development and the provision of facilities to cater for new housing. The submission queries the time frame for the construction of the Motorway and the alleviation of heavy traffic through Thomastown. The submission also seeks the provision of a footpath from Friarshill to the town.

Assessment & Recommendation:
The issues relating to the development of Thomastown into the future will be addressed in the context of the making of a Local Area Plan for Thomastown. This process has just commenced and this submission will be dealt with under that process.
The N9/N10 scheme is now well advanced and the expected completion date for the section that will bypass Thomastown is 2010. This will significantly reduce the amount of heavy vehicles through the town.

The provision of a footpath from Friarshill to Thomastown is an issue that should be dealt with through the local area office.

No change is recommended.

Ref: D50

Name: William Barron

Summary of Submission:
The submission seeks the removal of the Special Area of Conservation designation from lands at Brandondale.

Assessment & Recommendation:
The National Parks and Wildlife (NPWS) DoEHLG is the competent authority charged with the definition of what constitutes a site of European importance, under the Habitats Directive (Council directive 92/43/EEC).

The request for an extension of a boundary to a cSAC or pNHA, should be made in writing through the local National Parks & Wildlife Service staff.

No change is recommended.

Ref: D51

Name: Pat and Joan O’Gorman

Summary of Submission:
The submission objects to the designation of the Tullaghought, Owning area as Open for Consideration in the Draft Wind Energy Development Strategy. The submission seeks a prohibition of wind energy facilities in the area of Blackbog and outlines their effect on tv and phone reception and the noise effect. The effect of turbines on the Kilmacoliver looped walk is also referred to. The submission questions the rationale for the development of wind energy and points out that the area is located adjacent to an area in South Tipperary which is designated as unsuitable for windfarm development.
Assessment & Recommendation:
As part of this Draft Development a wind energy strategy was developed. An area of the County centred around Kilmoganny has been designated as ‘Acceptable in Principle’, with an adjacent area designated as ‘open for consideration’.

The strategy was developed having regard to all the heritage and amenity constraints and taking into account the Government Guidelines on wind energy published in 2006.

The Kilmacoliver looped walk has been plotted on the wind strategy map and the looped walk is within the area where wind farms are not normally permitted and is 3.5 km from the edge of the area shown as open for consideration, see Map1. Depending on the actual location of any particular wind farm it may or may not be possible to see a wind farm development from the looped walk.

In order to protect against the possibility of t.v interference it is recommended that as part of the Councils policy on wind farms that all wind farm applications be referred to RTENL ( RTE Transmissions Network Limited ) and that this be a stated policy of the Draft Plan.

Ref: D52

Name: Thomas W. Cooke, Meitheal na Gaoithe

Summary of Submission:
The submission relates to a number of issues in the Draft Wind Energy Development Strategy, namely that:

- Failure to carry out Landscape Character Assessment (LCA) leads to lack of objectivity regarding reasoning behind zoning proposals
- The plan led approach has been completely dropped by failing to zone Strategic Areas for development
- Omission of Autoproducer category for wind development

Assessment & Recommendation:

Landscape Character Assessment
According to this submission, the Wind Energy Development Strategy 2008 - 2014 is not consistent with the 2006 Wind Energy Development Guidelines because it fails to carry out the fundamental process of assessing each landscape area in the county in order to define the Landscape Character (LCA).

As part of the review of the County Development Plan a Landscape Character Assessment was carried out. Policies relating to landscape character are contained in
Full account was taken of landscape character assessment in the production of this Wind Strategy.

Plan led approach & strategic zoning
The submission questions the failure to zone areas for wind energy development in a County Development Plan in an era of critical concern about energy, and suggests that the omission of Strategic Areas for wind development may be a breach of the Strategy for Intensifying Wind Energy Deployment (2000), the 2006 Wind Farm Planning Guidelines and the Directive 2001/77/EC of the European Parliament and the Council of the 27th September 2001 on the promotion of electricity produced from renewable energy sources in the internal electricity market.

The Draft County Development Plan has identified areas of the county where wind farm developments are ‘Acceptable in Principle’. It is Council policy to “allow development in all areas highlighted as ‘Acceptable in Principle’. This policy is in effect identifying strategic areas for the location of windfarm developments.

The submission criticises the inclusion of way-marked trails and scenic routes as sensitive areas. These areas were all designated as ‘Not normally permissible’ in the Strategy. The submission states that the use of these routes to prevent development is a very negative proposal that would hinder any further such developments where objectors need only point to the 'sensitivity' principle being adopted in the County Development Plan to effectively stop any development along or within sight of these routes. It would be entirely unreasonable to prevent only one type of development (wind) in proximity to these routes.

In developing the strategy visual amenity is one of the constraints that was factored into the criteria in assessing suitable locations for development. It is reasonable and correct to exclude areas that may be sensitive due to their recreational use or amenity value and the potential negative public reaction. The strategy still identifies 11 strategic locations within the county even with these areas considered in developing the strategy.

A policy which allows limited suitable areas of the county to be considered initially is applying a precautionary principle approach to the development of wind farms. This is considered prudent in the interests of proper planning and sustainable development.

Autoproducers
The term autoproducer is used to describe wind and other energy generation projects that are directly connected to the user. In the case of the autoproducer, a very significant portion of the energy produced is consumed before it enters the national grid. In some cases the autoproducer will not even export power except in exceptional circumstances. The Micro Wind category i.e. hub height 10 metres or less and rotor diameter 6 metres or less will typically cover small turbines up to 5kW rated output could technically be called
autoproducer but in reality these turbines are really only relevant in the domestic or small business user category.

Because most industry and large businesses and farms are located in areas that are zoned 'Not Normally Permissible' the draft proposed wind energy development strategy will place these businesses at a very significant competitive disadvantage to other counties that have adopted policies that support the development of autoproduction in rural and urban settings e.g. South Tipperary. Autoproduction turbine sizes will vary from the micro wind category to the typical commercial turbines up to and perhaps exceed 2MW in size.

Meitheal na Gaoithe propose that the CDP 2008 - 2014 include the possibility of developing autoproducer projects in all areas of the County and that they be acceptable in principle subject to the normal planning parameters such as noise, shadow flicker etc. This is particularly necessary in areas where industry is currently located or in or near areas zoned for industrial development.

The Draft Strategy contains a section on Small-scale wind energy developments and on Individual Wind Turbines. Small scale developments will normally be considered on a case by case basis in the policy areas identified as being ‘acceptable in principle’ and areas ‘open for consideration’. Individual turbines will be considered on their merits.

It is considered that these two categories are flexible enough to cater for the small scale producer.

Another category is that of what is termed the “Autoproducer” which is where an industry/large energy user can have a wind turbine to feed its own energy consumption. These will be considered on their merits but will generally only be acceptable where

- the turbine proposed is for a significant energy user,
- the location of the turbine should be within the curtilage of the facility or immediately adjacent.
- The site should have significant industrial scale buildings and structures already on site.

I recommend the insertion of this policy in section 9.8.3.3

The Draft Development will ensure a plan led approach to the development of wind farms in the county with the policies that are contained therein.
Ref: D53

Name: Martin Conlon-King

Summary of Submission:
The submission expresses concerns about the designation of areas as Open for Consideration and Acceptable in Principle in the vicinity of Kilmoganny in the Draft Wind Energy Development Strategy. The submission outlines a number of issues on which the objection is based, including precedent, visual impact, noise and effects on tv and radio, property values, environmental impact, and no justification, as in there is no need for them. The submission requests that more emphasis be placed on offshore installations.

Assessment & Recommendation:
As part of this Draft Development Plan a wind energy strategy was developed. An area of the County centred around Kilmoganny has been designated as ‘Acceptable in Principle’, with an adjacent area designated as ‘open for consideration’.

There is precedent in the County as there have been 3 permissions granted for wind farms within the County near Tullaroan and Mullinavat.

The strategy was developed having regard to all the heritage and amenity constraints and taking into account the Government Guidelines on wind energy published in 2006. The most recent studies into the effects of turbines on property prices have come to one of two conclusions, each of which suggest that wind turbines do not adversely affect property prices. Reports have concluded that 1) no adverse effect on property prices can be found, 2) that any adverse effects observed have no lasting impact.

In the UK several studies have been carried out. A study published in November 2004 by the Royal Institution of Chartered Surveyors (RICS) suggests that wind developments create a negative impact on house prices but with no lasting impact1.

Another study published in November 2004 by leading chartered surveyors Knight Frank LLP undertaken on behalf of the BWEA concluded that there is insufficient market evidence to determine whether an existing wind farm has affected residential property prices. This is linked to the wide range of factors that can be involved in determining house prices, not just wind farms.

In Scotland, recent research from the Edinburgh Solicitors’ Property Centre (ESPC) focusing on property sales near Crystal Rig wind farm in the Scottish Borders found no evidence of a negative impact on the price of property in nearby areas. The ESPC study found that prices in the village of Dunbar had risen from below to above the regional average over the past four years, during which time the wind farm was built, and that

since the wind farm began operating, property price inflation in Dunbar has continued to exceed that achieved across East Lothian.

In order to protect against the possibility of t.v interference it is recommended that as part of the Councils policy on wind farms that all wind farm applications be referred to RTENL (RTE Transmissions Network Limited) and that this be a stated policy of the Draft Plan.

The Government has produced guidelines for the development of wind strategies by local authorities and by developing this strategy the Council is have regard to those guidelines. The development of a wind strategy is an important element in the national and local climate change strategy therefore there is ample justification.

Ref: D54

Name: Liam Smyth, Irish Concrete Federation

Summary of Submission:
The submission deals with a number of issues in relation to extractive industries.

Assessment & Recommendation:

1. The submission seeks that prominence be given to extraction of aggregates in Section 5.5.3 (Enterprise and Employment in Rural Areas), Section 6.1.1 (National Spatial Strategy) and Section 6.1.2 National Development Plan.

At present the Draft Plan contains a section on extractive industries in section 6.3.3. This section gives due recognition to the importance of extractive industries, and there is no need to repeat references throughout the Plan.

2. Enforcement
The submission seeks that increased enforcement action be taken against all unauthorized extractive industry, and seeks that this be given more priority in the Plan. It is a policy of the Draft Plan “to minimise environmental and other impacts of mineral extraction through rigorous application of licensing, development control and enforcement requirements…”

3. The submission makes reference to the GSI Aggregate Potential Mapping proposal, and seeks support in the Development Plan for this exercise. The following statement is recommended for inclusion in the plan:

“During the life of the plan the council will endeavor to map the aggregate resources of the County subject to the availability of financial resources”.

(see also submission D259 from the DoEHLG)
4. The submission points out that new recommendations have issued from the Institute of Geologists of Ireland in relation to Geological and Hydro-geological reporting for Environmental Impact Statements, and draws the authority’s attention to those.

5. The Development Plan’s reference in section 9.12.3 to the suitability of quarry developments for recycling facilities for construction and demolition waste, is welcomed.

6. The submission requests that a reference be made to the Quarry Planning Guidelines, the ICF Environmental Code and the Guidelines for Environmental Management in the Extractive Sector. A reference to these documents will be included in Section 6.3.3.

7. The submission welcomes the inclusion of a number of quarries as County Geological sites, and discusses bio-diversity in quarries generally. It asks that the Planning Authority consider more carefully the requests for information during the course of planning applications. This submission has been referred to the Development Management section of the Planning Department.

8. The submission again refers to the need for enforcement in regard to unauthorised activities. In relation to development contributions for roads, the submission reiterates that enforcement should be taken against unauthorised industries so as not to unfairly treat the authorised industries. Enforcement of planning issues is dealt with through the Planning & Development Act 2000. There is a dedicated team within the Planning Department dealing with enforcement issues.

9. Reference should be made to the Archaeological Code of Practice agreed between the ICF and the National Monuments Division.

10. The submission requests that the Planning Authority consider granting longer term permissions for quarry developments. This is an issue that is suitable for determination at planning application stage depending on the issues relevant to each site. No change recommended.

11. The submission recommends that the council consider the suitability of worked out pits and quarries for development rather than zoning Greenfield sites. The rehabilitation of worked out pits and quarries is an issue which is normally addressed in the rehabilitation plans for each site. No change recommended.

12. The ICF points out that improvements to procedures have eliminated threats to water quality from extractive industries.

13. It requests that a policy statement be inserted requiring adherence to the EPA Guidelines as a standard for the extractive industry in Kilkenny. This will be inserted. It also suggests the inclusion of a template of criteria for consideration of an extractive development application, as was done in Mayo’s Development Plan.
14. The submission requests that generally with regard to rural housing and other forms of rural development, the impact on extractive industry should be assessed by applicants at the planning stage to avoid accidental sterilization of reserves. This has been referred to the Development Management section of the Planning Department.

15. The ICF points out that recent publications have demonstrated that concrete built homes can be energy efficient. There are policies and objectives on energy.

16. The submission finally makes reference to bonds, and the methods whereby bonds can be used effectively to the benefit of both the local authority and the extractive industry. Bonds are applied to extractive industries at planning application stage.

Ref: D59

Name: Michael and Richenda Talbot

Summary of Submission:
The submission relates to the storage of combustible materials near residential properties.

Assessment & Recommendation:
There is legislation in place to deal with the issue relating to the storage and distribution of dangerous substances. This is not a development plan issue except in relation to any Seveso sites within the County. No change is recommended.

Ref: D60

Name: McCorry Homes, c/o Martin Gittens Architects

Summary of Submission:
Seeks zoning of 0.25 hectares of land at Bolton in Callan.

Assessment & Recommendation:
This should be addressed in the context of the making of a Local Area Plan for Callan. This process has just commenced and this submission will be dealt with under that process.
Ref: D63

Name: Michael Funchion

Summary of Submission:
The submission is in relation to land in Callan, and the submission seeks the zoning of the land as industrial.

Assessment & Recommendation:
This should be addressed in the context of the making of a Local Area Plan for Callan. This process has just commenced and this submission will be dealt with under that process.

No change is recommended.

Ref: D66

Name: Clive O’Brien

Summary of Submission:
The submission is in relation to land in the Waterford City Environs, and the submission seeks the zoning of the land as industrial and general business.

Assessment & Recommendation:
This should be addressed in the context of the making of a Local Area Plan for the Waterford City Environs. This process has just commenced and this submission will be dealt with under that process.

Ref: D71

Name: Coogan Autos

Summary of Submission:
The submission is in relation to land in Castlecomer, and the submission seeks the zoning of the land for general business.

Assessment & Recommendation:
This should be addressed in the context of the making of a Local Area Plan for Castlecomer. This process has just commenced and this submission will be dealt with under that process.
Ref: D72

Name: EDPM Ltd. on behalf of Michael Lennon

Summary of Submission:
The submission is in relation to land in Swiftsheath/Foulksrath, and is similar to the submission made at pre-draft stage, ref. CDP 103 and submission D4. The submission includes additional information in relation to the historic landscape setting, local support, road safety, access, rural housing policy, and sustainability.

Assessment & Recommendation:

As this submission raises the same issues as that under submission D4, the response to this submission is the same as for D4 as follows:

The submission is in relation to Foulksrath/Swiftsheath in Conahy parish, and seeks that this area close to Clintstown school be designated as a node in the Plan. To support the designation, reference is made to the speed limit for the school and that the location of the proposed cluster is at the junction of the county road and the N77. A submission in this regard was made at the pre-plan stage ref CDP103 in the name of Michael Lennon. A map from that submission is illustrated below:

![Map Illustration]

Mention is also made of additional community facilities being provided for community gain, but these are not specified. The potential benefits of improvements to the junction at this location are also highlighted.
**Assessment & Recommendation:**
The designation of areas within the settlement hierarchy is based around the settlement hierarchy under the 2002 County Development Plan.
The current rural housing policy is based on Variation number eight to the County Development Plan (2002) which incorporated this settlement strategy.

In developing a settlement strategy for the County the widely dispersed system of parishes was examined. Within each parish the location of services such as schools, post offices, Garda stations etc. was identified. From that survey the locations of smaller settlements that service the parish and local hinterland were identified.

With this strategy every parish within the county has at least one type of settlement as the main focus for services. The parish of Conahy has the smaller settlement of Conahy itself with St Colmans church, the parish hall and Conahy National School located in this area. This is identified as a smaller settlement in the 2002 Development Plan.

Also within the parish there are national primary schools located at Clintstown and Lisnafuncheon and a church at Jenkinstown. Similar situations are experienced in areas such as Clara and Burnchurch where there are isolated services serving the wider catchment removed from the identified cluster within the parish.

Conahy is designated as a smaller settlement/node in the Draft County Plan. Smaller settlements/Nodes are defined in Section 3.3.5 as possessing “a very narrow range of physical and social infrastructure but have some limited capacity to cater for additional housing possibly in the form of cluster development”.

A number of situations have developed during the life of the current 2002 plan where although there is a smaller settlement identified in a particular area there are services such an isolated school or church where proposals have come forward for cluster type development.

The rationale behind the settlement strategy for the County remains valid but in recognition of the situation that has developed with the existing policy the following addition to that strategy is recommended.

Section 3.3.5 of the Draft Development Plan deals with smaller settlements. The following revised policy is recommended.

**Section 3.3.5 Smaller Settlements**
The County Development Plan 2002 contains a further settlement tier not readily identifiable in the RPG’s, which will also form part of the settlement structure. In developing a settlement strategy for the County the widely dispersed system of parishes was examined. Within each parish the location of services such as schools, post offices, Garda stations etc. was identified. From that survey, smaller settlements were identified.
where there was a cluster of two or more services. In addition to these identified locations there are also isolated rural services which have a role to play in serving the rural community.

Smaller settlements possess a very narrow range of physical and social infrastructure but have some limited capacity to cater for additional housing generally through low-density individual or multiple housing and other developments, in tandem with the provision of services. They will form an important component of the settlement network, by providing a basic level of services and by accommodating new growth that is compatible with the area.

The scale and fabric of these centres must however be respected in new development proposals. Any new development should be of a design, layout, character and scale which fits well with the settlement involved and presents a high quality living environment.

**Policy**

It is the policy of the Council to encourage low density housing in the form of cluster developments within smaller settlements and also immediately adjacent (i.e. within 100m) to an operating isolated rural service such as a school, public house church or shop.

All applications for cluster development shall be assessed against the capacity of the area to absorb development. This capacity assessment will include consideration of environmental issues, roads, water services, community facilities and the surrounding area’s natural and built heritage context.

**Design of Clusters**

(g) The proposed cluster should be context driven, respecting the rural setting and character of the area. The visual impact and appearance of new development should be fully considered when locating and designing new buildings.
(h) Any development should maximise the use of existing hedgerows and landscape features e.g. existing buildings, trees, stone walls etc..
(i) Provide a common entrance and access road, and shall not be permitted to access directly onto a National Primary or Secondary Route,
(j) Be serviced by a common proprietary sewage treatment systems, and have an outfall or suitable ground conditions for percolation,
(k) In the case of a development where serviced sites are to be sold, a design brief and development programme for the execution and completion of the development for the cluster shall be submitted at planning application stage.
(l) A variety of house sizes should be provided.

Clusters are intended to encourage small-scale expansion. They may accommodate a number of dwellings (usually about 8) but the exact number will ultimately depend on
scale and pattern of existing development in the vicinity, impact on the landscape and site conditions.

The speed limit proposed for Clintstown national school are set to be active for particular periods of time and it is not appropriate to be used to advocate development proposals.

Therefore while not recommending the designation of Clintstown as a smaller settlement the policy has been altered to cater for locations such as isolated schools and churches etc outside of the identified smaller settlements.

Ref: D74

Name: Des McCheane

Summary of Submission:
This submission seeks a change in the policy on Areas of High Amenity in Section 8.3.1 of the Draft County Plan. According to this submission, the areas of Special Control from 1986, later to become areas of High Amenity, have served the county planning process extremely well. The Landscape Character Assessment, while welcome in itself, can strengthen these Areas of High Amenity, but it should not replace them, at least in the immediate future.

Specifically the submission takes issue with the last sentence of paragraph 8.3.1 which could be read to imply that the Areas of High Amenity are no different from all other areas of the county and suggests that the words "As with all areas of the county" be omitted, and the last sentence would then read "A high standard of design and siting will be required for all development in the Areas of High Amenity."

Assessment & Recommendation:
Section 8.3.1 outlines that “the Planning Authority established Areas of Special Control within the County in the 1986 Development Plan and this designation was continued in the 1994 Development Plan. The 2002 Plan amended this designation by defining these areas as Areas of High Amenity.

It is intended that the Landscape Character Assessment will be the main guiding force into the future for the assessment of developments within County Kilkenny. However it is intended to retain the designation of Areas of High Amenity within the Draft Plan. This is to allow the development of the Landscape Character Assessment policies in a historical policy context. As with all areas of the county a high standard of design and siting will be required for all development in the Areas of High Amenity”.

As the LCA will be the main guiding force going forward, the Areas of High Amenity are no longer as relevant. Therefore I do not recommend that the text be changed.
Ref: D75

Name: Mr. and Mrs. M. Nolan, c/o Niall Kearney

Summary of Submission:
The submission is in relation to land of about 14ha in Rieske, Callan and the submission seeks the zoning of the land for agritrade.

Assessment & Recommendation:
This site is located in a rural area, north of Callan. The agricultural zone generally is intended to conserve and protect agricultural land from interference from non-agricultural uses, and to prevent premature development of agricultural land adjacent to development areas. Development permitted in agricultural areas include agriculture, horticulture, public service installations, public open space, guesthouse, restaurant, Nursing home, dwelling houses in certain limited cases, halting site, private open space, other uses not contrary to the proper planning and development of the area.

The agritrade zoning, as used in the city, is used in one area, at the new Kilkenny agricultural livestock mart on the Dublin road, and was used for a specific land use purpose to facilitate the relocation of the existing Kilkenny Agricultural Livestock Mart to that location in order to allow for town centre expansion.

In this case the lands are located in an isolated rural area. No change is recommended to the plan.
Ref: D76

Name: Brian Nolan

Summary of Submission:
The submission is in relation to land in Capass, Callan and the submission seeks to reaffirm the submission made previously, CDP 77.

Assessment & Recommendation:
This should be addressed in the context of the making of a Local Area Plan for Callan. This process has just commenced and this submission will be dealt with under that process.

Ref: D77

Name: Miriam Cass, Rocklands Residents Association

Summary of Submission:
The submission seeks inclusion of the view of Rocklands Wood from Waterford as a view to be preserved and protected, and also as an Area of High Amenity.

Assessment & Recommendation:
All issues of amenity and protection of views shall be addressed in the context of the making of a Local Area Plan for the Waterford Environs. This process has just commenced and this submission will be dealt with under that process.

Ref: D78

Name: Parma Developments, c/o Stephen Ward Planning & Development Consultants

Summary of Submission:
The submission states that a master plan is being undertaken for an area of 23.6 hectares in the Waterford City environs, and states that this master plan will be submitted to the Waterford Environs LAP.

Assessment & Recommendation:
Note has been taken of the intention to submit a Master Plan, and this will be dealt with in the making of a Local Area Plan for the Waterford Environs. This process has just commenced and this submission will be dealt with under that process.
Ref: D79

Name: Noel J. Bourke

Summary of Submission:
The submission seeks the insertion of text and policy in relation to the civil defence service as follows:

Kilkenny County Council is the Civil Defence Authority for Kilkenny City and County. The Mission statement for Kilkenny Civil Defence is as follows "As Volunteer Members of Kilkenny Civil Defence to assist the Local Authority and Community during times of crisis and emergency, and to provide Community support at Social and Cultural level."

Policy:
To provide a new Administration and Training Headquarters, and Equipment Stores, to replace Kilkenny Courthouse facility. To promote the development of Civil Defence as a second line Emergency volunteer service within the guidelines of the Government's Document, “A Framework for Major Emergency Management”.

Assessment & Recommendation:
This level of detail suggested is more suited to the Civil Defence’s own Plan than to the Development Plan.

Ref: D80

Name: Eirgrid

Summary of Submission:
The submission seeks the inclusion of a policy in the plan in relation to the development of an electricity transmission infrastructure, as follows:

“The development of secure and reliable electricity transmission infrastructure is recognised as a key factor for supporting economic development and attracting investment to the area. It is the policy of the Planning Authority to support the infrastructural renewal and development of electricity networks in the region, including the overhead lines necessary to provide the required networks”.

Assessment & Recommendation:
Section 9.8 of the Draft Plan states that the availability of energy is of critical importance to facilitate new development.

Section 9.8.1 relates to the National Grid, stating “In support of sustainable development and efficient energy utilisation, Kilkenny County Council recognises and supports all
energy source providers in the development of a suitable network in the South-East region capable of sustaining the scale of development proposed for the region.”

I recommend that this paragraph be reworded so that it reads

“In support of sustainable development and efficient energy utilisation, Kilkenny County Council supports the infrastructural renewal and development of electricity networks in the region, including the overhead lines where necessary to provide the required networks”.

Ref: D81

Name: Office of Public Works c/o Brady Shipman Martin

Summary of Submission:
It welcomes the inclusion of policies in the Draft County Development Plan in relation to the settlement strategy, heritage and flood risk management.

Assessment & Recommendation:
No changes are proposed in the submission, therefore none are recommended.

Ref: D83

Name: Watty Rochford

Summary of Submission:
The submission seeks the zoning of land at Grannagh.

Assessment & Recommendation:
This should be addressed in the context of the making of a Local Area Plan for the Waterford City Environs and Belview. This process has just commenced and this submission will be dealt with under that process.

Ref: D84

Name: Eugene O'Driscoll c/o Muiris O Criostoir

Summary of Submission:
The submission seeks the zoning of land at Ardra, Castlecomer.
**Assessment & Recommendation:**
This should be addressed in the context of the making of a Local Area Plan for Castlecomer. This process has just commenced and this submission will be dealt with under that process.

**Ref: D85**

**Name:** Michael Doran, Supervalu, Main Street, Graiguenamanagh

**Summary of Submission:**
The submission addresses a number of issues in Graiguenamanagh such as parking, derelict sites and sites owned by the Council.

**Assessment & Recommendation:**
These issues will be addressed in the context of the making of a Local Area Plan for Graiguenamanagh. This process has just commenced and this submission will be dealt with under that process.

No change is recommended.
Ref: D86

Name: Pat Power, Ahenny, Carrick-on-Suir

Summary of Submission:
The submission seeks a prohibition of wind energy facilities in the area of Blackbog. It points out that the area is located adjacent to an area in South Tipperary which is designated as unsuitable for windfarm development due to the natural and built heritage value of the area. It outlines the various concerns in relation to windfarm development, including its effect on natural and built heritage (The megalithic tomb at Knockroe), the equine industry, on tourism and on property values.

Assessment & Recommendation:
As part of this Draft Development a wind energy strategy was developed. An area of the County centred around Kilmoganny has been designated as ‘Acceptable in Principle’, with an adjacent area designated as ‘open for consideration’.
The most recent studies into the effects of turbines on property prices have come to one of two conclusions, each of which suggest that wind turbines do not adversely affect property prices. Reports have concluded that 1) no adverse effect on property prices can be found, 2) that any adverse effects observed have no lasting impact.
In the UK several studies have been carried out. A study published in November 2004 by the Royal Institution of Chartered Surveyors (RICS) suggests that wind developments create a negative impact on house prices but with no lasting impact2.

Another study published in November 2004 by leading chartered surveyors Knight Frank LLP undertaken on behalf of the BWEA concluded that there is insufficient market evidence to determine whether an existing wind farm has affected residential property prices. This is linked to the wide range of factors that can be involved in determining house prices, not just wind farms.

In Scotland, recent research from the Edinburgh Solicitors’ Property Centre (ESPC) focusing on property sales near Crystal Rig wind farm in the Scottish Borders found no evidence of a negative impact on the price of property in nearby areas. The ESPC study found that prices in the village of Dunbar had risen from below to above the regional average over the past four years, during which time the wind farm was built, and that since the wind farm began operating, property price inflation in Dunbar has continued to exceed that achieved across East Lothian.

Wind farming can be popular with farmers, because their land can continue to be used for growing crops or grazing livestock. Wind turbines normally do not disturb livestock. For example Delabole Wind Farm in Cornwall incorporates a riding school and a stud farm within the site.

The strategy was developed having regard to all the heritage and amenity constraints and taking into account the Government Guidelines on wind energy published in 2006. The landscape of the County is dotted with monuments recorded under the record of Monuments and Places. The monument referred to at Knockroe known locally as ‘The Caiseal’ is a Neolithic passage tomb. Knockroe passage tomb (RMP KK34:1901) is located between the towns of Callan and Carrick-on-Suir in the southwest of County Kilkenny near the county boundary with Tipperary.

The site is situated between 100-110m elevation contours and overlooks the Lingaun River 100m to the west. The passage tomb is well known for its extensive assemblage of megalithic art.

The tomb in question is located within the area shaded blue on Map 9.1 in the development plan which is the area where wind farms are not normally permitted according to the draft policy. The area designated in the draft plan is to the east of the monument. The tomb is approximately 4km from the designated area.

The neolithic tomb at Knockroe has been plotted on the wind strategy map and it is 4km from the edge of the area shown as open for consideration. Depending on the actual location of any particular wind farm it may or may not be possible to see a wind farm development from the tomb.

Cognisance of the area in south Tipp was taken in developing the Kilkenny Strategy as can be seen from the Map the area in South Tipp is immediately adjacent to the not normally permissible in County Kilkenny. The area in County Kilkenny is of far greater extent that that in South Tipp.

No change to the proposed strategy is recommended.

Ref: D88

Name: Myra O'Regan

Summary of Submission:
The submission objects to the designation of the Kilmoganny area as Open for Consideration in the Wind Energy Strategy and requests change to 'Not normally permissible'. The reasons outlined include its effect on built and natural heritage, health, TV, radio and mobile phone interference, tourism and traffic impacts. The submission requests that additional emphasis be placed on bio-fuel production and other energy efficient measures.
Assessment & Recommendation:
As part of this Draft Development a wind energy strategy was developed. An area of the County centred around Kilmoganny has been designated as ‘Acceptable in Principle’, with an adjacent area designated as ‘open for consideration’.

Some of the issues raised such as devaluation in property, heritage and tourism issues have been dealt with in submission D86 and D89. The strategy was developed having regard to all the heritage and amenity constraints and taking into account the Government Guidelines on wind energy published in 2006.

In order to protect against the possibility of TV interference it is recommended that as part of the Council's policy on wind farms that all wind farm applications be referred to RTENL (RTE Transmissions Network Limited) and that this be a stated policy of the Draft Plan.

Ref: D89

Name: Edward O'Shea

Summary of Submission:
The submission seeks a prohibition of wind energy facilities in the area of Blackbog. It also points out that the area is located adjacent to an area in South Tipperary which is designated as unsuitable for windfarm development due to the natural and built heritage value of the area and the potential tourist value of these attributes. The submission requests that more emphasis be placed on tidal turbines and that the area designated for open for consideration be changed to an area unsuitable for wind energy.

Assessment & Recommendation:
As part of this Draft Development a wind energy strategy was developed. An area of the County centred around Kilmoganny has been designated as ‘Acceptable in Principle’, with an adjacent area designated as ‘open for consideration’.

In relation to the potential effects of windfarms on tourism there is no evidence to suggest that wind farms deter tourists, indeed many wind farms are themselves tourist attractions. For example, in Swaffham, Norfolk, over 50,000 tourists have climbed the wind turbine tower to see the spectacular views from the top of the 65m high viewing platform. In August 2004 Greenpeace collected over 4,000 letters from both visitors and local people in support of the wind farm application at Hinckley in North Somerset.

In Scotland, a MORI poll was undertaken in 2002 regarding wind farms in the Argyll area. 80 percent of tourists said they would be interested in visiting a wind farm if it were open to the public with a visitor centre, while 91 percent of respondents said they would not be put off from visiting an area because of the presence of wind farms. In Denmark, many tour agencies run boat trips to take visitors to see the offshore wind farm at Middelgrunden, near Copenhagen. Ref www.yes2wind.com
There are also significant policy changes from the current development plan which seek to develop other forms of renewable energies within the County so the emphasis is not solely on wind farm development.

The Council in its approach to wind farm development is offering a strategic approach to the development of windfarms within the county with this strategy.

The strategy was developed having regard to all the heritage and amenity constraints and taking into account the Government Guidelines on wind energy published in 2006.

No change to the proposed strategy is recommended.

Ref: D90

Name: Edward Phelan, c/o Fewer Harrington Lawlor

Summary of Submission:
The submission proposes a change to Dunbell interchange and also seeks the inclusion of a policy in relation to the provision of services along the motorway route as follows:

"In the absence of the precise junction detail at Dunbell on the N9/10 Motorway at Dunbell and site specific location of services along the motorway, the Council are unable to provide site specific proposals for services and other appropriate development along the motorway route. Notwithstanding the Council recognises the need and benefit of having such facilities along the motorway and will facilitate development at appropriate locations in accordance with a strategy to be approved by the Council in consultation with the NRA"

Assessment & Recommendation:
This submission was referred to the National Roads Authority for comment. The NRA have responded in a letter dated 13th November, that they would strongly advise that they are not in favour of the proposal indicated, as it contravenes materially national policy in relation to access to national roads.
According to the NRA, the EIS and CPO for the N9/N10 have been approved and the tender award is imminent, and thus the NRA shall permit no variation to the N9/N10 project.
In relation to the provision of services the Authority neither endorses nor opposes in principle the provision of such facilities. The proposal submitted would be highly inappropriate as it would compromise the safety, carrying capacity and efficiency of the national road/associated interchanges.
A policy in relation to online service stations has been proposed for insertion by the NRA (see Submission D16) and endorsed by the planning department as follows:
‘to co-operate with the National Roads Authority to identify need for service areas and/or rest areas for motorists along the route of the N9 dual carriageway and to assist in the implementation of suitable proposals for provision of same’. No change recommended to the plan on foot of this submission.

Ref: D94

Name: Owen Sheehan, Kilmacow Development Group

Summary of Submission:
The submission addresses a number of issues in the Development Plan including the settlement hierarchy and infrastructure, mainly in relation to Kilmacow.

Assessment & Recommendation:
A number of the issues addressed in this submission will be addressed in the context of making a Local Area Plan for Kilmacow. This assessment deals with those issues raised that relate more to the Draft County Plan.

Development Plan strategy
The submission contends that the settlement strategy will only prove effective if Kilkenny County Council has made a detailed assessment and carried out an audit of the community, social and physical infrastructure of all the towns and villages in the county. In the absence of such an assessment, the strategy is deemed to be premature.

The settlement strategy as set out in Chapter 3 aims to take account of and respond to:

- Balanced regional development,
- Sustainable development,
- Transport corridors and public transport services existing and planned
- Water services, existing and planned and environmental protection.

It is also based on an analysis of Census information and development trends in the county. As this settlement strategy has been devised taking into account all relevant considerations, it is not premature.

Settlement hierarchy
The submission contends that Kilmacow should not be designated as a ‘smaller town and village’, as it differs from the other towns in this category. There are 23 smaller towns and villages identified as falling into the ‘smaller towns and villages’ category. The next level down in the settlement hierarchy is the ‘smaller settlement/node’ category, which is intended to cover much smaller settlements with a limited range of physical and social infrastructure. Kilmacow, with its range of services and its current size, is much more suited to the ‘smaller towns and villages’ classification, and thus I do not recommend it
be changed. The Local Area Plan will address many of the issues the submission has raised in its objection to this classification.

Design standards for new development
The submission seeks a robust and detailed commitment from Kilkenny County Council in the area of scale, pace and balance in future development. Many of the comments relate to the vagueness, and lack of detail contained in the Draft county Plan, and seek that standards be set down for villages based on a detailed assessment. Such an assessment takes place for each village as part of the preparation of any Local Area Plan.

Backlands development
The submission states that the policy of promoting development on backlands is seriously flawed and should be amended. The policy referred to is contained in Section 3.3.4 and states “To revitalize existing villages through the promotion of development within them (particularly on infill sites, vacant sites and on backlands) in preference to continued ribbon development on the approach roads”. The submission seeks that EISs should be submitted before backlands are rezoned for residential development.

The zoning of land is based on numerous considerations including:

- National/Regional/Local Policy Context. (i.e. the NSS, Regional Planning Guidelines, PLUTS, etc.)
- Development Strategy outlined in Chapter 2
- Assessment of need
- Water, drainage and road infrastructure (existing and planned)
- Supporting infrastructure. (social, community, commercial, existing and planned)
- Physical suitability
- Environmental policy (ground and surface water quality, flooding, etc.)
- Heritage policy
- Sequential approach

All zoning in the village would be subject to an assessment against each of these criteria, and the best use of the land is selected, balancing the need to deliver a compact, consolidated village, the promotion of sustainable densities and the protection of village character and amenity.

Each application is then dealt with on its merits, and it is at that level that the detailed issues are assessed. However, the Local Area Plan for Kilmacow will also contain some development guidelines and standards, which are considered appropriate for the village.

The submission asks how the Council intend ensuring that a balanced pace of development will occur. Local Area Plans offer the best method of ensuring balanced development by setting out specific objectives for the village and the land zoned for development. What is meant by the term ‘balanced development’ for Kilmacow should be examined during the public consultation exercise around the Plan.
Infrastructure and Environment

In relation to water supply, the submission expresses concern for the outlook for water supplies in the village. All infrastructural issues, including water supply, will be addressed in the LAP. The questions are as follows:

Water supply

1. We note that new developments will be asked to provide their own wells in the future however this does not address the problems being experienced currently by existing residents. They have seen their service dwindle as more new developments connect into the system. Will they also have to provide their own wells if they want an uninterrupted supply?

In 2007 a new groundwater source was connected in Silversprings in Mooncoin. This should cater for immediate network needs. An Environmental Impact Statement for an upgraded scheme for the South Kilkenny region (including Waterford environs) will be published shortly which will provide for the longer term needs of the area.

2. We detailed our concerns at the extraction levels from the water supply in Clonassy and highlighted the impact of these extraction levels on the flows in the River Blackwater and the consequences of further increasing these extraction levels in the future. Though alerted to the problem Kilkenny County Council granted planning permission for numerous residential developments all of which connected to the scheme. In 2006 the flow in the river was reduced to a trickle in high summer. Should the Council be successful in securing further resources from the Department Of Environment following its submission is it their intention to increase the volume of water extractions from Clonassy? Such a policy would have major implications for the River Blackwater and has an assessment been made of the impact of this?

Short term water supply problems in the Kilmacow area have been resolved with the connection of the new Silversprings well as discussed above. In addition an Environmental Impact Statement for an upgraded scheme for the South Kilkenny region (including Waterford environs) will be published shortly which will provide for the longer term needs of the area. There are no additional measures proposed

3. As we referred above the supply was shut down each night in Kilmacow for 10 weeks in 2006. Residents received little notice and were concerned as to what protocols were in place with the fire service in the event of a fire emergency. Given the situation with poor pressure problems on the schemes listed above what measures are in place to supplement the existing supplies in the event of a serious emergency?

The Mooncoin regional scheme is being prioritised, and as discussed an EIS for this will be published shortly.

4. In section 9.10.5 it is stated, "the areas to be prioritised for water infrastructure investment should follow the County Settlement Strategy". Surely the areas of greatest need and the areas suffering the greatest problems with supply should be prioritised. Furthermore there should be no pre-conditions to water infrastructure investment where there is an
existing supply problem.

Part of the proposals for the upgraded scheme include for mains upgrades. A countywide water conservation project is also being implemented which will further address this problem. Preliminary figures indicate that “unaccounted for water” levels on the Mooncoin regional scheme are amongst the lowest in the County.

5. Little detail is provided on the actual findings of the examination referred to above. Given that water is such a scarce resource and given the events in Galway and Clonmel this year it is the view of the Group that a much more comprehensive study is warranted of the supply infrastructure and its ability to meet future demands. We can find no figures for the rate of loss from the different schemes and neither are any figures on the efficiencies of the individual schemes. To what extent is supply being impaired by leakages and maintenance problems?

Most of the private wells are considered temporary and will only be in operation until such time as the local supply is upgraded. It is not a policy of the Council to encourage such private supplies but they may be utilised where appropriate.

6. Developers may provide their own wells when proposing new developments in areas of short supply but ultimately the Council will have to assume responsibility for these developments when the Council takes the estates in charge. This could result in the Council having to take responsibility for numerous individual wells throughout the County. In time they would have to fund, monitor, and maintain a quality supply from these systems. Ensuring a quality and safe supply from these private wells could be very expensive down line and therefore we believe this policy warrants further consideration.

"Partnership Arrangements
Where appropriate, water and waste water services can be provided via agreements between the local authority and private developers".

The focus for private developers is the maximum return on investment made. In the provision of on site effluent treatment plants private developers provide only minimum standards of wastewater purification. It is the experience of the Group and other community groups that we have spoken to that, private developers must not be entrusted with the provision of such essential services. To date in Kilmacow one private sewerage treatment plant, installed and operated by a developer has caused untold hardship for the residents of the Upper Village. Existing residents can't open windows because of sewerage and gas smells emanating from the plant and from the discharges into the River Blackwater. It is the view of the Group that if a private treatment plant is required to facilitate a new development the plant should be installed and operated by Kilkenny County Council. The Council should recoup the cost from the developer.

It is not anticipated that additional private treatment plants will be necessary in Kilmacow. The construction of the new sewage network and treatment plant in Kilmacow, will commence shortly. This new plant will be designed, built and operated
for Kilkenny County Council by a private operator. It will be to the highest standards and will meet all EU and National requirements.

Section 9.11.1.2 Policy on effluent refers: "Ensure that arrangements for the treatment and disposal of effluent from all forms of development are sustainable and meet environmentally acceptable standards". Given what has taken place in the lifetime of the current plan with regard to effluent dispersal in Kilmacow there is a need for Kilkenny County Council to detail how the policy objective above is to be achieved. We would seek clarification and ask the following:

1. What are the environmental standards they are currently working to?

   Environmental standards for the discharge are established in the discharge license. These standards are set so that the discharge results in no demonstrable adverse impact on the receiving environment.

2. With regard to standards in treated effluent what is now the minimum standard accepted by the Council?

   As outlined above, the minimum standards are established in each discharge license and these standards are set so that the discharge results in no demonstrable adverse impact on the receiving environment.

3. Sewerage effluent from a private treatment plant currently discharges into the River Blackwater in Kilmacow. The outflow pipe is located beneath the bridge at the entrance to the Sports Complex. The stench emanating from the dispersal point and the water discoloration that takes place there in this amenity area is neither acceptable environmentally or socially. In recently granting a discharge licence for such discharges in this location Kilkenny County Council has undermined the policy quoted above.

   The issues that have arisen at this location are in relation to non-compliance with the discharge license, and not reflective of a policy failure. The Council has taken action to ensure compliance with the terms of the discharge license and the issues at this location are being addressed.

4. Given recent events concerning effluent discharges in Kilmacow and given the extensive press coverage of other villages that were similarly affected by discharges of effluent Kilkenny County Council has little credibility in this area. Thus there needs to be a much stronger commitment given with regard to the protection of our environment.

   Discharge licenses are issued in accordance with best environmental practice. Kilkenny County Council will continue to issue and enforce discharge licenses which will ensure no resulting environmental contamination in the receiving environment.

   No change is recommended to the Plan.
Summary of Submission:
These submissions request the zoning of land in Glenmore, and also address a number of other issues in relation to traffic and infrastructure.

Assessment & Recommendation:
There is no Local Area Plan in place for Glenmore. Glenmore has been identified as a smaller town/village in the Draft County plan. As such, it is likely that a Local Area Plan will be prepared for it, but it is not in the programme of works for the immediate future. Zoning in Glenmore will be addressed through a Local Area Plan.

The submission also seeks the upgrading of the village sewerage system. The primary treatment system consists of a septic tank discharging to a nearby stream. Glenmore is one of a large number of similar locations, all of which are being considered for upgrading in accordance with the scheme of priorities which is influenced by environmental and developmental considerations. Areas such as Thomastown, Castlecomer, Kells, Urlingford, Freshford, Johnstown, Goresbridge are currently receiving priority.

The submission seeks the improvement of the road junction entering the village from the N25, the upgrading of the Aylwardstown Road to the N25 at Murphy Motors and the improvement and upgrading of all rural by roads in the county. The upgrading of the N25 will eventually allow these issues to be addressed.

Ref: D101

Name: Friars Hill Partnership

Summary of Submission:
The submission is in relation to a 61 acre site in Thomastown. The submission seeks the rezoning of the site for residential and mixed use development.

Assessment & Recommendation:
This should be addressed in the context of the making of a Local Area Plan for Thomastown. This process has just commenced and this submission will be dealt with under that process.

No change is recommended.
Ref: D102

Name: Anonymous

Summary of Submission:
The submission seeks that:

- Streets should be pedestrianised
- Not-for-profit residential and nursing homes should be part-exempt from charges
- Ring a link could consider extending its service by bringing people from the city
to rural festivals on holidays/weekends
- Sli-na-Slainte poles which were removed should be relocated
- Stray dogs be impounded
- the birthplace of John O’Donovan, Gaelic scholar and cartographer, should be marked
- the gravel flood plain be designated as a nature reserve
- maintenance training be given for park maintenance staff
- medieval, townland, parish and barony boundaries/hedgerows be preserved.
- developers be informed of the law regarding the felling of trees, and seeks additional TPOs.
- A pedestrian bridge over the River Nore, between Green’s and John’s bridges,
linking John and Bateman quays be constructed, and to repair the corroding walls
of John’s bridge
- the ring-road from Castlecomer Road to the Freshford road be continued as soon
as possible
- Coillte should move logs by rail where possible to prevent accidents
- The council stop the addition of fluoride, aluminium and sulphuric acid to the water
- RAPID funding be used to drop more kerbs and facilitate access
- Signage at Green’s bridge be modified in the interests of traffic safety
- The content of advertising in the city be more tightly regulated
- New housing developments be halted until water and sewerage services are in
place, and community services should be provided at an early stage.
- Reference to Foras na Gaeilge’s book, ‘Name your place’ should be referenced in
the Plan.
- The Draft Development Contribution scheme should include fees for private car
rallys/races and outdoor concerts
- Grasslands Fertilisers should pay the recycling levy to Irish Farm film Group and
not to Repak
- Recycling facilities are needed for white fertiliser wrap and bale wrap
- The maps in the Landscape character assessment be re-coloured.

Assessment & Recommendation:
The response to the Development Plan issues are as follows:
Pedestrianisation
The submission contends that the character of towns is spoiled by traffic, and seeks that pedestrianisation be used. The Council is examining the pedestrianisation of streets in the city, and as part of the City Centre Local Area Plan, it is envisaged that an area encompassing High Street, Rose Inn Street and Kieran Street would be pedestrianised as soon as the ring road extension and the third river crossing associated with the inner relief road/street are completed.

The possibility of pedestrianisation for other towns and villages will be examined on a case by case basis as the local area plans for each town is prepared.

Development contribution scheme
The level of development contributions is set through the development contributions scheme. At the time of writing a new scheme is in the course of preparation. The amounts of contribution to be levied through the scheme is not a development plan issue.

Designation of nature reserve
The submission seeks that the gravel flood plain be designated as a nature reserve. Sites are designated at a national level by the Parks and Wildlife section of the Department of the Environment.

Hedgerows and Trees
The submission seeks that medieval, townland, parish and barony boundaries/hedgerows be preserved. This is a policy in the Draft plan in section 7.12.8.

The submission requests that developers be informed of the law regarding the felling of trees, and seeks additional TPOs. A tree survey has been carried out as part of the Draft City Plan, and it is the intention of the Councils to conserve important trees by means of TPOs as appropriate.

Pedestrian bridge over the River Nore
This is an objective of the Kilkenny City Centre Local Area Plan.

Completion of the Ring-Road
This is an objective of the City plan.

Infrastructure for new development
The submission seeks that new housing developments be halted until water and sewerage services are in place, and community services should be provided at an early stage in any development. Housing developments are not permitted generally until the infrastructure is in place, or will be in place upon completion, to serve the development. Chapter 4 of the Draft County Plan outlines the policy in relation to the provision of community services in line with the provision of new housing.
Placenames
Section 8.4.6 of the Draft Plan relates to Placenames. I recommend a reference to Foras na Gaeilge’s book, ‘Name your place’ should be included here.

Landscape Character Assessment
The submission states that the maps of the LCA are confusing, as the colours differ from those used on OSI maps. On every map in the LCA there is a colour legend explaining what the colour refers to, therefore I do not consider it necessary to recolour these maps.

Ref: D103

Name: Theresa and Jim Hayes

Summary of Submission:
The submission requests that Areas of High Amenity retain their significance. The submission also objects to the inclusion of Clashcrow/Carrigeen in the landscape character assessment of the Slieveardagh Uplands as:
- It has a significantly higher visual impact on a larger proportion of the county.
- It has more natural beauty and higher water sensitivity
- It is suggested that the Clashcrow/Carrigeen area has poor agricultural land. This is not borne out by the amount of farmers farming the land and the fact that it is not deemed by the Department of Agriculture, Food and Forestry to be disadvantaged.

Assessment & Recommendation:
Section 8.3.1 of the Draft Plan outlines that “the Planning Authority established Areas of Special Control within the County in the 1986 Development Plan and this designation was continued in the 1994 Development Plan. The 2002 Plan amended this designation by defining these areas as ‘Areas of High Amenity’.

It is intended that the Landscape Character Assessment will be the main guiding force into the future for the assessment of developments within County Kilkenny. However it is intended to retain the designation of Areas of High Amenity within the Draft Plan. This is to allow the development of the Landscape Character Assessment policies in a historical policy context. As with all areas of the county a high standard of design and siting will be required for all development in the Areas of High Amenity”.

As the LCA will be the main guiding force going forward, the Areas of High Amenity are no longer as relevant.

As part of this Development Plan review, a Landscape character Assessment was carried out by CAAS Environmental Services Ltd.. In this, the area of Clashacrow/Carrigeen
(located southeast of Freshford) is included in the Slieveardagh Uplands (Landscape Appraisal, Document 1, page 36).

The assessment of character areas was based on identified preliminary landscape areas, on a detailed map survey and on subsequent desk study and site visits. The LCA does distinguish two subareas within the Slieveardagh Uplands, recognising that the northern hills (which would include Clashacrow/Carrigeen) have a certain ecological and scenic value. The LCA states that the general landuse on the uplands is agricultural grazing, but does not comment on the quality of agricultural land.

The Development plan contains a suite of policies in relation to each character area as identified, to aid in the assessment of development proposals. These policies should allow for appropriate development to proceed whilst allowing for the protection of the area.

Therefore I do not recommend that the text be changed.

Ref: D105

Name: Port of Waterford, c/o Colin Buchanan

Summary of Submission:
The submission seeks that sufficient land is zoned in Belview to allow the port to develop. It also sets out a number of views in relation to the strategic importance of Belview Port and seeks the inclusion of additional policies in the County Plan. Finally, the submission comments on the protected structures contained within the port area.

Assessment & Recommendation:
The zoning issues should be addressed in the context of the making of a Local Area Plan for the Waterford City Environs and Belview. This process has just commenced and this submission will also be dealt with under that process.

For the County Development Plan strategic issues relating to Belview port will be dealt with here. In relation to the transport infrastructure, the submission seeks that a number of policies be included.

The first of these is the early completion of the N9. The Draft Plan contains an objective to complete the N9 (Waterford to Dublin) to motorway/dual carriageway standard.

The second policy relates to the provision of improved rail access to and from Belview port, including passenger services and 24 hour freight.

The following changes are recommended:
Under section 9.5.1, Rail Freight, the text reads “the use of the rail network during the night hours for freight services could be considered”. This recommended to be modified to read “the use of the rail network for freight services will be promoted”.

A new policy is recommended as follows:
To promote and encourage the intensified use and further development of the Rosslare to Limerick rail link for freight and passenger traffic in the interests of promoting sustainable commuting patterns and assisting in the development of Atlantic Gateways Initiative.

The port seeks a policy encouraging the further development of employment opportunities at Belview. Current policies are to:

- Facilitate and promote portal development and associated industrial and distribution activities by means of reservation or purchase of land and by the upgrading of access routes.
- Continue to develop a flagship industrial park of regional and national importance at Belview, in association with the IDA, Waterford port authority and other development agencies as appropriate.

This is considered sufficient to cover the encouragement of employment opportunities.

The port seeks a policy in relation to the prioritisation of wastewater services at Belview. The waste water treatment plant is currently under construction and is due to be commissioned by 2009.

An assessment of protected structures will be carried out as part of the LAP process which is underway at present.
Ref: D109

Name: Mssrs. Wardrop, Sheridan and Kavanagh, c/o Martin Mulligan

Summary of Submission:
Request to rezone 5.5 acres of land from industrial to general business in Thomastown.

Assessment & Recommendation:
This should be addressed in the context of the making of a Local Area Plan for Thomastown. This process has just commenced and this submission will be dealt with under that process.

Ref: D110

Name: Mssrs. Wardrop, Sheridan and Kavanagh, c/o Martin Mulligan

Summary of Submission:
Request to zone land in Bennettsbridge.

Assessment & Recommendation:
This should be addressed in the context of the making of a Local Area Plan for Bennettsbridge. This process has just commenced and this submission will be dealt with under that process.

Ref: D111

Name: Genevieve Cody

Summary of Submission:
The submission seeks a prohibition of wind energy facilities in the area of Blackbog, Kilmacoliver, Windgap, Baunreagh and Frankfort due to the very rich heritage of the area illustrated by the famous high crosses and Caiseal of Knockroe. It also points out that the area is located adjacent to an area in South Tipperary which is designated as unsuitable for windfarm development due to the natural and built heritage value of the area.

Assessment & Recommendation:
The landscape of the County is dotted with monuments recorded under the record of Monuments and Places. The monument referred to at Knockroe known locally as ‘The Caiseal’ is a Neolithic passage tomb. Knockroe passage tomb (RMP KK34:1901) is
located between the towns of Callan and Carrick-on-Suir in the southwest of County Kilkenny near the county boundary with Tipperary.

The site is situated between 100-110m elevation contours and overlooks the Lingaun River 100m to the west. The passage tomb is well known for its extensive assemblage of megalithic art.

The tomb in question is located within the area shaded blue on Map 9.1 in the development plan which is the area where wind farms are not normally permitted according to the draft policy. The area designated in the draft plan is to the east of the monument. The tomb is approximately 4km from the designated area.

The neolithic tomb at Knockroe has been plotted on the wind strategy map and it is 4km from the edge of the area shown as open for consideration. Depending on the actual location of any particular wind farm it may or may not be possible to see a wind farm development from the tomb.

No change to the proposed strategy is recommended.
Ref: D112

Name: Niall Mellon, c/o MK Home Design Ltd

Summary of Submission:
Request to rezone land from community facilities to residential in Thomastown.

Assessment & Recommendation:
This should be addressed in the context of the making of a Local Area Plan for Thomastown. This process has just commenced and this submission will be dealt with under that process.

Ref: D113

Name: Colman O'Mahony

Summary of Submission:
The submission seeks to alter designation of land as a Special Area of Conservation at Bolton, Callan.

Assessment & Recommendation:
The National Parks and Wildlife (NPWS) DoEHLG is the competent authority charged with the definition of what constitutes a site of European importance, under the Habitats Directive (Council directive 92/43/EEC).

The request for an extension of a boundary to a cSAC or pNHA, should be made in writing through the local National Parks & Wildlife Service staff.

No change is recommended to the Draft Plan.

Ref: D114

Name: Mark Lonergan

Summary of Submission:
The submission seeks a prohibition of wind energy facilities in the areas of Blackbog, Raheeneran, Ballygown, Barnadown, and Newchurch due to its effects on heritage and consequently, tourism in the area. It also points out that the area is located adjacent to an area in South Tipperary which is designated as unsuitable for windfarm development due to the natural and built heritage value of the area.
**Assessment & Recommendation:**
The landscape of the County is dotted with monuments recorded under the record of Monuments and places. The monument referred to at Knockroe known locally as ‘The Caiseal’ is a Neolithic passage tomb. Knockroe passage tomb (RMP KK34:1901) is located between the towns of Callan and Carrick-on-Suir in the southwest of County Kilkenny near the county boundary with Tipperary.
The site is situated between 100-110m elevation contours and overlooks the Lingaun River 100m to the west. The passage tomb is well known for its extensive assemblage of megalithic art.
The tomb in question is located within the area shaded blue on Map 9.1 in the development plan which is the area where wind farms are not normally permitted according to the draft policy. The tomb faces west over the Lingaun River. The area designated in the draft plan is to the west of the tomb.
The neolithic tomb at Knockroe has been plotted on the wind strategy map and it is 4km from the edge of the area shown as open for consideration. Depending on the actual location of any particular wind farm it may or may not be possible to see a wind farm development from the tomb.

The views from County Kilkenny into South Tipp (A18) are protected. These views are not affected by the proposed designations in the wind strategy.

No change to the proposed strategy is recommended.

**Ref: D115**

**Name: Leo Cody, Ahenny, Co. Tipperary**

**Summary of Submission:**
The submission objects to the designation of the Blackbog-Newchurch area as Open for Consideration in the Draft Wind Energy Development Strategy.

**Assessment & Recommendation:**
The submission states that there was a similar objection on the other side of the county border, and that with support and political assistance they won the case.

No planning reasons are given as to why a prohibition should be included.

No change to the proposed strategy is recommended.
Ref: D116

Name: Seosamh O'Faolain, Cooleshal, Freshford

This submission is the same as D103 and requests that Areas of High Amenity retain their significance. The submission also objects to the inclusion of Clashcrow/Carrigeen in the landscape character assessment of the Slieveardagh Uplands as:

- It has a significantly higher visual impact on a larger proportion of the county.
- It has more natural beauty and higher water sensitivity
- It is suggested that the Clashcrow/Carrigeen area has poor agricultural land. This is not borne out by the amount of farmers farming the land and the fact that it is not deemed by the Department of Agriculture, Food and Forestry to be disadvantaged.

Assessment & Recommendation:
Section 8.3.1 of the Draft Plan outlines that “the Planning Authority established Areas of Special Control within the County in the 1986 Development Plan and this designation was continued in the 1994 Development Plan. The 2002 Plan amended this designation by defining these areas as ‘Areas of High Amenity’.

It is intended that the Landscape Character Assessment will be the main guiding force into the future for the assessment of developments within County Kilkenny. However it is intended to retain the designation of Areas of High Amenity within the Draft Plan. This is to allow the development of the Landscape Character Assessment policies in a historical policy context. As with all areas of the county a high standard of design and siting will be required for all development in the Areas of High Amenity”.

As the LCA will be the main guiding force going forward, the Areas of High Amenity are no longer as relevant.

As part of this Development Plan review, a Landscape character Assessment was carried out by CAAS Environmental Services Ltd.. In this, the area of Clashacrow/Carrigeen (located southeast of Freshford) is included in the Slieveardagh Uplands (Landscape Appraisal, Document 1, page 36).

The assessment of character areas was based on identified preliminary landscape areas, on a detailed map survey and on subsequent desk study and site visits. The LCA does distinguish two subareas within the Slieveardagh Uplands, recognising that the northern hills (which would include Clashacrow/Carrigeen) have a certain ecological and scenic value. The LCA states that the general landuse on the uplands is agricultural grazing, but does not comment on the quality of agricultural land.

The Development plan contains a suite of policies in relation to each character area as identified, to aid in the assessment of development proposals. These policies should
allow for appropriate development to proceed whilst allowing for the protection of the area.

Therefore I do not recommend that the text be changed.

Ref: D118

Name: Waterford and Ross Cooperative Marts c/o Patrick Halley and Associates

Summary of Submission:
The submission seeks the zoning of land at Ballygriffin for industrial use.

Assessment & Recommendation:
This should be addressed in the context of the making of a Local Area Plan for the Waterford City Environs and Belview. This process has just commenced and this submission will be dealt with under that process.

Ref: D119

Name: James and Nancy Hearne

Summary of Submission:
The submission seeks a prohibition of wind energy facilities in the area of Blackbog, due to its effects on health noise and interference with t.v and radio signals.

Assessment & Recommendation:
As part of this Draft Development a wind energy strategy was developed. An area of the County centred around Kilmoganny has been designated as ‘Acceptable in Principle’, with an adjacent area designated as ‘open for consideration’.

The strategy was developed having regard to all the heritage and amenity constraints and taking into account the Government Guidelines on wind energy published in 2006. In order to protect against the possibility of t.v interference it is recommended that as part of the Councils policy on wind farms that all wind farm applications be referred to RTENL (RTE Transmissions Network Limited) and that this be a stated policy of the Draft Plan.

No change to the proposed strategy is recommended.
Ref: D120

Name: Kevin Flavin, Construction Industry Federation

Summary of Submission:
Outlines the CIF views on a number of issues, including Part V, infrastructure, commercial and industrial development, childcare facilities and zoning. The submitter seeks greater clarification at pre-planning stage in relation to the requirements of Part V. The submitter suggest greater use of PPP and the development of a Indicative Infrastructure Project Management Plan identifying where there are deficiencies and how they can be addressed through partnership or public funding.

It is also stated that the Council has been lacking in its promotion of commercial and industrial development over the period of the last plan and that high rise commercial development should be encouraged.

The submitter states that the preparation of local area plans has been a severely restricting factor and their delivery has been farcical in some instances and that they completely undermine the zoning of land in a local authority area.
In relation to the provision of the childcare guidelines the submitter states that there is too much emphasis placed by the planning authorities on the land use planning aspects of childcare provision.

Assessment & Recommendation:

Part V
The submission deals with a number of administrative issues in relation to Part V, which have been referred to the Housing Section. In relation to the Development Plan, it asks that the Council should set out how the Part V element will be split between Social Housing and Affordable Housing, and also that the mid-term review of the Development Plan should include a review of Part V. As part of this Plan the Kilkenny Population Study and Draft Housing Strategy was prepared by Colin Buchanan & Partners. This sets out that the maximum of 20% will be required. The strategy does not split this requirement into what is required for social or affordable. However the development plan does set out the criteria by which the Part V requirement is assessed. These are stated as follows in the draft plan:

“The following preferred options are available to satisfy the requirements of the housing strategy, in decreasing order of preference –
• The transfer of the required number of completed dwellings on the site,
• The transfer of a portion of the site subject to the planning application,
• The transfer of completed dwellings elsewhere,
• The transfer of fully or partially serviced sites on the site which will enable the Council to provide the appropriate number of units thereon,
• The transfer of serviced sites at another location,
• The transfer of land at another location,
• The payment of a monetary contribution.
An agreement may provide for a combination of the above.”

The requirement of the split between social and affordable housing depends on a number of issues such as demand and the extent of social of social housing in the area. Therefore the requirements can vary from site to site depending on local circumstances.

The possibility of conducting a mid-term review of the Housing strategy is provided for in paragraph 7.6.4 of the Draft Housing Strategy.

Services and Infrastructure
The submission puts forward some general points about infrastructure in Kilkenny, stating that

- Public private partnerships should be promoted and used more often.
- The off-setting approach as piloted in the Western Environs should be encouraged but must be operated in a more efficient and streamlined manner
- Developers groupings who come together and agree to put in place infrastructure to open up zoned land should be facilitated by the Council
- To remove some of the uncertainty surrounding the servicing of land the Council should prepare an *Indicative Infrastructure Project Management Plan* identifying those parcels of land where there are infrastructure deficiencies and the timescale during which these deficiencies will be addressed either through partnership or public funding.

The Plan contains a comprehensive section on the provision of infrastructure. The details of servicing parcels of land is more appropriately included in Local Area Plans for specific areas, such as the Western Environs and Loughmacask. This approach has been so far successfully piloted in the western environs and will be refined and developed as the process is rolled out. It is also intended to continue that approach in the Loughmacask Local Area Plan.

Commercial and Industrial Development
The submission contends that the Council has been lacking in its promotion of commercial and industrial development over the lifetime of the last Development plan. Chapter 5, Economic Development, in both plans sets out that the Council will encourage and support the development of all economic sectors through:

- The provision of an adequate and efficient transportation system;
- The zoning of sufficient and appropriately located lands for industrial and commercial development;
- The provision of sanitary services and other urban infrastructure;
- The provision, in conjunction with other agencies, of enterprise centre provision and training infrastructure related to small and medium sized enterprises (SME);
• The zoning of adequate residentially zoned lands and the creation of an attractive urban environment to facilitate residency of the projected labour force;

• Developing the public realm and amenities of Kilkenny so that the quality of life of employees and residents can be improved.

A number of significant commercial and industrial projects have been announced or delivered in the City and County during the current plan period such as the delivery of the Mcdonagh Junction development and the announcement of the location of Sevier pharmaceutical in Belview Port.

Delays in the Planning System
The submission states that the preparation of Local area plans has been a severely restricting factor in development and that the delivery of some plans has been farcical. Also, the submission criticises the system of pre-planning meetings in Kilkenny.

In the last 5 years since the adoption of the 2002 Development Plan some 21 local area plans were undertaken. Twenty have been prepared with 18 adopted, one on public display (Loughmacask) and one about to be published (Woodstock). The process of preparing a local area plan takes approximately 12 months from inception to completion. The vast majority of these plans have been prepared by the Planning Department itself and project managing the others with the use of external consultants. The local area plans provide a planning framework for each local area and allows the local community to have an input into how their areas are to be developed.

It also identifies the deficiencies in physical and social infrastructure and tries to ensure that as development proceed these deficiencies are met.

The accusation of farcical delivery without specific example is criticism for the sake of criticism, which is not constructive nor helpful to the development and improvement of the planning process.

Childcare facilities
The CIF state that there is an oversupply of crèches at the moment, and that more regard has to be had to the context of the site, not just focusing on the quantitative standards. The Draft Plan contains a section 4.5.1 on childcare facilities, stating that provision should be made for purpose built, easily accessible facilities in new developments of 75 dwellings or more. The Draft plan also recognises this problem and provision is made in section 4.5.1 for a relaxed interpretation of the regulations where circumstances require.

• To require the provision of appropriate purpose built childcare facilities in association with proposals for new residential development of more than 75 dwelling units. Where appropriate the Council will operate this requirement in a flexible manner and will encourage and facilitate cooperation between developers to jointly provide facilities, having regard to the Kilkenny County Childcare Strategy.

The following statement will also be added:
“In developing proposals for housing schemes developers are encouraged to liaise with the County Childcare Committee in advance of preparing planning applications in order to ascertain the local requirements”.

Clarification of zoning and land uses
The submission seeks that land used for residential purposes in and around the city should be zoned for residential, not for agricultural.

The purpose of land use zoning is to set objectives for particular areas. Zoning should be utilised as a strategic tool, as a guide for directing investment and infrastructure. It should not be used only to reflect the current land use, but rather should take a longer term view which incorporates many considerations, one of which is current land use. Therefore I do not recommend that land used for residential purposes which is currently zoned for agricultural, be rezoned.

Ref: D121

Name: Agnes Reilly, Department of Communications, Energy and Natural Resources

Summary of Submission:
The submission states that the Department is satisfied that the SEAs have addressed all the environmental issues of relevance to the Department.

Assessment & Recommendation:
No change is sought.

Ref: D122

Name: Richard Walsh

Summary of Submission:
The submission seeks a prohibition of wind energy facilities in the area of Blackbog. It points out that the area is located adjacent to an area in South Tipperary which is designated as unsuitable for windfarm development due to the natural and built heritage value of the area. It outlines the various concerns in relation to windfarm development, including its effect on natural and built heritage, on the equine industry, on tourism and on property values.

Assessment & Recommendation:
The most recent studies into the effects of turbines on property prices have come to one of two conclusions, each of which suggest that wind turbines do not adversely affect
property prices. Reports have concluded that 1) no adverse effect on property prices can be found, 2) that any adverse effects observed have no lasting impact.

In the UK several studies have been carried out. A study published in November 2004 by the Royal Institution of Chartered Surveyors (RICS) suggests that wind developments create a negative impact on house prices but with no lasting impact.\(^3\)

Another study published in November 2004 by leading chartered surveyors Knight Frank LLP undertaken on behalf of the BWEA concluded that there is insufficient market evidence to determine whether an existing wind farm has affected residential property prices. This is linked to the wide range of factors that can be involved in determining house prices, not just wind farms.

Many surveys have been carried out across Europe to determine the effects of wind farms on property prices and on tourism. A recently published survey of people living in the vicinity of wind farms currently operating in Ireland underpins the commonly found opinion that the effects on both are minimal.

Heritage issues
The landscape of the County is dotted with monuments recorded under the record of Monuments and places. The monument referred to at Knockroe known locally as ‘The Caiseal’ is a Neolithic passage tomb. Knockroe passage tomb (RMP KK34:1901) is located between the towns of Callan and Carrick-on-Suir in the southwest of County Kilkenny near the county boundary with Tipperary.

The site is situated between 100-110m elevation contours and overlooks the Lngaun River 100m to the west. The passage tomb is well known for its extensive assemblage of megalithic art.

The tomb in question is located within the area shaded blue on Map 9.1 in the development plan which is the area where wind farms are not normally permitted according to the draft policy. The tomb faces west over the Lngaun River. The neolithic tomb at Knockroe has been plotted on the wind strategy map and it is 4km from the edge of the area shown as open for consideration. Depending on the actual location of any particular wind farm it may or may not be possible to see a wind farm development from the tomb.

Other sites are also mentioned such a Kilmacoliver hill with its newly developed looped walk and standing stones is mentioned. The standing stones in themselves have no more elevated status than other recorded monuments. They do not have a national or international heritage designation. The looped walk is plotted on the map also and is some 3.5km from the edge of the open for consideration area, see Map 1.

No change recommended.

Ref: D123

Name: Eugene Wood Byrne, Glanbia

Summary of Submission:
The submission outlines that Glanbia are currently examining a proposal to erect two wind turbines next to its plant in Ballyragget. It objects to the broad brush approach, and the designation of the Ballyragget area as 'not normally permissible' in the Draft Wind Energy Strategy. It seeks recognition of the Autoproducer category and to allow this category of development close to all industrial sites in the county.

Assessment & Recommendation:
The term autoproducer is used to describe wind and other energy generation projects that are directly connected to the user. In the case of the autoproducer, a very significant portion of the energy produced is consumed before it enters the national grid. In some cases the autoproducer will not even export power except in exceptional circumstances. The Micro Wind category i.e. hub height 10 metres or less and rotor diameter 6 metres or less will typically cover small turbines up to 5kW rated output could technically be called autoproducer but in reality these turbines are really only relevant in the domestic or small business user category.

This issue was also dealt with under submission D52. I recommend that the same response applies to this submission as follows:

Another category is termed the “Autoproducer” which is where an industry/large energy user can have a wind turbine to feed its own energy consumption. These will be considered on their merits but will generally only be acceptable where:

- the turbine proposed is for a significant energy user,
- the location of the turbine should be within the curtilage of the facility or immediately adjacent.
- The site should have significant industrial scale buildings and structures already on site.

I recommend the insertion of this policy in section 9.8.3.3
Ref: D124

Name: Kieran Reid c/o Patrick Halley

Summary of Submission:
The submission seeks the zoning of 30 acres in Kilmacow for residential use.

Assessment & Recommendation:
This should be addressed in the context of the making of a Local Area Plan for Kilmacow. This process has just commenced and this submission will be dealt with under that process.

Ref: D125

Name: Mrs. Hogan, c/o Patrick Halley

Summary of Submission:
The submission seeks the zoning of land in Belview for industry and port related uses.

Assessment & Recommendation:
This should be addressed in the context of the making of a Local Area Plan for the Waterford City Environs and Belview. This process has just commenced and this submission will be dealt with under that process.

Ref: D126

Name: Ann Murray c/o Patrick Halley

Summary of Submission:
The submission seeks the zoning of 16 hectares of land at Skeard, near Kilmacow.

Assessment & Recommendation:
This should be addressed in the context of the making of a Local Area Plan for Kilmacow. This process has just commenced and this submission will be dealt with under that process.
Ref: D127

Name: James Walsh, c/o Patrick Halley

Summary of Submission:
The submission seeks the rezoning of land in Kilmurray, Slieverue from Strategic Development to general business.

Assessment & Recommendation:
This should be addressed in the context of the making of a Local Area Plan for the Waterford City Environs and Belview. This process has just commenced and this submission will be dealt with under that process.

Ref: D128

Name: Mathew Downey

Summary of Submission:
The submission seeks the rezoning of land in Muckalee.

Assessment & Recommendation:
The site is located in a rural area north of Kilkenny city. The settlement strategy for the County is set out in Chapter 3 of the Draft Development Plan which identifies the settlements where residential zoning should take place.

This site is in a rural location and the rural settlement strategy as outlined in section 3.4 should apply to this location.

The zoning of these lands would be contrary to the settlement strategy outlined in the Draft Plan and therefore I would not recommend the zoning of these lands for residential purposes.

Ref: D129

Name: Richard and Josephine Frisby

Summary of Submission:
The submission objects to the development of wind energy on their land in the area of Carrigatna, Kilmoganny.
Assessment & Recommendation:
As part of this Draft Development a wind energy strategy was developed. An area of the County centred around Kilmoganny has been designated as ‘Acceptable in Principle’, with an adjacent area designated as ‘open for consideration’.

The strategy was developed having regard to all the heritage and amenity constraints and taking into account the Government Guidelines on wind energy published in 2006.

The development of any wind farm would be contingent on the landowner’s consent.

No change to the proposed strategy is recommended.

Ref: D130

Name: Josie Quinn

Summary of Submission:
The submission objects to the designation of the Kilmoganny area as Open for Consideration in the Draft Wind Energy Development Strategy and requests change to 'Not normally permissible'.

Assessment & Recommendation:
The content of this submission is a duplicate of Submission D88.

Some of the issues raised such as devaluation in property have been dealt with in submission D86.

The wind strategy was developed having regard to all the heritage and amenity constraints and taking into account the Government Guidelines on wind energy published in 2006.

In order to protect against the possibility of t.v interference it is recommended that as part of the Councils policy on wind farms that all wind farm applications be referred to RTENL (RTE Transmissions Network Limited) and that this be a stated policy of the wind energy strategy of the Draft Plan.

No other change to the proposed strategy is recommended.
Ref: D131

Name: Anthony Costigan and Mary Walshe

Summary of Submission:
The submission requests a change in the policy on Areas of High Amenity in Section 8.3.1 of the Draft County Plan, and is concerned that the area of Threecastles is now zoned as suitable for development.

Assessment & Recommendation:
Section 8.3.1 outlines that “the Planning Authority established Areas of Special Control within the County in the 1986 Development Plan and this designation was continued in the 1994 Development Plan. The 2002 Plan amended this designation by defining these areas as Areas of High Amenity.

It is intended that the Landscape Character Assessment will be the main guiding force into the future for the assessment of developments within County Kilkenny. However it is intended to retain the designation of Areas of High Amenity within the Draft Plan. This is to allow the development of the Landscape Character Assessment policies in a historical policy context. As with all areas of the county a high standard of design and siting will be required for all development in the Areas of High Amenity”.

As the LCA will be the main guiding force going forward, the Areas of High Amenity are no longer as relevant.

Therefore I do not recommend that the text be changed.

Ref: D132

Name: Peter Kenneally

Summary of Submission:
The submission objects to the possibility of any wind farms being developed in the Hugginstown area and recommends that offshore windfarms be developed instead.

Assessment & Recommendation:
As part of this Draft Development a wind energy strategy was developed. An area of the County centred around Kilmoganny has been designated as ‘Acceptable in Principle’, with an adjacent area designated as ‘open for consideration’.

The strategy was developed having regard to all the heritage and amenity constraints and taking into account the Government Guidelines on wind energy published in 2006.
No change to the proposed strategy is recommended.

Ref: D134 135 136
Name: Tim Vierhout Grace Kearney Ger O’Reilly

Summary of Submission:
These submissions are identical to submission D103.

Assessment and Recommendation:
Section 8.3.1 of the Draft Plan outlines that “the Planning Authority established Areas of Special Control within the County in the 1986 Development Plan and this designation was continued in the 1994 Development Plan. The 2002 Plan amended this designation by defining these areas as ‘Areas of High Amenity’.

It is intended that the Landscape Character Assessment will be the main guiding force into the future for the assessment of developments within County Kilkenny. However it is intended to retain the designation of Areas of High Amenity within the Draft Plan. This is to allow the development of the Landscape Character Assessment policies in a historical policy context. As with all areas of the county a high standard of design and siting will be required for all development in the Areas of High Amenity”.

As the LCA will be the main guiding force going forward, the Areas of High Amenity are no longer as relevant.

As part of this Development Plan review, a Landscape character Assessment was carried out by CAAS Environmental Services Ltd. In this, the area of Clashacrow/Carrigeen (located southeast of Freshford) is included in the Slieveardagh Uplands (Landscape Appraisal, Document 1, page 36).

The assessment of character areas was based on identified preliminary landscape areas, on a detailed map survey and on subsequent desk study and site visits. The LCA does distinguish two subareas within the Slieveardagh Uplands, recognising that the northern hills (which would include Clashacrow/Carrigeen) have a certain ecological and scenic value. The LCA states that the general landuse on the uplands is agricultural grazing, but does not comment on the quality of agricultural land.

The Development plan contains a suite of policies in relation to each character area as identified, to aid in the assessment of development proposals. These policies should allow for appropriate development to proceed whilst allowing for the protection of the area.

Therefore I do not recommend that the text be changed.
Summary of Submission:
These submissions are identical to D103.

Assessment & Recommendation:
Section 8.3.1 of the Draft Plan outlines that “the Planning Authority established Areas of Special Control within the County in the 1986 Development Plan and this designation was continued in the 1994 Development Plan. The 2002 Plan amended this designation by defining these areas as ‘Areas of High Amenity’.

It is intended that the Landscape Character Assessment will be the main guiding force into the future for the assessment of developments within County Kilkenny. However it is intended to retain the designation of Areas of High Amenity within the Draft Plan. This is to allow the development of the Landscape Character Assessment policies in a historical policy context. As with all areas of the county a high standard of design and siting will be required for all development in the Areas of High Amenity”.

As the LCA will be the main guiding force going forward, the Areas of High Amenity are no longer as relevant.

As part of this Development Plan review, a Landscape character Assessment was carried out by CAAS Environmental Services Ltd. In this, the area of Clashacrow/Carrigeen (located southeast of Freshford) is included in the Slieveardagh Uplands (Landscape Appraisal, Document 1, page 36).

The assessment of character areas was based on identified preliminary landscape areas, on a detailed map survey and on subsequent desk study and site visits. The LCA does distinguish two subareas within the Slieveardagh Uplands, recognising that the northern hills (which would include Clashacrow/Carrigeen) have a certain ecological and scenic value. The LCA states that the general land use on the uplands is agricultural grazing, but does not comment on the quality of agricultural land.

The Development plan contains a suite of policies in relation to each character area as identified, to aid in the assessment of development proposals. These policies should allow for appropriate development to proceed whilst allowing for the protection of the area.

Therefore no change is recommended.
Ref: D140

Name: Michael Egan, Castlejohn, Windgap
The submission seeks a prohibition of wind energy facilities in the area of Windgap, Tullahought and Blackbog. It refers to the success of a recent campaign in South Tipperary to prevent windfarm development. The submission also refers to the potential for other energy sources such as solar power and wave power.

Assessment & Recommendation:
As part of this Draft Development a wind energy strategy was developed. An area of the County centred around Kilmoganny has been designated as ‘Acceptable in Principle’, with an adjacent area designated as ‘open for consideration’.

The strategy was developed having regard to all the heritage and amenity constraints and taking into account the Government Guidelines on wind energy published in 2006.

There is a suite of policies in the Draft Plan promoting energy sources other than wind. Section 9.8.3 covers renewable energy sources including wind energy, hydro energy, bioenergy and energy recovery from waste. In addition, there is added emphasis in the plan on sustainability and energy efficiency in buildings.

No change to the proposed strategy is recommended.

Ref: D142

Name: Pat and Mark Cantwell & family, Lazeybush, Tullaroan Road, Kilkenny

Summary of Submission:
The submission seeks the recognition of Baunmore, Clara as a smaller settlement/node. Baunmore Clara is where the existing national school for Clara is located in isolation from the smaller settlement of Clara.

Assessment & Recommendation:
This issue has been dealt with under submission D4 and the same response applies to this submission. In the interests of clarity the response to D4 is repeated here.

The designation of areas within the settlement hierarchy is based around the settlement hierarchy under the 2002 County Development Plan.
The current rural housing policy is based on Variation number eight to the County Development Plan (2002) which incorporated this settlement strategy.

In developing a settlement strategy for the County the widely dispersed system of parishes was examined. Within each parish the location of services such as schools, post
offices, Garda stations etc. was identified. From that survey the locations of smaller settlements that service the parish and local hinterland were identified.

A number of situations have developed during the life of the current 2002 plan where although there is a smaller settlement identified in a particular area there are services such an isolated school or church where proposals have come forward for cluster type development.

The rationale behind the settlement strategy for the County remains valid but in recognition of the situation that has developed with the existing policy the following addition to that strategy is recommended.

Section 3.3.5 of the Draft Development Plan deals with smaller settlements. The following revised policy is recommended.

Section 3.3.5 Smaller Settlements
The County Development Plan 2002 contains a further settlement tier not readily identifiable in the RPG’s, which will also form part of the settlement structure. In developing a settlement strategy for the County the widely dispersed system of parishes was examined. Within each parish the location of services such as schools, post offices, Garda stations etc. was identified. From that survey, smaller settlements were identified where there was a cluster of two or more services. In addition to these identified locations there are also isolated rural services which have a role to play in serving the rural community.

Smaller settlements possess a very narrow range of physical and social infrastructure but have some limited capacity to cater for additional housing generally through low-density individual or multiple housing and other developments, in tandem with the provision of services. They will form an important component of the settlement network, by providing a basic level of services and by accommodating new growth that is compatible with the area.

The scale and fabric of these centres must however be respected in new development proposals. Any new development should be of a design, layout, character and scale which fits well with the settlement involved and presents a high quality living environment.

Policy
It is the policy of the Council to encourage low density housing in the form of cluster developments within smaller settlements and also immediately adjacent (i.e. within 100m) to an operating isolated rural service such as a school, public house church or shop.

All applications for cluster development shall be assessed against the capacity of the area to absorb development. This capacity assessment will include consideration of
environmental issues, roads, water services, community facilities and the surrounding area’s natural and built heritage context.

**Design of Clusters**

(m) The proposed cluster should be context driven, respecting the rural setting and character of the area. The visual impact and appearance of new development should be fully considered when locating and designing new buildings.

(n) Any development should maximise the use of existing hedgerows and landscape features e.g. existing buildings, trees, stone walls etc..

(o) Provide a common entrance and access road, and shall not be permitted to access directly onto a National Primary or Secondary Route,

(p) Be serviced by a common proprietary sewage treatment systems, and have an outfall or suitable ground conditions for percolation,

(q) In the case of a development where serviced sites are to be sold, a design brief and development programme for the execution and completion of the development for the cluster shall be submitted at planning application stage.

(r) A variety of house sizes should be provided.

Clusters are intended to encourage small-scale expansion. They may accommodate a number of dwellings (usually about 8) but the exact number will ultimately depend on scale and pattern of existing development in the vicinity, impact on the landscape and site conditions.

Therefore while not recommending the designation of Baunmore, Clara as a smaller settlement the policy has been altered to cater for locations such as isolated schools and churches etc outside of the identified smaller settlements.
Ref: D144

Name: Coilin O Driscoll, An Taisce, Threecastles

Summary of Submission:
The submission presents views on a number of issues including the Inner relief road, views, trees, ACAs, speed limits, cycle and pedestrian paths, Freestone Hill, public lighting, enforcement, and health impact assessments.

Kilkenny Inner Relief Road:
An Taisce recommends that Section 8.2.1a of the draft city plan be deleted. This objective states “to reserve free from development the line of the proposed inner relief road and to complete the inner relief road within the plan period” as there is a major inconsistency between increasing the architectural and archaeological protection of St Canice’s conservation area and providing for the construction of the inner relief road through this area.

Protected Views: The views from John's Bridge to Green's Bridge and vice versa should be included as Protected Views. Likewise the view from John's Bridge to Kilkenny castle should also be included as a Protected View.

Protected trees: An Taisce suggests that although a tree may not qualify for distinctive status in its own right, but because of its location or features, its loss would have significant negative impact on the area, it should be protected. They state that many of the trees listed in the plan are difficult to identify from text descriptions and recommend that they be identified by use of grid references.

Architectural Conservation Areas: The submission recommends that provision be made in the Kilkenny City plan that Architectural Conservation Area Plans be drawn up for the Kilkenny City Centre Conservation Area and the St. Canice's Conservation Area.

Speed Limits: The submission states that there is no mention of reviewing speed limits despite the power to do so.

Cycle and pedestrian paths: The submission seeks additional emphasis on providing safe cycling and walking paths to schools, shopping centres and schools.

Freestone Hill: The submission seeks that Freestone Hill in Clara be designated an Area of High Amenity, as it is one of the most important archaeological sites in the county with evidence of pre-Christian activity, and is coming under intense development pressure.
Public Lighting: The submission suggests that a firmer policy be included to follow best international practice, to economise on energy use without compromising safety or amenity.

Enforcement
The submission recommends that the Council adopts a proactive approach to enforcement, including on issues such as parking, litter laws and dog fouling.

Health Impact Assessments:
The submission recommends that a Health Impact Assessment of all major projects be undertaken.

Assessment & Recommendation:
Inner Relief Road/Street.
The inner relief road and street has been identified as an essential piece of infrastructure for the economic social cultural development of the City and Environs. It is a piece of infrastructure which is partially in place already running from the roundabout at St Canices church/Waterbarrack through to Irishtown/Vicar Street. The local authorities are of the view that the inner relief road/street is a piece of infrastructure that needs to be put in place and managed to achieve the best possible outcome taking into account all of the issues that are coming through as part of the consultations being held around the process of delivering the project. It is not viewed as inconsistent to have an objective to create a bridge crossing creating a new traffic regime through this part of the City & Environs. There are conflicts and issues that are and will arise as how to manage such a major project through a sensitive archaeological area. The benefits that the inner relief road/street will bring in terms of overall traffic management for the remainder of the historic core and the retail core area (more pedestrianisation) must also be borne in mind.

The project and the conservation issues must be seen in the strategic context of the City & Environs.
Therefore no change recommended.

Protected Views
There is a clear and unobstructed view of Kilkenny Castle from Johns Bridge. The view of Kilkenny Castle from Johns Bridge is recommended to be included as a protected view in the Draft City & Environs Development Plan.

Trees
A survey of trees was carried out for the review of this development plan, and these are each identified with a grid reference. These were included in Appendix F to the Draft city plan.

Architectural Conservation Areas
The existing ACAs are all now afforded protection by the Planning and Development Act 2000. The Character Appraisals will be reviewed as necessary during the lifetime of the Plan.

Speed Limits
The Speed limits within the City and County have been reviewed and an extensive consultation exercise took place around that process. The Council recently published Draft Speed Limit Bye-Laws under the Road Traffic Acts 1961 - 2004 with a view to exercising that power of intervention.

Cycle and pedestrian paths
A number of policies have been included in the Draft Plans, outlining the Council’s support for cycling provision. Particulars in relation to the location, phasing and quality standards of bicycle lanes is too detailed for a Development plan. Detail of this nature will be worked out as road projects are progressed. All new road improvement projects in the City & Environs now incorporate the provision of cycle lanes e.g the extension of the recently opened outer ring.

It is intended that for Kilkenny City & Environs a mobility and traffic management plan will be prepare which will address issues such as modal shift and accessibility for all in and around the City & Environs.

It is recommended that a specific objective be inserted into the city & environs Plan to complete a mobility and traffic management plan dealing with issues such as modal shift accessibility

Freestone Hill:
In relation to Freestone Hill there is a zone of archaeological protection at this location. There are significant policies in relation to the protection of archaeology and in addition there is also the landscape character assessment for assessing development.

The following is the text of the most recent An Bord Pleanala decision for an application at Freestone Hill:

1. Notwithstanding the outline permission granted under the Kilkenny County Development Plan, 1994, on the 28th day of January, 2002 (planning register reference number 01/1604), having regard to the strengthened policies in relation to the protection of archaeology contained in the current development plan for the area, the Kilkenny County Development Plan 2002, and to the enhanced statutory protection given to the adjoining Freestone Hill Cemetery Cairn and Hillfort in the Record of Monuments and Places, established under section 12 of the National Monuments (Amendment) Act, 1994, it is considered that the proposed development would seriously and adversely affect the setting and ambience of an important and prominent Iron Age National Monument, by reason of location on an adjoining site on the hillside and consequent interference with the archaeological landscape, and would be contrary to the provisions of the current
Kilkenny County Development Plan. The proposed development would, therefore, be contrary to the proper planning and development of the area.

2. Having regard to the location of the proposed development on an exposed and elevated site, it is considered that, by reason of the proposed raised earthworks relative to the existing ground levels, as indicated on drawing number 338/PP/02 received by the planning authority on the 3rd day of October, 2005, which earthworks are intended to form the platform on which the dwelling would be constructed, the proposed development would be visually obtrusive and discordant, would seriously injure the landscape character of the area, would interfere with the view of Freestone Hill from the main Kilkenny-Carlow Road, a view of special amenity value and special interest which it is necessary to preserve, and would be contrary to the provisions of the current Kilkenny County Development Plan which require that development be integrated by reference to location, siting, topography and natural features. The proposed development would, therefore, be contrary to the proper planning and development of the area.

Therefore no change recommended to the plan.

Enforcement
The council has recently expanded its planning enforcement section, and will continue to adopt a proactive approach to any unauthorised activities.
Parking and litter enforcement is a matter outside of the remit of the Development Plan.

Health Impact Assessment
All relevant applications are referred to the Health and Safety Executive, or Health and Safety Authority, and the Council includes their input in its assessment of applications.

Ref: D145

Name: Dr. Declan Murphy, Conservation Committee, Kilkenny Archaeological Society, Rothe House

Summary of Submission:
The submission presents views on a number of issues including Zones of Archaeological Importance, Inner relief road and the Record of Protected Structures.
The submission seeks that the Zones of archaeological potential be extended, and includes a map to this effect.
The Archaeological Society is opposed to the proposed Inner Relief Road spur from the Butts Roundabout to Castlecomer road as:
• it will traverse through the oldest part of the city and split the old Norman hightown and St. Canice’s Cathedral precincts;
• it will obstruct the view of the 18th century Palladian style Green’s bridge;
• it will involve the destruction of Garrison House (former protected structure);
• will involve the destruction of two houses in Irishtown that contain medieval fabric;
• will include a spur at Irishtown impacting on the remains of the Bull Inn and millrace;
• and will likely encounter considerable buried and unknown archaeology.

The submission recommends that Section 8.2.1a of the draft city plan be deleted. This objective states “to reserve free from development the line of the proposed inner relief road and to complete the inner relief road within the plan period”.

The submission seeks the inclusion of an objective to provide a map showing the location of pre-1700 buildings within the city.

The submission seeks the preservation and restoration of the teahouse at Bateman’s Quay.

Assessment & Recommendation:

Kilkenny City has been identified as an Historic Town and appears in the Record of Monuments and Places. Historic towns were identified by the Minister for Arts, Heritage, the Gaeltacht and the Islands for general protection. The guideline boundaries for historic towns are illustrated within the Record of Monuments and Places as Zones of Archaeological Potential and are areas where intense archaeology is present. As this is designated at a national level I do not recommend changing it, but this has been referred to the National Monuments Advisory Service for their information and consideration.

Inner Relief Road.
The inner relief road and street has been identified as an essential piece of infrastructure for the economic social and cultural development of the City and Environs. It is a piece of infrastructure which is partially in place already (part of a redeveloped Dean St), running from the roundabout at St Canices church/Waterbarrack through to Irishtown/Vicar Street.
The local authorities are of the view that the inner relief road/street is a piece of infrastructure that needs to be put in place and managed to achieve the best possible outcome taking into account all of the issues that are coming through as part of the consultations being held around the process of delivering the project. It is not viewed as inconsistent to have an objective to create a bridge crossing creating a new traffic regime through this part of the City & Environs. There are conflicts and issues that are and will arise as how to manage such a major project through a sensitive archaeological area. The benefits that the inner relief road/street will bring in terms of overall traffic management
for the remainder of the historic core and the retail core area (more pedestrianisation) must also be borne in mind.

While a new bridge crossing will interfere with the view of the 18th century Palladian style Green’s bridge from certain limited sections of the existing River bank it will also open up new and more direct views of the bridge, the Castle and other historic sites of the City thereby allowing new and revised interpretations of the existing historic sites. The Inner Relief Road/Street project and the conservation policies and objectives must be seen in the holistic strategic context of the development of the City & Environ which is that the completion of the Inner Relief Road is a strategic objective of the City and Environ Development Plan 2002, as varied. The detailed design for this Road will be finalised at a later stage, and will include a comprehensive stakeholder consultation and environmental impact assessment process. The importance of the Inner Relief Road/Street to other traffic management objectives being achieved throughout the City & Environ should also be highlighted such as a reduction in through traffic in residential areas such as Dominic Street, pedestrianisation of High Street, and new improvements to John’s street. No change recommended.

Mapping of pre 1700 buildings
There is an objective in the Plan to review the RPS during the lifetime of the plan. Part of that review will be the mapping of the structures on the RPS.

The submission seeks the preservation and restoration of the teahouse at Bateman’s Quay. This structure is included in the Record of protected structure. It should be dealt with in the context of the redevelopment of Bateman Quay.
Ref: D146

Name: Michael Cullen, Coppenagh, Dungarvan

Summary of Submission:
This submission is on behalf of 6 landowners and seeks the designation of the Moonteenmore/Freagh Hill/Coppenagh area as 'open for consideration' or 'acceptable in principle' in the Draft Wind Energy Strategy. The submission argues that the exclusion of areas of high amenity, SACs, NHAs and scenic routes from being open for consideration does not take account of the viability of windfarms. The submission seeks that the strategy differentiate between landscapes of special local importance, which must be protected, such as Brandon Hill and others of lesser local importance which can absorb a measure of development, such as Freagh Hill.

The submission also refers to the separation distance between turbines and inhabited dwellings, stating that for landowner dwellings the distance could be 250m.

Assessment & Recommendation:
The approach taken in the draft plan is a very strategic approach and it is correct and right that a precautionary principle be applied to the development of what is a new strategy for the County.

The viability of any wind farm will be tested by the proposed developer long before it reaches planning application stage. The wind atlas is average wind speed and the 3% accuracy can indicate a higher or lower wind speed in any particular area.

No change recommended to the draft strategy.

Ref: D149

Name: Dr. Declan Murphy, Chairman An Taisce, Helios, Greenshill, Kilkenny

Summary of Submission:
This is the second submission from An Taisce (similar to D144 in the name of Colin O’Driscoll). The submission presents views on a number of issues including trees, ACAs, speed limits, cycle and pedestrian paths, Freestone Hill, public lighting, enforcement, and health impact assessments.

Assessment & Recommendation:
Inner Relief Road/Street.
The inner relief road and street has been identified as an essential piece of infrastructure for the economic social cultural development of the City and Environs. It is a piece of infrastructure which is partially in place already running from the roundabout at St Canices church/Waterbarrack through to Irishtown/Vicar Street.
The local authorities are of the view that the inner relief road/street is a piece of infrastructure that needs to be put in place and managed to achieve the best possible outcome taking into account all of the issues that are coming through as part of the consultations being held around the process of delivering the project. It is not viewed as inconsistent to have an objective to create a bridge crossing creating a new traffic regime through this part of the City & Environs. There are conflicts and issues that are and will arise as how to manage such a major project through a sensitive archaeological area. The benefits that the inner relief road/street will bring in terms of overall traffic management for the remainder of the historic core, the retail core area and other parts of the City & Environs must also be borne in mind.

The completion of the Inner Relief Road is a strategic objective of the City and Environs Development Plan 2002, as varied. The detailed design for this Road will be finalised at a later stage, and will include a comprehensive stakeholder consultation and environmental impact assessment process. The importance of the Inner Relief Road/Street to other traffic management objectives being achieved throughout the City & Environs should also be highlighted such as a reduction in through traffic in residential areas such as Dominic Street, pedestrianisation of High Street, and new improvements to John’s street.

Protected Views
The view from Johns Bridge of Kilkenny Castle is recommended to be included as a protected view in the Draft City & Environs Development Plan.

Trees
A survey of trees was carried out for the review of this development plan, and these are each identified with a grid reference. These were included in Appendix F to the Draft city plan.

Architectural Conservation Areas
The existing ACAs are all now afforded protection by the Planning and Development Act 2000. The Character Appraisals will be reviewed as necessary during the lifetime of the Plan.

Speed Limits
The Speed limits within the City and County have been reviewed and an extensive consultation exercise took place around that process. The Council recently published Draft Speed Limit Bye-Laws under the Road Traffic Acts 1961 - 2004 with a view to exercising that power of intervention.

Cycle and pedestrian paths
A number of policies have been included in the Draft Plans, outlining the Council’s support for cycling provision. Particulars in relation to the location, phasing and quality standards of bicycle lanes is too detailed for a Development plan. Detail of this nature will be worked out as road projects are progressed. All new road improvement projects
in the City & Environs now incorporate the provision of cycle lanes e.g the extension of the recently opened outer ring.

It is intended that for Kilkenny City & Environs a mobility and traffic management plan will be prepare which will address issues such as modal shift and accessibility for all in and around the City & Environs.

It is recommended that a specific objective be inserted into the city & environs Plan to complete a mobility and traffic management plan dealing with issues such as modal shift accessibility.

Freestone Hill:
In relation to Freestone Hill there is a zone of archaeological protection at this location. There are significant policies in relation to the protection of archaeology and in addition there is also the landscape character assessment for assessing development.

The following is the text of the most recent An Bord Pleanala decision for an application at Freestone Hill:

1. Notwithstanding the outline permission granted under the Kilkenny County Development Plan, 1994, on the 28th day of January, 2002 (planning register reference number 01/1604), having regard to the strengthened policies in relation to the protection of archaeology contained in the current development plan for the area, the Kilkenny County Development Plan 2002, and to the enhanced statutory protection given to the adjoining Freestone Hill Cemetery Cairn and Hillfort in the Record of Monuments and Places, established under section 12 of the National Monuments (Amendment) Act, 1994, it is considered that the proposed development would seriously and adversely affect the setting and ambience of an important and prominent Iron Age National Monument, by reason of location on an adjoining site on the hillside and consequent interference with the archaeological landscape, and would be contrary to the provisions of the current Kilkenny County Development Plan. The proposed development would, therefore, be contrary to the proper planning and development of the area.

2. Having regard to the location of the proposed development on an exposed and elevated site, it is considered that, by reason of the proposed raised earthworks relative to the existing ground levels, as indicated on drawing number 338/PP/02 received by the planning authority on the 3rd day of October, 2005, which earthworks are intended to form the platform on which the dwelling would be constructed, the proposed development would be visually obtrusive and discordant, would seriously injure the landscape character of the area, would interfere with the view of Freestone Hill from the main Kilkenny-Carlow Road, a view of special amenity value and special interest which it is necessary to preserve, and would be contrary to the provisions of the current Kilkenny County Development Plan which require that development be integrated by reference to location, siting, topography and natural features. The proposed development would, therefore, be contrary to the proper planning and development of the area.
Enforcement
The council has recently expanded its planning enforcement section, and will continue to adopt a proactive approach to any unauthorised activities.
Parking and litter enforcement is a matter outside of the remit of the Development Plan.

Health Impact Assessment
All relevant applications are referred to the Health and Safety Executive, or Health and Safety Authority, and the Council includes their input in its assessment of applications.
Ref: D150

Name: Sean Halpin, c/o Fewer Harrington Lawlor

Summary of Submission:
The submission seeks to rezone a site in Callan from low-density residential to General Business.

Assessment & Recommendation:
This should be addressed in the context of the making of a Local Area Plan for Callan. This process has just commenced and this submission will be dealt with under that process.

Ref: D151

Name: M. Walsh, Director of Services, Waterford City Council, Wallace House, Maritana Gate, Canada Street, Waterford

Summary of Submission:
Waterford City Council welcomes the commitment of the Council to facilitate the development of the Waterford Gateway, the implementation of the Waterford PLUTS, and the support for the establishment of a university of the South East with the main campus in Waterford and outlying facilities in Kilkenny.

The City Council considers the District Centre at Abbeylands should be included in the hierarchy of retail services for the Waterford City and Environs as well as within the County Kilkenny hierarchy. The Waterford hierarchy refers to Waterford City Centre as the primary focus, supported by District Centres at Ardkeen/Farronshoneen, Lisduggan, Inner Relief Road and Abbeylands. The inclusion of Abbeylands in the hierarchy in the Waterford City Development was in response to a submission from Kilkenny County Council. Waterford City Council consider that Abbeylands should be designated as a District Centre as defined in the Retail Planning Guidelines.

The commitment to adopt a joint retail strategy is welcomed.

The floor area thresholds for testing new retail proposals (P.5-24) appear to be inverted.

Where there are strategic objectives to provide facilities, e.g. recreational facilities p. 7-6, parks p. 7-10 play facilities p.7-11/7-12, it is considered that the Waterford City Environs should be specified as an appropriate location. The more specific proposals can subsequently be considered as part of the Environs Local Area Plan.

The submission points out that the historic inner port is no longer in use as a freight terminal (p.9-8). Waterford City Council would welcome the inclusion of an objective
supporting the redevelopment of the docklands as in extension of Waterford City Centre and as a catalyst for and service provider to the expanding northern environs.

**Assessment & Recommendation:**
The Draft Development Plan for the County designated Abbeylands as a town centre. There are a number of issues which need to be considered:

The designation of Abbeylands as a district centre dates back to the 2002 Development Plan in which such a designation was seen as commensurate with the expanding nature of the area and the envisaged development of approximately 4,400 households. Permission has been granted for a district centre of approximately 8,000m² net retail sales area with other non retail services included.

The retail study review recommends that a joint retail strategy be prepared for the greater Waterford area to determine the ultimate size of Abbeylands into the future.

Waterford City Council in its City development Plan 2007 – 2013 has included in its retail hierarchy Abbeylands as a district centre in line with the Government’s retail planning guidelines.

Agreement has been reached between Waterford City Council, Kilkenny County Council and Waterford County Council on the preparation of a joint retail strategy.

The Local area Plan for the Environs of Waterford City in County Kilkenny has commenced and the future of Abbeylands district centre can be evaluated through that process.

On this basis I would recommend that the status of Abbeylands be returned to district centre in the Draft Development Plan.

2. Retail Strategy floor areas.
The figures quoted for retail 1,000 m² for comparison and 2,000 for convenience are correct and have operated successfully since the adoption of the 2002 plan.

3. Recreation and Amenity
A statement is included in Section 7.3.2.1 Recreational Facilities, in relation to the Environs of Waterford city, stating that sub-county scale facilities should be developed there. In relation to parks, an objective will be inserted in relation to the provision of a park in the Environs of Waterford city. For children’s play facilities, the last sentence will be modified to read “Following the completion of these facilities, it is intended to develop playgrounds at a number of additional locations, including the Environs of Waterford city”.

4. Roads
Waterford City Council considers that an objective to provide for the northward extension of the Waterford Outer Ring Road via a third river crossing to the N.25 should be included in the schedule on pages 9-4/9-5. This is a recommendation of the PLUTS document. It is recommended that a specific objective be included in section 9.4.5 as
follows: “to identify and protect a route corridor for the northward extension of the Waterford outer ring via third river crossing to the N25”.

5. Waterford Port
It is recommended to include the following objective in the upcoming Local Area Plan for the development of the now disused docklands on the north bank of the River Suir:
The Council supports the redevelopment of the docklands on the northern bank of the River Suir as an extension of Waterford City Centre.

It is recommended that an objective to extend and improve telecommunications services, particularly broadband, at Belview be included p.9-9.

The first paragraph of Section 9.6.1 Belview, will be changed to as follows:

“Waterford/Belview has two freight terminals at Belview and at Great Island electricity generating station. The original inner city port is no longer in use as a freight terminal, and Kilkenny County Council supports the redevelopment of the docklands on the northern bank of the River Suir as an extension of Waterford City Centre.

An additional Action will be added:

ACTION
To extend and improve telecommunications services, particularly broadband, at Belview.

6. SAC.
The submission points out that the Lower River Suir is also a special area of Conservation (p.9-19).
This is noted, and will be corrected.
Ref: D153

Name: Barry Lynch, EDPM, Suite 5, Village Business centre, Upper New street

Summary of Submission:
The submission recommends that SEI are referred to in the policy in Section 9.8.4.1 of the Draft county plan, which states

“Encourage A energy ratings for all new dwellings and non-residential buildings, in conjunction with the Carlow - Kilkenny Energy Agency”.

With regard to policy 9.8.4.1 “Require that as part of any planning application, applicants demonstrate compliance with Part L of the Building Regulations in relation to the C02 emission rate (CDER)” the submission requests that this be reinforced to explain how compliance could be demonstrated and recommends that the Council seek a statement of intent with calculations showing how the proposal will comply with Part L T.G.D.

Finally it is requested that conditions of planning permission reinforce the Council’s positive support of sustainable measures. The imposition of planning conditions is unique to each development, but in general will correspond to the policy as set out in the Development plan, which supports energy efficiency in buildings.

Assessment & Recommendation:
I recommend that the policy be changed to read as follows:
“Encourage ‘A’ energy ratings for all new dwellings and non residential buildings, in conjunction with the Carlow – Kilkenny Energy Agency and Sustainable Energy Ireland.

I also recommend that the second policy statement of section 9.8.4.1 be restated as follows:
Require that as part of any planning application, a statement of intent with calculations showing how the proposal will comply with Part L of the Building Regulations in relation to the C02 emission rate (CDER)”
Ref: D154

Name: Callan Electoral Area members

Summary of Submission:
The submission seeks to change the designation of the area around Windgap, Tullahought and Kilmoganny from 'acceptable in principle' and 'open for consideration' to 'not normally permissible'. The submission states that a looped walk has been developed in Tullahought in recent years, and that the strategy should take this into account.

Assessment & Recommendation:
As part of this Draft Development a wind energy strategy was developed. An area of the County centred around Kilmoganny has been designated as ‘Acceptable in Principle’, with an adjacent area, around Blackbog and Tullaghought designated as ‘open for consideration’.

The looped walk in Tullahought is located on Kilmacoliver Hill. In the development of this draft wind energy strategy all the heritage and amenity constraints were considered and the Government Guidelines on wind energy published in 2006 were taken into account. Areas of landscape sensitivity, which included the area of Kilmacoliver Hill were identified, and in addition a 2 kilometre buffer was applied. These areas were designated as being ‘Not normally permissible’ for windfarm development.

The Kilmacoliver looped walk has been plotted on the wind strategy map and the looped walk is located within the area where wind farms are not normally permitted and is 3.5 km from the edge of the area shown as open for consideration, see Map 1. Depending on the actual location of any particular wind farm it may or may not be possible to see a wind farm development from the looped walk.

No change to the proposed strategy is recommended.

Ref: D155

Name: Failte Ireland

Summary of Submission:
The submission suggests changes to the plans to ensure policies contribute to more sustainable development of tourism in the county.

The submission states that for development plan policies to contribute to sustainable tourism they must address impacts on the local economy, environment and local community. In particular it is suggested that:
• Policies relating to landscape protection or amenity provision should complement and support sustainable tourism development rather than hinder or conflict.
• Policies should comply with legislation, strategies and directives at State or European level.
• Policies be achievable over the life of the plan and achieve identifiable results.

The entire submission has been assessed in detail but due to the in-depth nature and length of the submission, only the issues where recommendations for change have arisen have been itemised here.

**Assessment & Recommendation:**

The submission recommends that Chapter 7 Recreation, Tourism and the Arts be renamed Sustainable Tourism and Recreation and include an introduction as follows:

### 7.1 Introduction

The island of Ireland has long had an image of a less crowded and green environment, beautiful scenery, welcoming people and a distinctive and accessible heritage and culture. Tourism based upon these natural and cultural resources has in turn provided an economic and social benefit. However, there are challenges in ensuring that these natural resources; upon which tourism depends, are maintained and enhanced in the future.

Sustainable tourism provides a high quality product based on, and in harmony with, a high quality natural environment. Adverse impacts upon local communities, built heritage, landscapes, habitats and species are minimised while the economic benefits accruing to local communities are maximised. Tourism is continually evolving and the product offered must reflect this evolving market.

Nationally there has been a general increase in leisure time and expenditure in leisure, recreational and tourist-related activities. This has been accompanied by increased participation in a wider range of sport and leisure activities. Co. Kilkenny possesses extensive natural resources and an environment of nationally significant scenic value. This, combined with its attractive towns and vibrant cultural heritage, provides a major opportunity for the development of tourism and recreation.

Co. Kilkenny can offer visitors to the county a wide range of tourism and recreational activities including: walking, angling, cycling, equestrian activities, bird watching, canoeing, golf and heritage. In addition, there are annual festivals of national and international standard.

Also, the submission recommends that the chapter be structured as follows:

1. 7.1 Tourism
2. 7.1.1 Tourism Development in Kilkenny
3. 7.1.2 The Tourism Product
7.1.3 Integrated Rural Tourism
7.1.4 Tourist Facilities and Infrastructure
7.1.5 Tourism Accommodation
7.1.6 Environmental Considerations
7.2 Recreation

I recommend that these changes be incorporated.

Under 7.1 Tourism the submission recommends making the following changes – additions in *italics* and deletions in *strikethrough*:

The numbers of visitors to Ireland continues to rise with over 7.4m overseas tourists visiting Ireland in 2006; of which 1,090,000 visited the South-east providing €302m of revenue. Between 2001 and 2006, the number of overseas visitors to Co. Kilkenny has increased from 254,000 to 288,000; and Co. Kilkenny’s proportion of overseas visitors to the South-east region has remained relatively steady at around 26%. However, given the importance of tourism to the local economy it is of concern that the County’s revenue share from visitors to the South-East has declined from a high of 25.1% in 2004 to 19.5% in 2006 (See Table 7.1)⁴.

7.2.1 South East Region Tourism

Kilkenny is part of the South East Region and tourism for the region is promoted and marketed by the South East Regional Tourism Authority (S.E.R.T.A.).

The South East Regional Tourism Development Board intends producing a 3-year strategic plan for tourism in the region⁵ shortly, which will address some critical issues for the industry. These include the decline in the numbers of British holidaymakers bringing their cars to Ireland’s South East; the predominance of the Irish tourism market and the vulnerability to any domestic economic downturn; and also, the deficit in aviation access directly into the South East.

Between 2002 and 2005 the number of overseas tourists visiting the South East increased by 4%, see Table 7.1. This was well below the national growth rate in overseas tourist arrivals during the same period. However, despite the smaller rate of growth in numbers, regional tourism revenue grew by the same amount as nationally.

**Table 7.1 Tourism Growth between 2002 and 2005**

<table>
<thead>
<tr>
<th>South East Region</th>
<th>2002</th>
<th>2005</th>
<th>% Change 02-05</th>
<th>% Change Nationally 2002-05</th>
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<tbody>
<tr>
<td>Number of Tourists</td>
<td>1,942,000</td>
<td>2,051,000</td>
<td>+6%</td>
<td>+13%</td>
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</tbody>
</table>

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⁴ Failte Ireland
⁵ Press Release Failte Ireland South East holds inaugural Board meeting Friday 27th October 2006
<table>
<thead>
<tr>
<th>Area/Year</th>
<th>2001</th>
<th>2002</th>
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<tr>
<td>Visitors (000's)</td>
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<tr>
<td>% Regional Visitors</td>
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<td>28.3</td>
<td>26.3</td>
<td>27.5</td>
<td>26.4</td>
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<tr>
<td>Revenue (€m)</td>
<td>54</td>
<td>56</td>
<td>61</td>
<td>67</td>
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<tr>
<td>% Regional Revenue</td>
<td>20.3</td>
<td>22.1</td>
<td>23.3</td>
<td>25.1</td>
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<td>€ per visitor</td>
<td>213</td>
<td>235</td>
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<tr>
<td>Visitors</td>
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</table>

While the total number of visitors to the South-east region in 2006 was 2.02m, over half of these, or 1.04m, were domestic visitors i.e. visitors from Ireland. Kilkenny has traditionally benefited from the domestic tourism market, particularly for short visits and this market is likely to become increasingly important. Although Failte Ireland collates regional domestic visitor number/revenue data, this data is not currently collected at county level.

The Council will support the development of sustainable tourism as an essential element in Kilkenny. This will be achieved through co-operation between Failte Ireland, Kilkenny County Council and Kilkenny County Development Board. Tourism and agri-tourism can play an important role diversifying rural economies and sustaining their communities. The Council will encourage the creation of high quality employment in tourism, in related support industries and also appropriate part-time job opportunities. The challenge for the future is to attract greater numbers to the county, provide better facilities and attractions and to foster a longer stay and greater regional and seasonal spread holiday product.
Strategies for tourism cannot be developed in isolation from an overall framework for management of the environment. Unmanaged tourism has the potential to become the greatest threat to the character of the landscape and local environment.

Sustainable tourism depends upon:

- ensuring the economic stability of host communities
- preventing tourism from excluding other forms of economic development

and is defined as:

- socially and environmentally considerate
- drawing on the natural beauty and character of the area
- small in scale and developing slowly
- supporting the local economy and employing local people
- caring about quality
- bringing conservation and recreation benefits
- developing at a pace and scale which ensure that the assets of the area, both natural and cultural, are not diminished in the long term.

I recommend that the following objectives and policies be included as a result of the submission:

Objective TRO1
To sustainably increase the volume of visitors, revenue per visitor, their average length of stay and seasonal spread; whilst protecting and conserving those natural, built and cultural features that form the resources on which the County’s tourist industry is based.

Policy TR2
To encourage and support increased coordination, cohesion and linkages between agencies such as Failte Ireland South East, Kilkenny County Council and Kilkenny County Development Board and between these agencies and their equivalents in neighbouring counties.

Policy TR4
To support and work to secure the implementation of the Kilkenny Tourism and Development Strategy 2006-2011; and the Failte Ireland Strategic Tourism Plan for the South East.

7.2.3 Tourism Attractions
Tourist attractions in the county outside the City include Mount Juliet Estate, Castlecomer Demesne and Interpretative Centre, the Dunmore caves, Jerpoint Abbey, Rice House in Callan, Duiske Abbey in Graignamanagh, Kells Priory, Woodstock Estate and the river valleys.
Kilkenny’s international reputation as a centre of design and high quality craft production is a proven asset. Kilkenny Arts Week and the Cats Laughs comedy festival have raised the profile of Kilkenny City as a tourism destination.

**POLICY**

- Support the integrated regional approach taken by Failte Ireland and the South East Region Tourism body and Kilkenny Tourism to raise the profile of the South East as a tourism destination.
- Continue to support the activities of organisations such as Failte Ireland, S.E.R.T., BNS LEADER, Kilkenny Tourism and local development groups in the promotion and development of Kilkenny City and County as a tourist destination.
- Protect and enhance existing resources and to facilitate activities based tourism facilities throughout the county, subject to planning considerations.
- Encourage the development of agri-tourism in rural areas.
- Encourage the provision of indoor and activities based tourism facilities and events which extend the tourism season.
- Preserve the views of special amenity value throughout the County.
- Co-operate with Kilkenny Borough Council in encouraging the role of Kilkenny City as a major tourism destination.
- Support the marketing of Kilkenny through the initiatives of the Kilkenny Marketing Strategy Group and Kilkenny Tourism.
- Encourage the clustering of tourism products to increase linkages within and reduce leakage from the local economy.
- Support the implementation of the Kilkenny Tourism & Development Strategy 2006–2011.
- Encourage and promote cycling-based tourism in the city and county and to support Failte Ireland’s Strategy for the Development of Irish Cycle Tourism, South East Regional Report.

**ACTION**

- To develop and implement an integrated and appropriate signage strategy for Kilkenny City & County in consultation with all relevant stakeholders.
- To prepare a spatial plan for tourism within the county during the period of the Plan.

7.1.2 The Tourism Product

The tourism industry is based upon products which are marketed and sold to visitors. As well as accommodation and transport (and arguably landscape and culture) these may include paying attractions such as museums; and recreational facilities such as walks and cycle tracks, which are also used by the local community. New and repeat visits are encouraged by ensuring that the quality of the tourism product remains high and diverse.
Tourist attractions in the county outside the City include Mount Juliet Estate, Castlecomer Demesne and Interpretative Centre, the Dunmore caves, Jerpoint Abbey, Rice House in Callan, Duiske Abbey in Graignamanagh, Kells Priory, Woodstock Estate and the river valleys. Kilkenny’s international reputation as a centre of design and high quality craft production is a proven asset. Festivals such as Kilkenny Arts Week and the Cats Laughs comedy festival have raised the profile of Kilkenny City as a tourism destination.

Policy TR10
To investigate funding opportunities for the development of flagship tourism products; suggested products for development would include Rothe House and walking cycling trails development.

Policy TR11
Encourage the provision of indoor and activities based tourism facilities and events which extend the tourism season.

Retail is one of the key factors in the development of tourism throughout the County and the continued vitality of established tourist destinations. Retail can enhance a cultural experience as well as bring economic benefits to an attraction. To encourage international visitor expenditure appropriate shops and services will be facilitated, to enable the County to better exploit its tourism potential. These may include hotels, arts and crafts galleries, craft outlets/villages, tourist shops at important tourist destinations, and local markets and shops specialising in outdoor pursuits, such as angling and water sports.

Policy TR12
Promote collective public and private sector marketing of County Kilkenny as a leisure and retail tourist destination, within Ireland and abroad.

Events such as festivals, fairs and concerts present enormous opportunities for retailers and consideration should be given to this in encouraging the development of new events and developing a countywide programme of activities for visitors.

Policy TR13
Support the development of existing festivals and support the establishment of new festivals in appropriate locations where there is a demonstrable demand and market for them, to promote increased retail tourism throughout the County.

7.1.3 Integrated Rural Tourism
While seeking to ensure that most tourism development locates in or close to towns and villages, the Council recognises that by its nature, some tourism development may require alternative locations. Such development may be acceptable if it accords with Landscape Character policies and provides a range of facilities which would also be made available to the local community.

Integrated Rural Tourism is directly and positively linked to the economic, social, cultural and natural resource in rural areas. It is an approach to tourism development, which is sensitive to the nature of local resources, traditions and opportunities and endeavours to optimise the use of resources and shares the benefits throughout the area. In order to promote balanced regional development, while also preserving the rural character and amenity of the open countryside and boosting rural tourism, an area needs to be self sufficient with a full range of services. This may include for example accommodation, farmer’s markets, organic produce, activity holidays, walking/cycling facilities, golf, fishing, boating and swimming facilities.

There is an existing range of special interest and other attractions that can be further developed for tourists while also preserving the rural character and amenity of the open countryside, these include on-farm tourist accommodation, fishing, equestrian pursuits and other secondary activities such as health spas, cooking schools, adventure centres etc. Although rural tourism remains a relatively small niche in the overall tourism industry it can play a vital role for local communities including a supplementary role for the farming community. These activities all serve to encourage visitors to stay longer in the County.

Policy TR14
To support the development of niche activities, such as those relating to food (particularly value-added products), forestry (e.g. wood products), crafts, eco-tourism and agri-tourism, for example farmhouse accommodation, open farms, farm holidays, health farms, equestrian activities, bird-watching holidays; painting/photography tuition, angling tourism, field studies and hill-walking (with the co-operation of the landowners).

Policy TR17
To facilitate the development of agri-tourism, consideration will be given to tourist facilities and tourism accommodation on agricultural holdings where the proposed units involve the reuse and refurbishment of under-utilised agricultural buildings which will remain an integral part of the landholding.

7.1.4 Tourist Facilities and Infrastructure
High quality safe and well located facilities and infrastructure are essential in creating a good experience for visitors. This includes infrastructure such as walking and cycling trails, transport and signage.

Policy TR18
To encourage and assist development and tourist bodies in the provision of adequate recreational and tourism infrastructure and to further develop tourist orientated facilities in the County.

Walking and Cycling Trails
Walking and cycling trails can make a great contribution to sustainable tourism development. Policies for the development of such trails are also outlined with the Recreation section of this chapter.

Policy TR19
The Council shall investigate the potential of and opportunities for the funding of walking and cycling trails in the county; and for the development of linkages between existing trails and others in adjoining counties; and support national trail development policy including the Irish Trails Strategy.

Policy TR20
Encourage and promote cycling-based tourism in the city and county and to support Failte Ireland’s Strategy for the Development of Irish Cycle Tourism, South East Regional Report

Transport
Many overseas and domestic tourists rely on private motor vehicles to access tourist attractions and recreational facilities. Innovative transport methods can reduce reliance on such forms of transport and increase the use of other, more sustainable, means of transport such as bus and cycle.

7.1.5 Tourism Accommodation
Key towns and villages act as tourist centres and the facilities and services they provide are crucial to the development of the tourist potential of the County. Appropriate tourist accommodation and facilities must be provided throughout the County for this purpose.

Section 3.4.2 Policy for the conversion of existing buildings for holiday homes is subject to normal planning criteria. New build holiday homes are treated as urban generated rural houses.

Policy TR26
In general, direct tourism based development, into existing settlements where there is adequate infrastructure to service development and where they can contribute to maintenance of essential rural services.

While touring caravan sites tend to be less obtrusive than static sites, the provision of new facilities will be assessed against strict planning, design and environmental criteria: development will be resisted in areas already well provided for and in areas of landscape vulnerability and sensitivity. Reference should be made to Fáilte Ireland’s ‘Registration Regulations and Classification Criteria for Caravan and Camping Parks’ (1990).
10.27 Caravan and Camping Parks
Caravan parks are to comply generally with the guidelines published by Bord Failte in 1982 namely, ‘Guidelines for Development of Caravan and Camping sites’ and Fáilte Ireland’s ‘Registration Regulations and Classification Criteria for Caravan and Camping Parks’ (1990).

Chapter 1: Strategic Context
• To sustain rural communities, by supporting agriculture, tourism and other rural based economic activity & promoting balanced development of rural settlements.

Chapter 3: Development Plan Strategy
Fáilte recommend that all policies within the Settlement and Housing Strategy chapter begin with the prefix SHS to further aid clarity e.g. Policy SHS1.
All policies in all chapters of the final Plan will have a numbering system.

I recommend that the heading of section 7.3.5 be altered to read Walking and Cycling Routes and Trails and the inclusion of the following policies:

Policy TR19
To investigate the potential of and opportunities for the funding of walking and cycling trails in the county; and for the development of linkages between existing trails and others in adjoining counties; and support national trail development policy including the Irish Trails Strategy.

Policy TR20
Encourage and promote cycling-based tourism in the city and county and to support Fáilte Ireland’s Strategy for the Development of Irish Cycle Tourism, South East Regional Report

Delete the existing policy: “Researching and mapping the existing network of traditional paths used for leisure purposes with the intention of determining the legal basis and status of their use”

Chapter 8: Heritage
Fáilte recommends that this chapter be renamed Chapter 6: Environment, Heritage and Conservation and suggests the following structure:

6.1 Introduction
6.2 Natural Heritage
6.2.1 Landscape and Views
6.2.2 Designated Areas
6.2.3 Nature Conservation Outside of Designated Areas
6.2.4 Trees and Hedgerows
6.2.5 Protected Species
6.2.6 Local Biodiversity Action Plan
6.2.7 Inland Waterways
6.2.8 Geology
6.2.9 Water Quality and Flooding
6.2.10 Air Quality and Noise Pollution
6.2.11 Natural Heritage and Sustainable Tourism

6.3 Built Heritage
6.3.1 Archaeological Heritage
6.3.2 Historic Graveyards
6.3.3 Architectural Heritage
6.3.4 Floodlighting
6.3.5 Village Design Statements

Chapter 8 has been substantially revised and is included as an Appendix.

Chapter 9: Infrastructure and Environment

Public Transport:
“*To facilitate parking provision for tourist buses in towns and villages and at tourist attractions*”.
Ref: D156

Name: Dr. Tom Murray, c/o DCSP Architects, 19 Trinity Street, Wexford

Summary of Submission:
The submission requests changes to Section 4.8.1 Nursing Homes to include care villages. The insertions proposed are shown in italics.

Section 4.8.1- Nursing Homes
In the light of an increasing ageing population, investment in developing a full range of facilities for the elderly, including nursing units and care villages, has been facilitated under the National Development Plan.

POLICY
• To ensure that adequate land and services are available for the provision of all types of facilities for the elderly including nursing homes/retirement centre/Care villages both public and private and the improvement, expansion and establishment of health services generally such as extended nursing care, respite care, day care, step down care, assisted and independent living.

Assessment & Recommendation:
A care village is intended to provide all health care services for the elderly, including convalescence care, step down care, respite and individual living. As the text in the Draft Plan is intended to be general, stating “a full range of facilities for the elderly, including nursing units” I do not consider it necessary to list all types of facility. The policy already refers to “retirement centre”.
No change recommended.
Ref: D158

Name: Liam Mounsey, Drumherin, Ballyfoyle

Summary of Submission:
This submission is in relation to the rural housing policy as set out in Chapter 3 of the Draft County Plan, and states that the ‘local only’ policy is unconstitutional.

Assessment & Recommendation:
The rural housing policy as set out in Chapter 3 was carefully formulated after a lengthy consultative process as a Variation to the 2002 Plan. The policies as outlined were devised to result in sustainable rural communities without compromising the physical, environmental, natural or heritage resources of the county. There is no legal challenge taken to show that the policy is unconstitutional. No change recommended.

Ref: D160

Name: Liam Mounsey, Drumherin, Ballyfoyle

Summary of Submission:
This submission puts forward view on hedge trimming legislation.

Assessment & Recommendation:
Legislation is a national issue, not a Development Plan issue. No change recommended.

Ref: D161

Name: Dan Lenehan, River cottage, Inchmore, Freshford

Summary of Submission:
This submission requests the inclusion of a policy in relation to self-catering accommodation, as follows: “To make provisions for planning guidelines to favour the erection of small eco-friendly self catering dwellings on small parcels of land, ie garden I haggards”.

Assessment & Recommendation:
The Development Plan contains a suite of policies in relation to tourism promotion in Chapter 7. This outlines the Council’s commitment to the development of tourism
generally, however, it is not recommended to include such a specific policy statement in relation to self-catering dwellings. Policy for the conversion of existing buildings for holiday homes is subject to normal planning criteria. New build holiday homes will be treated as urban generated rural houses.

Ref: D162

Name: Yvonne Butler Keane, Cooleeshal Beg, Freshford

Summary of Submission:
This submission expresses view that no changes should be made to the draft which would allow quarry development in Clashacrow/Carrigeen.

Assessment & Recommendation:
Section 8.3.1 of the Draft Plan outlines that “the Planning Authority established Areas of Special Control within the County in the 1986 Development Plan and this designation was continued in the 1994 Development Plan. The 2002 Plan amended this designation by defining these areas as ‘Areas of High Amenity’.

It is intended that the Landscape Character Assessment will be the main guiding force into the future for the assessment of developments within County Kilkenny. However it is intended to retain the designation of Areas of High Amenity within the Draft Plan. This is to allow the development of the Landscape Character Assessment policies in a historical policy context. As with all areas of the county a high standard of design and siting will be required for all development in the Areas of High Amenity”.

As the LCA will be the main guiding force going forward, the Areas of High Amenity are no longer as relevant.

As part of this Development Plan review, a Landscape character Assessment was carried out by CAAS Environmental Services Ltd.. In this, the area of Clashacrow/Carrigeen (located southeast of Freshford) is included in the Slieveardagh Uplands (Landscape Appraisal, Document 1, page 36).

The assessment of character areas was based on identified preliminary landscape areas, on a detailed map survey and on subsequent desk study and site visits. The LCA does distinguish two subareas within the Slieveardagh Uplands, recognising that the northern hills (which would include Clashacrow/Carrigeen) have a certain ecological and scenic value. The LCA states that the general landuse on the uplands is agricultural grazing, but does not comment on the quality of agricultural land.
The Development plan contains a suite of policies in relation to each character area as identified, to aid in the assessment of development proposals. These policies should allow for appropriate development to proceed whilst allowing for the protection of the area.

Therefore I do not recommend that the text be changed.

Ref: D163  D164

Name: Pierce Dalton  Julie Dalton

Summary of Submission:
These submissions are the same as Submission D103.

Assessment & Recommendation:
See D103.

Ref: D165

Name: Teresa Dillon, Bawntanameenagh, Freshford

Summary of Submission:
This submission requests that no change be made to the Areas of High Amenity, for the area of Clashcrow/Carrigeen.

Assessment & Recommendation:
Section 8.3.1 of the Draft Plan outlines that “the Planning Authority established Areas of Special Control within the County in the 1986 Development Plan and this designation was continued in the 1994 Development Plan. The 2002 Plan amended this designation by defining these areas as ‘Areas of High Amenity’.

It is intended that the Landscape Character Assessment will be the main guiding force into the future for the assessment of developments within County Kilkenny. However it is intended to retain the designation of Areas of High Amenity within the Draft Plan. This is to allow the development of the Landscape Character Assessment policies in a historical policy context. As with all areas of the county a high standard of design and siting will be required for all development in the Areas of High Amenity”.

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The Development plan contains a suite of policies in relation to each character area as identified, to aid in the assessment of development proposals. These policies should allow for appropriate development to proceed whilst allowing for the protection of the area.

Therefore I do not recommend that the text be changed.

Ref: D166 167

Name: Elizabeth Burke Paddy and Angela Butler

Summary of Submission:
Both of these submissions are the same as that under D103.

Assessment & Recommendation:
Section 8.3.1 of the Draft Plan outlines that “the Planning Authority established Areas of Special Control within the County in the 1986 Development Plan and this designation was continued in the 1994 Development Plan. The 2002 Plan amended this designation by defining these areas as ‘Areas of High Amenity’.

It is intended that the Landscape Character Assessment will be the main guiding force into the future for the assessment of developments within County Kilkenny. However it is intended to retain the designation of Areas of High Amenity within the Draft Plan. This is to allow the development of the Landscape Character Assessment policies in a historical policy context. As with all areas of the county a high standard of design and siting will be required for all development in the Areas of High Amenity”.

As the LCA will be the main guiding force going forward, the Areas of High Amenity are no longer as relevant.
As part of this Development Plan review, a Landscape character Assessment was carried out by CAAS Environmental Services Ltd. In this, the area of Clashacrow/Carrigeen (located southeast of Freshford) is included in the Slieveardagh Uplands (Landscape Appraisal, Document 1, page 36).

The assessment of character areas was based on identified preliminary landscape areas, on a detailed map survey and on subsequent desk study and site visits. The LCA does distinguish two subareas within the Slieveardagh Uplands, recognising that the northern hills (which would include Clashacrow/Carrigeen) have a certain ecological and scenic value. The LCA states that the general landuse on the uplands is agricultural grazing, but does not comment on the quality of agricultural land.

The Development plan contains a suite of policies in relation to each character area as identified, to aid in the assessment of development proposals. These policies should allow for appropriate development to proceed whilst allowing for the protection of the area.

Therefore I do not recommend that the text be changed.

Ref: D168

Name: Patrick, John and Grace Dermody, Ballydaniel, Threecastles

Summary of Submission:
This submission expresses concern at the development of a quarry at Clashacrow/Carrigeen.

Assessment & Recommendation:
See D103

Ref:
D168 Patrick, John, & Grace Dermody Ballydaniel Threecastles
D169 Claire O’Hara
D170 Robert O’Hara
D171 Mary & Paul Dalton
D172 Brenda Cooper, Chairperson, Keep Clashacrow Carrigeen Beautiful Group
D173 Gerard Dunne, Veronica Drea
D174 Brenda Cooper, Chairperson, Keep Clashacrow Carrigeen Beautiful Group
D175 Siobhan and Noel Bergin, Carrigeen, Rathmoyle
D176 Margaret Bergin, Cooleshal, Freshford
D177 Mary Dalton, Purcells garden, Threecastles

**Summary of Submission:**
Same as D103

**Assessment & Recommendation:**
See D103

**Ref:** D175

**Name:** Siobhan and Noel Bergin, Carrigeen, Rathmoyle

**Summary of Submission:**
This submission expresses concern about development in Carrigeen for a number of reasons including impacts on health, amenity and heritage.

**Assessment & Recommendation:**
Rathmoyle is located close to Carrigeen and the issues raised are similar to submission D103. The issues have been addressed under D103.

**Ref:** D176

**Name:** Margaret Bergin, Cooleshal, Freshford

**Summary of Submission:**
This submission requests that the area around Cooleshal retains its high amenity status.

**Assessment & Recommendation:**
This submission is similar to submission D103.

**Ref:** D177

**Name:** Mary Dalton, Purcells garden, Threecastles

**Summary of Submission:**
This submission requests that no quarry should be developed in the area of Clashcrow/Carrigeen due to its effect on heritage.
Assessment & Recommendation:
This submission is similar to submission D103.

Ref: D183

Name: John Holland, c/o EDPM Ltd. 5 Village Business Centre

Summary of Submission:
The submission seeks the zoning of land in Ballyragget for Business park, general business and open space.

Assessment & Recommendation:
This should be addressed in the context of the review of the Ballyragget LAP. The Ballyragget LAP was adopted in July 2004 and will be reviewed in 2010. A proposal such as this could also be dealt with as an amendment to the local area plan but should be dealt with at that level and not through the more strategic document of the County Development Plan.

No change recommended.

Ref: D185

Name: Kevin Fennelly and Tadhg Feeney, c/o Billy Moran, The Square, Castlecomer

Summary of Submission:
The submission seeks the zoning of 6 acres of land in Ballyhale for residential development.

Assessment & Recommendation:
This should be addressed in the context of the review of the Ballyhale LAP. The Ballyhale LAP was adopted in July 2004 and will be reviewed in 2010.

Ref: D186

Name: Kevin Fennelly and Tadhg Feeney, c/o Billy Moran, The Square, Castlecomer

Summary of Submission:
The submission seeks the zoning of 3.2 acres of land in Ballygriffin for Industrial/Commercial purposes.

**Assessment and Recommendation:**
This should be addressed in the review of the Waterford Environ Local Area Plan. This process has commenced and this submission will be addressed in that context.

Ref: D188

**Name: Roger Garland, Keep Ireland Open**

**Summary of Submission:**
This submission outlines views on a number of topics including editing points in the Draft Plans, Development plan strategy, rural development, tourism, heritage, infrastructure and environment.

**Assessment & Recommendation:**

**Commons and Uplands**
The submission seeks the inclusion of a policy on Commons and Uplands, and cites the Wicklow Development Plan as a reference. The policy proposed is “the Council recognises the importance of areas of rough grazing to both local walkers and visitors and will endeavour to secure access thereto”.
There are sufficient policies and objectives within the draft plan to cater for the establishment of walking routes within the county. Access to rough grazing lands within the county has not been an issue identified that requires its own specific policy.

**Fencing**
The submission seeks the insertion of a policy in relation to the fencing of hitherto open land as follows: “Fencing in upland or amenity areas will not normally be permitted unless such fencing is essential to the viability of the farm and that it conforms to best agricultural practice. The sole reason that fencing is required to comply with the requirements of the REPS or any other Government regulation will not constitute a sufficient reason for it being permitted. The nature of the material to be used, the height of the fence, and in the case of a wire fence the type of wire to be used will be taken into account”.
Fencing is a matter that can be dealt with adequately under the present planning regulations and in the effect of the proposed policy can be more easily addressed when the register of rights of way is established during the life of the plan period.

**Golf courses**
The submission seeks that all developments take into account rights of way and that normally permission will not be granted if it impinges on rights of way. The example of
Meath is cited, which states that “In assessing resort type development the Planning Authority shall have regard to… the need to ensure that such proposals will not impinge on any right of way or walking route”.

The policy in section 7.3.5.2 Public Rights of Way states that the Council will “Preserve and protect existing rights of way and create new rights of way in the interest of amenity as the opportunity or need arises”. This is sufficient to cover the development of golfcourses and other leisure developments, and I do not recommend that the text be changed.

European Charter of Pedestrian Rights
The submission seeks that this document be included as an Appendix to the plan, and also cites North Tipperary Development Plan as it has included part of the Charter. This is sufficiently covered by the policy in relation to access for all in the Local Authority’s commitment to local agenda 21 in the Draft Development Plans and by the new policies and objectives in relation to register of rights of way and other related policies on the establishment of walking routes.

Health and Well-being
The Sli na Slainte are referenced here – a reference to them is already included in Section 7.3.5 and I do not recommend any change.

Chapter 1 Strategic Context
The submission seeks that Section 1.6 County Vision and Strategic Goals should be replaced with a section from North Tipperary. The goals as devised for this section relate to Kilkenny’s unique setting and context and I do not recommend that this be changed.

Section 1.5 Policy context – reference should be made to the Guidelines on Development Plans – this will be included.

The submission seeks that the phrase “take full account of” be substituted for “have regard to”. The obligation on the local authority is to have regard to and this is sufficient for the purposes of the plan.

Chapter 3 Development Plan Strategy
The submission seeks to include the phrase ‘excessive suburbanisation’ from the Guidelines on Development Plans in Section 3.4. I consider the five objectives sufficient, therefore I do not recommend it be included.

The submission seeks to include a policy on the refurbishment of existing dwellings and replacement dwellings. I recommend that this policy for replacement dwellings be included:

Section 3.4.2
In all of the categories the following will apply:

Replacement dwellings
To encourage refurbishment/extension or replacement of existing dwellings in the open countryside as appropriate, provided that:
- The structure was last used and/or is suitable as a dwelling
- The external and internal walls are partially intact

In relation to Section 47 of the Planning and Development Act (occupancy conditions) the submission asks whether it was intentional to impose such a condition only in Areas of Urban influence, as the Guidelines do not distinguish between different areas.

The Planning Guidelines state that “The NSS indicates that to secure the co-ordinated and sustainable development of the country’s main cities and towns, provision of new housing in the rural areas adjacent to them that are under considerable pressure for development should generally be confined to persons with roots in or links to those areas. To enable planning authorities to take a positive approach to applications from such persons in the areas referred to….it is reasonable… that the dwelling be occupied for a specified period by the applicant”. Therefore this condition is only imposed in Areas of Urban influence, and I do not recommend that it be changed.

The submission also seeks that it be increased to 7 years as recommended in the Guidelines. The Guidelines do not recommend a term of 7, but rather include an ‘indicative’ condition providing for 7 years. I do not recommend that the term be altered.

Chapter 6 – Rural Development
The submission states that Section 8.2.1 Rural Development Policy of the 2002 Plan is omitted, and seeks that it be reinstated.

The text of the new plan was altered and restructured in the Draft Plan, and it includes updated policies. Specifically regarding point e, the areas of high amenity, this designation has been replaced by the Landscape character assessment, see section 8.3.3, and thus is not to be reinstated.

6.4 Forestry
In relation to assessing the need for the preparation of an indicative forestry strategy for the county, the submission seeks to insert a target of one year. I do not consider that such a target should be included.

In relation to the following policy the submission recommends that a minimum of 50% hardwoods be planted:
- To encourage a diversity of species in afforestation proposals and in particular to require a proportion of all new forestry development to consist of native hardwood species in order to extend the range of potential end uses and to
reduce the potential for adverse impact on the landscape resulting from monoculture.

I do not recommend that such a specific number be included. The indicative forestry strategy when completed should set out the guidelines for forestry development in the county.

The submission seeks to add ‘including private forestry’ after access in the following policy:

- To encourage public access to forests for amenity and recreation purposes and the development of amenity forestry projects of local social, economic and tourism benefit.

The use of the term forests is open to include both public and private, therefore I do not recommend a change.

6.3.1 Agriculture
The submission seeks the updating of this section to address the changing nature of farming and the increased emphasis on land as an environmental/recreational amenity. Also, the submission seeks that the effects of agriculture on the environment should be addressed. I consider that this section accurately reflects the changing context for farming. The heritage chapter – Chapter 8 – contains a suite of policies in relation to the protection of heritage, and Chapter 9 – infrastructure and the Environment - takes account of all environmental issues, and therefore I do not consider that this section be changed.

6.3.3 Extractive Industries
The submission seeks that this section should refer to the lessening of the need for quarry material due to the increasing amount of construction and demolition waste being recycled. Policies concerning the reuse of construction and demolition waste are included in Section 9.12.3, therefore there is no need to include them here.

The submission points to the Waterford development Plan which mentions the need to submit EISs. The need to submit an EIS is set out in the legislation, therefore it does not have to be included here.

The submission points to the North Tipperary development Plan which states “It is the policy of the Council that in assessing applications for new quarries or extensions to existing quarries the … impact of the proposed development on … any existing walking paths and rights of way” will be considered.

This is covered by the policy in section 7.3.5.2 Public Rights of Way which states that the Council will “Preserve and protect existing rights of way and create new rights of way in the interest of amenity as the opportunity or need arises”.

Chapter 7 Recreation Tourism and the Arts
The submission states that the first and last paragraphs of Section 5.1 of the 2002 Plan are omitted, and seeks that they be reinstated. This chapter is substantially restructured, but
the first paragraph of Section 5.1 of the 2002 plan is included under 7.3. The last paragraph of 5.1 is as follows –

The Council recognises that the countryside has an important function in providing outdoor recreational facilities not only for the population of the County but also for visitors and tourists. It is recognised that the provision of tourist facilities is an integral part of the provision of outdoor recreational facilities in the countryside and that the two types of demand are not necessarily the same.

This is sufficiently covered by policies and objectives in the draft plan.

The submission seeks that a section on sustainable tourism be included – this is being done, also in response to submission D155.

The submission seeks the inclusion of Brandon Hill in Tourism Attractions – this will be included.

7.3.2.5 River Nore Linear Park
The submission seeks that in the following statement ‘two years’ should be substituted for ‘within the lifetime of the plan’.

**Complete the River Nore Linear Park within the lifetime of the Plan.**
This is an ambitious action, and I do not recommend that it be limited to two years.

7.3.2.12 Noise generating sports
The submission supports this section but seeks that it cover situations where no development takes place, such as the use of land for off-road vehicles, and seeks that the council consider introducing by-laws to ban these.

Should an issue arise in relation to noise generating sports then the Council could consider the introduction of by-laws under the appropriate legislation.

7.3.4.2 Development associated with water sports
The submission suggests that the wording of the old plan – as varied – is better than the new text, however it is exactly the same, therefore no change is recommended.

Cycle Routes – the submission seeks that section 5.1.19 from Variation 1 to the 2002 Plan be included. This was in relation to cycle facilities and routes. A section on cycle facilities is included in Section 10.32 of the Draft Plan, and the section on Walking Trails and Routes (7.3.5) also covers cycling, therefore no this text is included elsewhere.

7.3.5.1 Proposed River Nore Walking Route
The submission seeks that insertions be made as follows:

- **Require that development along rivers be set aside land for pedestrian routes that could be linked to the broader area and any established settlements in their vicinity.**

The existing policy as follows in 6.1.5.1 is adequate:
Require that development along rivers set aside land for pedestrian routes that could be linked to the broader area and any established settlements in their vicinity.

7.3.5.2 Public Rights of Way
The submission seeks to insert as follows

- **Preserve and protect existing rights of way and create new rights of way in the interest of amenity as the opportunity or need arises by agreement or by way of compulsory powers.**

I do not recommend the insertion of ‘by agreement’ or ‘by way of compulsory powers’. The existing policy is adequate.

**ACTION**

- **Undertake a survey of existing public rights of way in the county and establish a register within two years of the adoption of the Plan and that the routes listed in this survey will be protected by their incorporation into the Development Plan by way of a Variation. Routes listed will be accompanied by detailed maps showing the actual routes and the appropriate signage will be put in place.**

I do not consider this level of detail is necessary for this Action, as there is a commitment to make a register of the rights of way established and there is a supporting policy to protect established rights of way. I do not recommend it be changed.

Chapter 8 Heritage

8.2.1
The submission seeks the following change:

**To ensure that any development in or near a designated natural heritage site will avoid any significant material adverse impact on the features for which the site has been designated.**

I do not recommend that this be altered.

8.2.4 Local Biodiversity Action Plan
The submission seeks the following change:

- **Prepare a County Bio-Diversity Plan in one year, in accordance with the National Bio-diversity Plan (2002), and to liaise with all relevant agencies and community groups in its preparation and implementation.**

I do not recommend that this time restriction be added.

8.2.5 County Geological sites and Geological heritage areas

- **Protect from Prohibit inappropriate development, County Geological Sites, or parts thereof, and geological Natural Heritage Areas that become designated during the lifetime of this plan.**

I do not recommend that this restriction be added.
8.2.6 Woodlands, Trees and Hedgerows
The submission seeks that additional trees be added to TPOs. An Action has been included to carry out surveys of significant trees and hedgerows in the county, and this will probably result in the designation of additional TPOs. Furthermore, as part of the City Plan a survey was carried out, and TPOs will be used to protect some of the trees identified in this, as appropriate.

The submission seeks the following changes:
- To ensure that when undertaking, approving or authorising development that sufficient information is provided to enable an assessment of impacts on woodlands, trees particularly mature hardwoods, and hedgerows.
- To conserve important and vulnerable trees, groups of trees or woodlands, using Tree Preservation Orders, as appropriate.

ACTION
- To carry out surveys of significant trees and hedgerows in the county during the lifetime of this plan, in one year as appropriate and feasible.
- Investigate the possibility of updating the Woodland Survey of Kilkenny, in partnership with relevant stakeholders

I do not consider these changes necessary and in fact some could be counter productive, e.g. does the tree have to be both vulnerable and important to be protected. Existing policies and actions are deemed acceptable.

Tree-felling – the submission seeks the addition of a policy on Tree-felling, and cites the Laois county Development Plan. The Chapter on requirements for new development contains a section on tree-felling in Section 10.39 which is deemed adequate.

The submission seeks the following changes:

8.2.7 Historic Gardens
- Discourage Prohibit development that would lead to a loss of, or cause damage to, the character, the principal components of, or the setting of parks, gardens and demesnes of special historic interest.

8.2.8 Woodstock Gardens
- To continue and complete the Woodstock Gardens Restoration Project within one year.

8.3.2 Views and Prospects
There is a need to protect, preserve and conserve views and prospects adjoining public roads and river valleys throughout the county where these views are of high amenity value.

I do not recommend these changes.
8.4.1 Archaeological Heritage
The submission seeks to add a reference to the Archaeological Development Guidelines (ICOMOS 2000). The full title of this document is *Archaeology & Development: Guidelines for good practice for developers* which is published by the Heritage Council, and this will be referenced in Chapter 10 of the Plan.

8.4.1.1 Zones of Archaeological Potential
The submission refers to the Laois Plan.
This section of the Plan has been reviewed to incorporate suggestions for changes from the DoEHLG (see Reference D229) and the Conservation Officer which clarifies the procedural policy.

**Policy**
- **To require an appropriate archaeological assessment by a qualified archaeologist in respect of any proposed development likely to have an impact on a Recorded Monument, a Zone of Archaeological Potential, or their settings.**
I do not recommend this change, as the word ‘appropriate’ is sufficient.

**Access to sites**
The submission seeks the inclusion of the following policy from the 2002 Plan.
*To facilitate and where feasible create public rights of way to sites of Archaeological and historical interest. The council will also seek the preservation and maintenance and improvement of all existing rights of way to such areas where appropriate.*

The policy in the Draft Plan states
- **To facilitate and where feasible enhance access to, and understanding of, sites of archaeological and historical interest.**
- **To seek the preservation, maintenance and improvement of all existing right of ways to sites of archaeological and historical interest, where appropriate.**

This is sufficient.

**Chapter 9 Infrastructure and Environment**
9.8.3.3 Wind Energy
The submission suggests the inclusion of “no-go areas” as an additional category. As part of this plan a Wind Energy Strategy was prepared, and three categories devised: Acceptable in Principle, open for consideration and not normally permissible. This offers sufficient guidance to developers as to the areas in which wind farms will be considered. No change to the proposed strategy is recommended.

The submission also seeks that windfarms are not permitted in nature reserves. Nature reserves in Kilkenny all form part of Natural Heritage Areas, and are therefore mapped as sensitive landscape areas. Policies in relation to the protection of these areas from development are set out in Chapter 8. These NHA’s are also contained with the areas identified as being not normally permissible.
9.8.3.4 Hydro energy
The submission seeks the following changes:
In responding to planning applications for hydro-electric generation schemes, Kilkenny County Council will expect best practice in the preparation of applications to ensure that the proposed hydro development does not present a negative impact on amenity or on the indigenous fish population, including seasonal migration and that projects do not interfere with rights of way and access tracks.
There is sufficient protection afforded to the natural heritage in the plan.

9.8.5.3 Telecommunications
• **Have regard to Comply with the Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities published by the Department of the Environment in July 1996.**
The DoEHLG submission, ref D229 also makes reference to this policy. Having regard to their comments I recommend this policy be changed to read as follows:

“To consider proposals for telecommunications antennae and support structures infrastructure in the light of the recommendations of the publication "Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities" published by the Department of the Environment in July 1996 and any future revisions of these guidelines”.

• **Ensure the sharing of masts and support structures where this is feasible.**
The submission seeks the strengthening of this statement, but following assessment of submission D229, I recommend that this be deleted as the revised policy above which refers to the national Guidelines should be sufficient.

Chapter 10 Requirements for new development

10.23 Advertising and Signposting
The submission seeks that this be strengthened to include rural advertising and refers to Wexford and Waterford Development Plans which provide for complete prohibition in open countryside. There is an action included in Section 7.2.3 which provides for a signage strategy to be developed and implemented. The development of this will include a full review of signage, and therefore it is not recommended that changes be made at this stage. In general signage is not permitted in the open countryside.

10.34 Agricultural Developments
The submission seeks that the colours to be used should be specified – green and red/grey. I consider this too prescriptive, and do not recommend its inclusion. It also refers to the North Tipperary Development plan which includes further guidance for agricultural developments as follows:

Proposals for new agricultural buildings must take account of the following:
• Proximity to adjacent dwellings
• Rural character of the area
• Utilisation of natural landscape and land cover as screening

These criteria will be applied through the landscape character assessment policies and through normal planning assessments.

Appendices
The submission suggests including an Appendix for Geological Heritage. The Geological sites are included in Chapter 8, and it is not necessary to include them in an Appendix.

Draft Wind Strategy
Map 7: Legends are too small. This will be corrected
Map 9: All official designations are shown on the map
Map 12: Rights of way should be shown – these are not mapped yet within the county.
Map 13: the submission contends that Map 13 should be the obverse of Map 10. This is not the case - Map 13 is a composite map of Map 10, 11 and 12.
Ref: D189

Name: Phil Kenealy, Ecopower Developments, Sion Road

Summary of Submission:
This submission comments on the Wind Energy Strategy.

Assessment & Recommendation:

3 Renewable Energy Resources
3.1.2 National Response Required
There are currently 125 MW of wind energy—67 windfarms—operational in Ireland with an installed capacity of 866 MW.

This statistic is outdated, but as we cannot verify the submission’s statement, this will be replaced with a statistic from the Energy Green Paper (2006) which states that “By May 2006, the installed renewable generation capacity was approximately 850 MW, of which wind accounted for 575 MW”.

3.2 Future Trends and Developments in Wind Energy
Current typical onshore windfarms have a 2MW to 15MW 5MW to 30 MW capacity, and comprise turbines of 500/660kW 800/3000 kW in capacity. They are connected to distribution networks at 20kV or 38kV and the transmission network at 110 kV. Likely offshore windfarms encompass a 150MW to 250MW capacity, with 2/3MW 5 MW turbines. These are generally connected to transmission networks at 100kV or 220kV. At the moment many projects are planned in which the turbines have a capacity of about 2 MW 2/3 MW with rotor diameters of 60 to 70 metres 70 to 90 metres and shaft hub heights up to 70-80 metres. A 20% increase in turbine diameter and height can result in a 50% or more increase in electrical output.

These points are noted. This information was to set the context for the development of the strategy, and changing the figures here will not affect the outcome of the general policy guidance of the Strategy. The figures will be updated. The Wind Energy Development Guidelines (2006), as amended will provide guidance on the detail of wind farms and turbines over the life of the development plan.

5.3.3 Noise
The submission states that the line “Strategic measures should be taken to ensure a good acoustical design of turbines, in order to guarantee that there are no significant increases in ambient noise level at nearby surroundings, which could affect private properties and wildlife” is not in compliance with the DoEHLG Guidelines.
The DoEHLG Guidelines give guidance on noise in paragraph 5.6 and it is considered that this guidance is sufficient. The line states “Good acoustical design and carefully considered siting of turbines is essential to ensure that there is no significant increase in ambient noise levels at any nearby noise sensitive locations”. I recommend that the following change is made:

“Strategic measures should be taken to ensure a good acoustical design of turbines, in order to guarantee that there are no significant increases in ambient noise level at nearby surroundings, which could affect private properties and wildlife at noise sensitive locations”.

7.3 The submission seeks that the wind farm granted by Laois County Council in Gortahile/Ardough Crettyard, Co. Laois (Planning reference 04/935) be included in the mapping of wind farms granted (Map 5). This will be included. It does not affect the overall strategy.

Time Limits on Wind farms
The submission states that Section 7.20 of the DoEHLG Guidelines state that “the inclusion of a condition which limits the life span of a wind energy development should be avoided, except in exceptional circumstances”. The Draft Wind Energy Strategy refers to a 20 year life for permissions.

A 20 year life span is considered reasonable taking into account changing technologies etc and the possibility of removing obsolete wind farms.

Access to the Grid
The submission points to the DoEHLG Guidelines which note that it may not be possible to provide information on indicative grid connections at the planning application stage of wind energy development, and seeks the following changes:

Appendix A
Access to the Electricity Grid
Where works required to connect the wind energy development to the local electricity transmission/distribution network are not exempt, it will be necessary to submit a planning application to the Planning Authority for such works. In such cases, Developers are advised to submit an integrated planning application that combines the grid interconnection information together with details of the proposed wind energy development. Details of indicative and feasible options for grid interconnection lines and facilities and which the developer is in a position to furnish should be detailed in the EIS. Content for these indicative and feasible options could include a) the general direction of connection, b) connecting line capacity (e.g. 38 kV, 110 KV) and c) line supporting structure (e.g. single pole, twin pole, lattice tower).

In the interest of clarity and to ensure that the proposed wind farm development can proceed if granted no change is recommended.
Ref: D192

Name: Deerland Construction, c/o Tom Phillips

Summary of Submission:
This submission welcomes the designation of the Town Centre for Ferrybank and seeks
the addition of a specific policy for the creation of a town centre. The submission makes
the point that there is a contradiction between the Draft Retail Strategy and the Draft
Plan. Paragraph 5.22 of the Retail strategy states “the floorspace capacity assessment
indicates that there is spare capacity for additional convenience and comparison
floorspace to 2014 but of a lesser quantum than that between 2014-2020”.

Assessment & Recommendation:

Town Centre Designation
The submission welcomes the designation of Ferrybank as a Town Centre but seeks that
an additional objective be included as follows:

“To provide for the creation of a town centre area at Ferrybank to facilitate the
development of a mix of uses which will interact with each other, establishing a sense of
community whilst creating a vibrant urban centre that will compete healthily with and
also complement the role of Waterford city as a Gateway as defined in the National
Spatial Strategy”.

It is not recommended to add this text.

Having regard to the commitments of the current Development Plan 2002, the DoEHLG
Retail Planning Guidelines 2005, The Waterford PLUTS document, local area plan for
the environs of Waterford City in County Kilkenny (under preparation) and the
agreement between Waterford County Council, Waterford City Council and Kilkenny
County Council to carry out a joint retail strategy for the greater Waterford area it is
recommended that the eventual size and position of the Abbeylands centre in the retail
hierarchy be determined through the joint retail strategy and the local area plan.

The submission also states:

The Draft Plan, section 5.8.6.5 Consideration of Need states “The capacity assessment
has identified that quantitatively there is scope for additional convenience floorspace but
no potential for additional comparison floorspace over the period of the plan 2008-2014”.

The text in the retail study paragraph 5.22 is correct. It is recommended to change the text
of the draft plan to reflect the retail study.
Car-parking
The submission commends the revised car-parking standards.

Zoning Map and Waterford Environ LAP
The submission seeks that the upcoming LAP will support the designation of Ferrybank as a town centre.
The zoning issue will be dealt with as part of the Local area Plan.
Ref: D197

Name: Walter Walsh, C/o Fewer Harrington Lawlor

Summary of Submission:
This submission seeks recognition of Dunkitt as a node.

Assessment & Recommendation:
The issue of the designation of smaller settlements/nodes has been addressed through D4 and others. The response to D4 is repeated here for clarity.

The designation of areas within the settlement hierarchy is based around the settlement hierarchy under the 2002 County Development Plan.
The current rural housing policy is based on Variation number eight to the County Development Plan (2002) which incorporated this settlement strategy.

In developing a settlement strategy for the County the widely dispersed system of parishes was examined. Within each parish the location of services such as schools, post offices, Garda stations etc. was identified. From that survey the locations of smaller settlements that service the parish and local hinterland were identified.

A number of situations have developed during the life of the current 2002 plan where although there is a smaller settlement identified in a particular area there are services such an isolated school or church where proposals have come forward for cluster type development.

The rationale behind the settlement strategy for the County remains valid but in recognition of the situation that has developed with the existing policy the following addition to that strategy is recommended.

Section 3.3.5 of the Draft Development Plan deals with smaller settlements. The following revised policy is recommended.

Section 3.3.5 Smaller Settlements
The County Development Plan 2002 contains a further settlement tier not readily identifiable in the RPG’s, which will also form part of the settlement structure. In developing a settlement strategy for the County the widely dispersed system of parishes was examined. Within each parish the location of services such as schools, post offices, Garda stations etc. was identified. From that survey, smaller settlements were identified where there was a cluster of two or more services. In addition to these identified locations there are also isolated rural services which have a role to play in serving the rural community.

Smaller settlements possess a very narrow range of physical and social infrastructure but have some limited capacity to cater for additional housing generally through low-density
individual or multiple housing and other developments, in tandem with the provision of services. They will form an important component of the settlement network, by providing a basic level of services and by accommodating new growth that is compatible with the area.

The scale and fabric of these centres must however be respected in new development proposals. Any new development should be of a design, layout, character and scale which fits well with the settlement involved and presents a high quality living environment.

Policy
It is the policy of the Council to encourage low density housing in the form of cluster developments within smaller settlements and also immediately adjacent (i.e. within 100m) to an operating isolated rural service such as a school, public house church or shop.

All applications for cluster development shall be assessed against the capacity of the area to absorb development. This capacity assessment will include consideration of environmental issues, roads, water services, community facilities and the surrounding area’s natural and built heritage context.

Design of Clusters

(s) The proposed cluster should be context driven, respecting the rural setting and character of the area. The visual impact and appearance of new development should be fully considered when locating and designing new buildings.
(t) Any development should maximise the use of existing hedgerows and landscape features e.g. existing buildings, trees, stone walls etc..
(u) Provide a common entrance and access road, and shall not be permitted to access directly onto a National Primary or Secondary Route,
(v) Be serviced by a common proprietary sewage treatment systems, and have an outfall or suitable ground conditions for percolation,
(w) In the case of a development where serviced sites are to be sold, a design brief and development programme for the execution and completion of the development for the cluster shall be submitted at planning application stage.
(x) A variety of house sizes should be provided.

Clusters are intended to encourage small-scale expansion. They may accommodate a number of dwellings (usually about 8) but the exact number will ultimately depend on scale and pattern of existing development in the vicinity, impact on the landscape and site conditions.

Therefore while not recommending the designation of Dunkitt as a smaller settlement the policy has been altered to cater for locations such as isolated schools and churches etc outside of the identified smaller settlements.
Ref: D200

Name: Alternative Bio Fuels Ireland Ltd., c/o Canavan Associates Ltd., 23 Prince's Street, Derry

Summary of Submission:
The submission seeks the zoning of a 24 acre site at Drumdowney for industrial development and outlines that a bio-ethanol facility is proposed here.

Assessment & Recommendation:
The zoning of this land will be addressed in the Waterford Environs Local Area Plan. This process has just commenced and this submission will be dealt with under that process.

In relation to bio-energy in general, Section 8.3.3.4 of the Draft Plan states that the Council will facilitate the development of projects that convert biomass to energy.
Ref: D208

Name: Richard Murphy, c/o New Ground Ltd.

Summary of Submission:
Seeks the inclusion of an objective to promote the urban development of Thomastown as follows: "Promote the urban development of Thomastown in accordance with NSS objectives for such towns with infrastructural and planning measures aimed at supporting residential and enterprise growth". Also seeks the inclusion of a policy to support the growth of Kilkenny’s four district towns of Castlecomer, Callan, Thomastown and Graiguenamanagh.

Assessment & Recommendation:
The capacity for the District towns to accommodate additional growth is recognised in the draft plan.

Section 3.3.3 of the Draft Plan relates to the District Towns and contains the following statement and policy:

In general, these District Towns have well developed services and community facilities and have the capacity to accommodate additional growth (subject to certain physical infrastructural investments).

Policy:
• Promote enterprise and economic development in Graiguenamanagh in line with the Graiguenamanagh-Tinnahinch Development and Economic Study, 2006

• To produce LAPs for and promote Callan, Castlecomer, Graignamanagh and Thomastown as District Towns, with an appropriate range of facilities and services, including social infrastructure, retail units, commercial offices and local enterprise, to serve their rural catchments.

• To ensure that the District Towns will in so far as practical be self-sufficient incorporating employment activities, sufficient retail services and social and community facilities.

I do not recommend the inclusion of a specific policy in relation to Thomastown. The issue of zoning will be addressed at the LAP stage.
Ref: D209

Name: Nicole Greene, c/o New Ground Ltd.

Summary of Submission:
Seeks zoning of land at Carrigeen, Knocktopher for general business, industrial or mixed use.

Assessment & Recommendation:
The site is located in a rural area adjacent to the national primary route between Kilkenny and Waterford. The settlement strategy for the County is set out in Chapter 3 of the Draft Development Plan which identifies the settlements where residential and other zoning should take place.

The zoning of these lands would be contrary to the settlement strategy outlined in the Draft Plan and therefore I would not recommend the zoning of these lands.

Ref: D210

Name: Eamon and Nan Walsh, c/o Bluett and O'Donoghue

Summary of Submission:
Submits that area of land in Danesfort would be suitable for housing development.

Assessment & Recommendation:
This submission does not seek any change, but welcomes the designation of Danesfort as a node.

Ref: D211

Name: Tim Drea and Jim O'Neill, c/o Bluett and O'Donoghue

Summary of Submission:
Outlines an area of land that is suitable for development in Bennettsbridge.

Assessment & Recommendation:
This should be addressed in the context of the making of a Local Area Plan for Bennettsbridge. This process has just commenced and this submission will be dealt with under that process.
Ref: D219

Name: Tom Quinn, c/o New Ground

Summary of Submission:
The submission seeks zoning of 25 acres for business/mixed use or residential at Granny in the Waterford Environs.

Assessment & Recommendation:
This should be addressed in the context of the making of a Local Area Plan for the Waterford City Environs and Belview. This process has just commenced and this submission will be dealt with under that process.

Ref: D220

Name: Damien Keane and Yvonne Butler, Knockcarrige, Coolehal Beg, Freshford

Summary of Submission:
The submission requests that Areas of High Amenity retain their significance. The submission also objects to the inclusion of Clashcrow/Carrigeen in the landscape character assessment of the Slieveardagh Uplands as:
- It has a significantly higher visual impact on a larger proportion of the county.
- It has more natural beauty and higher water sensitivity
- It is suggested that the Clashcrow/Carrigeen area has poor agricultural land. This is not borne out by the amount of farmers farming the land and the fact that it is not deemed by the Department of Agriculture, Food and Forestry to be disadvantaged.

Assessment & Recommendation:
Section 8.3.1 of the Draft Plan outlines that “the Planning Authority established Areas of Special Control within the County in the 1986 Development Plan and this designation was continued in the 1994 Development Plan. The 2002 Plan amended this designation by defining these areas as ‘Areas of High Amenity’.

It is intended that the Landscape Character Assessment will be the main guiding force into the future for the assessment of developments within County Kilkenny. However it is intended to retain the designation of Areas of High Amenity within the Draft Plan. This is to allow the development of the Landscape Character Assessment policies in a
historical policy context. As with all areas of the county a high standard of design and siting will be required for all development in the Areas of High Amenity”.

As the LCA will be the main guiding force going forward, the Areas of High Amenity are no longer as relevant.

As part of this Development Plan review, a Landscape character Assessment was carried out by CAAS Environmental Services Ltd.. In this, the area of Clashacrow/Carrigeen (located southeast of Freshford) is included in the Slieveardagh Uplands (Landscape Appraisal, Document 1, page 36).

The assessment of character areas was based on identified preliminary landscape areas, on a detailed map survey and on subsequent desk study and site visits. The LCA does distinguish two subareas within the Slieveardagh Uplands, recognising that the northern hills (which would include Clashacrow/Carrigeen) have a certain ecological and scenic value. The LCA states that the general landuse on the uplands is agricultural grazing, but does not comment on the quality of agricultural land.

The Development plan contains a suite of policies in relation to each character area as identified, to aid in the assessment of development proposals. These policies should allow for appropriate development to proceed whilst allowing for the protection of the area.

Therefore I do not recommend that the text be changed.

Ref: D221

Name: James Kehoe, 10 Fisherman's Lough, Leighlinbridge

Summary of Submission:
The submission makes a number of points in relation to the preparation of LAPs for Thomastown, Callan, Castlecomer, Graiguenamanagh and Waterford City Environs namely:

- The omission of the towns from the Draft Development plan is disappointing;
- There is no timeframe for the completion of Local Area Plans for these areas;
- The draft Plan should clarify what happens when the current Development Plan expires and before a new plan is adopted;
- The draft Plan should clarify the status of submissions to these towns;
- The draft Plan should recognise the urgency of updating the LAPs;
- A policy should be included in the Draft Plan stating that a positive presumption would be given to people who have made submissions to the Draft Plan;
- A policy should be included to the effect that planning applications lodged in these areas will not be considered premature to the adoption of the LAP;
- The draft plan should commit to the completion of the LAPs within one year and the Council should prioritise resources to accomplish this;
• A nursing home development has been held up due to it being premature to the LAP.

**Assessment & Recommendation:**
Local Area Plans for Thomastown, Callan, Castlecomer, Graiguenamanagh and Waterford City Environs have commenced, with the appointment of consultants. Public consultation for each LAP will commence in early 2008, and it is hoped to have plans adopted by Autumn 2008. By the time the current plan lapses in June 2008, a new County Development plan will be place providing a strategic policy framework for the district towns. Draft Plans will be in place for each of the areas, and the Planning and Development Act allows for the planning authority to take any Draft LAP into account. Therefore the County Development Plan in conjunction Draft LAP, will provide the policy context for any planning assessments. Therefore no change is recommended.

**Ref: D223 - 227**

**Name:**
Ref. 223: Richard and Anne Millea
Ref. 224: Bernie Gricell
Ref. 225: Eileen Millea, Castlejohn, Co. Tipperary
Ref. 226: John and Teresa Sheehan, Clashnamuth, Ahenny, Carrick on suir
Ref. 227: Joe Grinsell, Castlejohn, Co. Tipperary

These five submissions are dealt with together as they are identical.

**Summary of Submissions:**
The submissions seek a prohibition of wind energy facilities in the area of Blackbog. They point out that the area is located adjacent to an area in South Tipperary which is designated as unsuitable for windfarm development due to the natural and built heritage value of the area. The submissions outline the various concerns in relation to windfarm development, including its effect on natural and built heritage, on the equine industry, on tourism and on property values. The submissions point to the potential for tidal turbines to provide renewable energy.

**Assessment & Recommendation:**
See D86
As part of this Draft Development a wind energy strategy was developed. An area of the County centred around Kilmoganny has been designated as ‘Acceptable in Principle’, with an adjacent area designated as ‘open for consideration’.
The most recent studies into the effects of turbines on property prices have come to one of two conclusions, each of which suggest that wind turbines do not adversely affect property prices. Reports have concluded that 1) no adverse effect on property prices can be found, 2) that any adverse effects observed have no lasting impact.
In the UK several studies have been carried out. A study published in November 2004 by the Royal Institution of Chartered Surveyors (RICS) suggests that wind developments create a negative impact on house prices but with no lasting impact.\(^6\)

Another study published in November 2004 by leading chartered surveyors Knight Frank LLP undertaken on behalf of the BWEA concluded that there is insufficient market evidence to determine whether an existing wind farm has affected residential property prices. This is linked to the wide range of factors that can be involved in determining house prices, not just wind farms.

In Scotland, recent research from the Edinburgh Solicitors’ Property Centre (ESPC) focusing on property sales near Crystal Rig wind farm in the Scottish Borders found no evidence of a negative impact on the price of property in nearby areas. The ESPC study found that prices in the village of Dunbar had risen from below to above the regional average over the past four years, during which time the wind farm was built, and that since the wind farm began operating, property price inflation in Dunbar has continued to exceed that achieved across East Lothian.

Wind farming is popular with farmers, because their land can continue to be used for growing crops or grazing livestock. Wind turbines normally do not disturb livestock. For example Delabole Wind Farm in Cornwall incorporates a riding school and a stud farm within the site.

The strategy was developed having regard to all the heritage and amenity constraints and taking into account the Government Guidelines on wind energy published in 2006.

The landscape of the County is dotted with monuments recorded under the record of Monuments and places. The monument referred to at Knockroe known locally as ‘The Caiscel’ is a Neolithic passage tomb. Knockroe passage tomb (RMP KK34:1901) is located between the towns of Callan and Carrick-on-Suir in the southwest of County Kilkenny near the county boundary with Tipperary. The site is situated between 100-110m elevation contours and overlooks the Lingaun River 100m to the west. The passage tomb is well known for its extensive assemblage of megalithic art. The tomb in question is located within the area shaded blue on Map 9.1 in the development plan which is the area where wind farms are not normally permitted according to the draft policy. The tomb faces west over the Ligan River. The neolithic tomb at Knockroe has been plotted on the wind strategy map and it is 4km from the edge of the area shown as open for consideration. Depending on the actual location of any particular wind farm it may or may not be possible to see a wind farm development from the tomb.


150
No change to the proposed strategy is recommended.

Ref: D228

Name: Anonymous

Summary of Submission:
The submission makes two points in relation to the wind strategy:

- Small scale wind developments should be provided for in more locations
- Urban locations should not be designated as ‘not normally permissible’ as they can be provided in urban areas, such as in Dundalk.

Assessment & Recommendation:
The issue of small scale wind developments is provided for in the Draft Wind Energy strategy under section 8.2 and 8.3, and for individual turbines the designated areas do not apply. This is the case regardless of where the turbines are to be located, so even in an urban area an application for an individual turbine shall be considered on its merits. Also provision has been made for autoproducers which could have an urban location as suggested in the submission. (See D52)

Ref: D229

Name: Patrick O'Sullivan, Department of the Environment, Heritage and Local Government

Summary of Submission:
For both the city & county the submission outlines Department views on a number of topics including heritage, transportation, departmental guidelines, monitoring and evaluation of the plan. In relation to the county, the submission also outlines the Department’s views on telecommunications, wind energy, quarrying, development management and monitoring and evaluation. A separate section deals with heritage issues in both plans.

City & Environ Development Plan.
The City Plan fulfils the criteria set out in the Development Plan Guidelines for a good Development Plan with its clear settlement strategy and clear economic and cultural strategy.

It is noted the latest population growth trends and migration estimates are used.

The promotion of a Kilkenny city & Environ bus service is important and should be prioritised.
The transport forum should be promoted more strongly in the Plan with key steps towards its implementation outlined.

The Department advises the Council to be mindful of the various guidelines from the department including provisions for Seveso sites. The Department noted that the draft plan contained no proposals for monitoring and evaluation of policies and objectives. In conclusion the submission stated that the Draft City & Environs Development Plan is comprehensive and establishes a good policy framework for the delivery of high quality sustainable growth in the life of the Plan.

County Development Plan
In general the Department see the plan as set firmly in the context of the NSS and the PLUTS. The appropriate population targets are used and the economic strategy is in line with the NSS and RPG’s.

Telecommunications
The proposed policy with the 500m exclusion zone would appear to create a more stringent set of requirements than is set out in the Guidelines. In the Department’s view, rather than specifying the minimum distance from a dwelling house, a policy which seeks to achieve a balance between facilitating the provision of telecommunications services in the interests of social and economic progress and sustaining residential amenities environmental quality and public health would the address the balance which must be achieved between the need to provide a top quality telecommunications infrastructure and safety concerns.

Quarrying
The question of the mapping of aggregates is one that should be addressed in the draft plan with a view to acknowledging their economic value and safeguarding valuable deposits for future extraction.

Guidelines and Seveso sites
The department also advises the Council to be mindful of the various guidelines from the department including provisions for Seveso sites.

The department noted that the draft plan contained no proposals for monitoring and evaluation of policies and objectives.

**Assessment & Recommendation:**

**City & Environs Plan**
Policies and Objectives are in place for the delivery of a bus service for the City & Environs including the introduction of parking charges and essential pieces of infrastructure such as the ring road extension and the Inner relief road/Street.
The Plan does have regard to the various department guidelines as required by the Planning Acts. The Sustainable Urban Housing: Design Standards for New Apartments 2007 was taken on board in Section 10.4. The minimum floor areas as set out in Section 10.4 are slightly larger than the Guidelines recommendations, as regard was also given to Dublin City Council’s Draft “Achieving Liveable Sustainable New Apartment Homes for Dublin city” May 2007. In general though the Department’s Guidelines have been followed.

One Seveso site is identified by name in the Plan. This is the only site within the City & Environs.

It is recommended that a section be included for monitoring and evaluation (in Chapter 1 after the Mission statement) as follows:

**Monitoring and review**

The purpose of monitoring and evaluation is to assess the effectiveness or otherwise of policies and objectives in terms of achieving stated aims. Section 15(2) of the Act states that the manager shall, not later than 2 years after the making of a development plan, give a report to the members of the authority on the progress achieved in securing the objectives and section 95(3)(a) of the Act expressly requires that the 2 year report includes a review of progress on the housing strategy.

Following adoption of the Plan key information requirements will be identified focusing on those policies and objectives central to the aims and strategy of the plan. These information requirements identified will be evaluated on an annual basis during the plan period.

### County Development Plan

**Telecommunications**

Having reviewed the Draft County Development Plan policy and taking into account the DoEHLG guidance the following is proposed:

Insert the following statement after the first paragraph in section 9.8.5.3:

*The Planning Authority recognises the essential need for high quality communications and information technology networks in assuring the competitiveness of the county’s economy and its role in supporting regional and national development generally.*

*The Council will seek to achieve a balance between facilitating the provision of telecommunications services in the interests of social and economic progress and sustaining residential amenities, environmental quality and public health. In this regard, the Council will discourage proposals for telecommunications masts, antennae and ancillary equipment in the following locations, save in exceptional circumstances where it can be established that there*
would be no significant impact on the surrounding area and that no other location can be identified which would provide adequate telecommunication cover: in close proximity to residential areas, schools or community facilities, and structures of historical or architectural interest and areas and sites of archaeological importance.

Proposals must consider:
- a) alternative sites,
- b) impact on public health,
- c) the long term plans of the telecommunications provider within the County.

The following is also proposed:
Delete:
All future telecommunications masts should be located at least 500 m from any public or private building.

Policy:
- Have regard to the *Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities* published by the Department of the Environment in July 1996 and
- Ensure the sharing of masts and support structures where this is feasible.

And replace with a general policy of:
To consider proposals for telecommunications antennae and support structures infrastructure in the light of the recommendations of the publication "*Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities*" published by the Department of the Environment in July 1996.

Quarrying
It is recommended that the following statement be included in section 6.3.3:

“*During the life of the plan the council will endeavor to map the aggregate resources of the County subject to the availability of financial resources*”.

It is recommended that a section be included (in Chapter 1 after the Mission statement) for monitoring and evaluation as follows:

Monitoring and review
*The purpose of monitoring and evaluation is to assess the effectiveness or otherwise of policies and objectives in terms of achieving stated aims.*

*Section 15(2) of the Act states that the manager shall, not later than 2 years after the making of a development plan, give a report to the members of the authority on the progress achieved in securing the objectives and section 95(3)(a) of the Act expressly requires that the 2 year report includes a review of progress on the housing strategy.*

*Following adoption of the Plan key information requirements will be identified focusing on those policies and objectives central to the aims and strategy of the plan. These*
Heritage Draft City & Environs Plan

1. The Department comments that the following statement be changed to clarify that the Plan is not subservient to the County Heritage Plan.

This Plan has been developed in tandem with the draft County Heritage Plan 2007-2011 which is currently being undertaken by the Heritage Forum, and which will provide practical actions to identify, protect, conserve and manage the heritage of the county.

Delete the following:

Heritage is defined in the Heritage Act, 1995 and includes the following:

- Monuments
- Archaeological Objects
- Heritage Objects
- Architectural Heritage
- Heritage Gardens and Parks
- Flora
- Fauna
- Wildlife Habitats
- Landscapes
- Seascapes
- Inland waterways
- Wrecks
- Geology

2. Protection of architectural heritage terms – protection should be used for structure and preservation should be used for character – this will be changed.

3. Section 7.6 Architectural Heritage
This definition is incorrect and should be changed as follows:

Architectural Heritage includes all structures, buildings and groups of buildings including streetscapes and urban vistas which are of special architectural, historical, archaeological, artistic, cultural, scientific or technical interest together with their setting, attendant grounds, fixtures and fittings.

Kilkenny City is rich in buildings, structures and places of historic and architectural value that are symbols of the social, economic and cultural development of the City, and which contribute to its essential character. Part IV of the Planning and Development Act 2000
sets out the statutory provisions for protecting the architectural heritage which includes a requirement to:

1. Include in the development plan a Record of Protected Structures.
2. Include in the development plan an objective to consider the designation of Architectural Conservation Areas.

4. The Department recommends that the objectives in the Draft Plan relate directly to the measures in Part IV of the 2000 Act. Chapter 7 has been amended to incorporate these changes, and is attached as an Appendix.

5. The Department recommends that the Draft Plan includes guidance on how those with an interest in a protected structure can seek a Declaration under Section 57(2).

This level of detail is not appropriate to a development plan.

The Department recommends that the text in Section 7.7 be reviewed. This has been done and the amended text is included as an Appendix.

6. The Draft plan should point out that Section 57(10)(b) of the 2000 Act provides that permission may only be granted for the demolition of a protected structure in exceptional circumstances.

This level of detail is not appropriate to a development plan.

Heritage: Draft County Development Plan

The Department includes comments from the Architectural Heritage and National Monuments sections in Appendix 1 to this submission as follows:

1. The Department comments that the following statement be changed to clarify that the Plan is not subservient to the County Heritage Plan.

It is recommended to delete this statement as follows:

This Plan has been developed in tandem with the draft County Heritage Plan 2007-2011 which is currently being undertaken by the Heritage Forum, and which will provide practical actions to identify, protect, conserve and manage the heritage of the county.

Delete the following

Heritage is defined in the Heritage Act, 1995 and includes the following:

- Monuments
- Archaeological Objects
- Heritage Objects
• Architectural Heritage
• Heritage Gardens and Parks
• Flora
• Fauna
• Wildlife Habitats
• Landscapes
• Seascapes
• Inland waterways
• Wrecks
• Geology

2. Protection of architectural heritage terms – protection should be used for structure and preservation should be used for character – this will be changed.

3. Section 8.4.3 Architectural Heritage
This definition is incorrect and should be changed as follows:

Architectural Heritage includes all structures, buildings and groups of buildings including streetscapes and urban vistas which are of special architectural, historical, archaeological, artistic, cultural, scientific or technical interest together with their setting, attendant grounds, fixtures and fittings.

County Kilkenny is rich in structures and places of historic and architectural value that are symbols of the social, economic and cultural development of the county and which contribute to its essential character. An Introduction to the Architectural Heritage of County Kilkenny was published by the NIAH in 2006, and this offers an illustrated introduction to the architecture of the county. Part IV of the Planning and Development Act, 2000 sets out the statutory provisions for protecting the architectural heritage which includes a requirement to:

1. Include in the development plan a Record of Protected Structures.
2. Include in the development plan an objective to consider the designation of Architectural Conservation Areas.

4. The Department recommends that the objectives in the Draft Plan relate directly to the measures in Part IV of the 2000 Act. Chapter 8 has been amended to incorporate these changes, and is attached as an Appendix.

5. The Department recommends that the Draft Plan includes guidance on how those with an interest in a protected structure can seek a Declaration under Section 57(2). This level of detail is not appropriate to a development plan.

6. The Draft plan should point out that Section 57(10)(b) of the 2000 Act provides that permission may only be granted for the demolition of a protected structure in exceptional circumstances. This level of detail is not appropriate to a development plan.
Appendix B
The National Monuments section of the Department has made a number of recommendations on heritage issues. On the basis of this and other submissions, Chapter 8 has been substantially amended and is included as an Appendix.

Inner Relief Road
The submission also outlines that the National Monuments section is opposed to the proposed route of the Inner Relief Road (Objective R1).

The completion of the Inner Relief Road is a strategic objective of the City and Environs Development Plan 2002, as varied. The detailed design for this Road will be finalised at a later stage, and will include a comprehensive public consultation and environmental impact assessment process. No change recommended.

Additional Appendix
The submission recommends that the Kilkenny Draft City and Environs Development Plan 2008 – 2014 should include a listing of archaeological monuments included on the Register of Historic Monuments and a list of monuments protected by Preservation Orders in an Appendix.
This has been completed and will be included as an amendment.

Recorded Monuments and zoned lands
The submission recommends that all Recorded Monuments within the area of the draft plan should be clearly indicated on any maps depicting zoned lands (including areas of intended future expansion). Furthermore, consideration should be given when zoning lands to the policy with regard to Recorded Monuments and large scale developments with an open space requirement (see above).

The Department’s own guidelines on the preparation of development plans highlights that the Record of Monuments and Places is regularly updated and the most recent edition should be consulted. Therefore monuments should not be shown on the zoning map, which is expected to have a lifespan of 6 years.
Ref: D230

Name: Anne-Marie and Aidan O'Brien, Breda and Trevor Horgan, Mr. and Mrs. Joseph Crowley, c/o Jack O'Sullivan, Environmental Management Services, Outer Courtyard, Tullynally, Castlepollard, Co. Westmeath

Summary of Submission:
All submitters are involved in the breeding and training of thoroughbred horses in the southwest part of County Kilkenny or in the adjacent portion of south Tipperary. Their principal concerns are that the wind energy policy included in the draft County Development Plan could open the way for the construction and operation of large scale wind farms which would have a detrimental effect on the long established activities of breeding, schooling and training of thoroughbred horses for which Tullahought, Aheny and Lingaun Valley have become very well known.

In addition these families consider that the area is further unsuitable for wind energy development by reason of its exceptionally attractive landscape character, listed views, exceptionally high sensitivity of the landscape, historic associations, abundance of archaeological and historic sites, proximity of designated conservation areas, and a significant number of other equine centres in the general area.

The submission seeks a special recognition for the equine industry within the county through the County Development Plan.

The submission also seeks that the townlands of Ballygowan, Blackbog Ballinateskin, Raheenarran and Beatin are excluded from the possibility of windfarm development.

Assessment & Recommendation:
The equine industry is part of the agricultural industry. Under the planning acts the definition of agriculture is “agriculture” includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the training of horses and the rearing of bloodstock, the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and “agricultural” shall be construed accordingly;

However in recognition of the contribution that the equine industry makes to the County it is recommended to include a statement in section 6.3.1 to that effect as follows:

Kilkenny County Council recognises the role and importance of the equine industry as part of the agricultural community within the county and in particular the breeding, rearing and training of thoroughbred horses. Insert this policy statement in Chapter 6 Policy:
k) To support the improvement and expansion of the equine industry within the county.
The townlands listed are not located close to Kilmacoliver or Tullahought but are affected as follows by the designations in the Draft Plan:

- Ballygowan – partly in open for consideration, partly in not normally permissible
- Blackbog – mainly in not normally permissible
- Ballinateskin – open for consideration
- Raheenarran - partly in open for consideration, partly in not normally permissible
- Beatin Hill – not normally permissible

The locations of the stud farms the subject of this submission are close to Kilmacoliver hill and Tullahoght which is approximately 4 km from the area designated as open for consideration in the Draft Development Plan, see Map 1.

However it is reasonable to allow specifically for the protection of thoroughbred racehorses within the strategy given the sensitivity of thoroughbred horses and the benefits to rural development obtained through such enterprises.

The following policy therefore should be included in section 9.8.3.3

“Wind farm development will not be allowed within 2km of any registered thoroughbred stud farm facility”.

Ref: D232

Name: Colm Murray, The Heritage Council

This submission was split into a discussion on the City Plan and County Plan separately, so they will be addressed separately.

County Plan

Summary of Submission:
The submission makes the following points:

- Architectural Conservation Areas
  - There is no ACA for Thomastown
  - All ACAs have underdeveloped character appraisals – a report should be commissioned to strengthen the protection for these areas
  - Talbotsinch ACA includes a house on the Freshford Road that does not merit inclusion
  - Why is the map for the Talbotsinch ACA included in the City Plan
  - The objectives on the map should be referenced in the text

Record of Protected Structures
• Is difficult to navigate
• The 26 houses in Talbotsinch should be listed individually, not grouped together

National Monuments
• Appendix H should be clarified
• The Plan should state that any development works to monuments protected by Preservation Order must be permitted by the Minister for the Environment, as well as the Planning Authority.

Assessment & Recommendation:

Architectural Conservation Areas
An ACA for Thomastown will be examined as part of the LAP process, which has just commenced.

A policy will be inserted in the Plan that the character appraisals and accompanying policies of the existing Kilkenny City ACA’s will be reviewed during the lifetime of the plan.

The submission states that Talbotsinch ACA includes a house on the Freshford Road that does not merit inclusion. A policy will be included to review the boundaries of the Talbotsinch ACA during the lifetime of the plan.

The Talbotsinch ACA is included in the City and Environs Draft Plan, as the City and Environs Plan is a joint plan undertaken by both Kilkenny County Council and Kilkenny Borough Council for the area of the city and its environs.

The objectives on the map are referenced in the text – RA1 relates to the River Nore Linear Park – The RA1 objective will be cross-referenced on the zoning objectives map.

Record of Protected Structures
As part of the review of the 2002 Plan, the Record of Protected Structures is being examined. This work is ongoing, and an updated RPS, listed alphabetically by address will be published as part of the 2008 Plan.

National Monuments
Appendix H has been reviewed and will be clarified.
I do not consider that it is necessary to state that any development works to monuments protected by Preservation Order must be permitted by the Minister for the Environment, as well as the Planning Authority as this is provided for in the legislation.
Kilkenny City Plan

Summary of Submission:
The submission makes the following points:

- The RPS should be associated with each plan.
- The RPS should be expanded to include buildings identified in the NIAH
- The Valuations Office numbering system should be used for street numbers
- Shopfront names should be used where possible
- Each individual building should have its own entry
- Archaeological sites should be included in the RPS
- The RPS needs reviewing
- The three conservation plans; Rothe House (2002), St. Mary’s church (2005) and the City Walls (2005) should be cited.
- Objects to the Inner Relief Road
- ACA’s should be formally adopted

Assessment & Recommendation:
The RPS as published does relate to the area of the City Plan and includes all protected structures within the development boundary as delineated on the Zoning map.

Section 7.6.1 Record of Protected Structures includes an Action to respond to the NIAH recommendations to include structures which have been identified.

The Architectural Heritage Protection Guidelines state that generally it would be appropriate to give protection through the RPS to RMP sites which also constitute part of the architectural heritage. RMP sites, where there are no visible remains above ground would not generally be appropriate for inclusion in the RPS as these do not come under the definition of a structure within the meaning of the Act.

The Plan contains an objective to “Ensure the protection of the architectural heritage of County Kilkenny by including all structures considered to be of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest in the Record of Protected Structures” This is considered sufficient.

As part of the review of the 2002 Plan, the Record of Protected Structures is being examined. This work is ongoing, and an updated RPS, listed alphabetically by address will be published as part of the 2008 Plan.

The three conservation plans; Rothe House (2002), St. Mary’s church (2005) and the City Walls (2005) are cited in the Development Plan, and under Section 7.5 Archaeology a policy is to: To assist in the implementation of the conservation plans for the City walls, Rothe House and St. Mary’s Hall.

Objection to the Inner Relief Road
The completion of the Inner Relief Road is a strategic objective of the City and Environs Development Plan 2002, as varied. The detailed design for this Road will be finalised at a later stage, and will include a comprehensive stakeholder consultation and environmental impact assessment process. No change recommended.

Section 81 of the Act allows the local authority to include an objective to preserve the character of a place, area or group of structures or townscape and if that is done it shall be known as an “Architectural Conservation Area”.

There are nine ACA’s in the City which will be formally adopted as part of the Plan.

In the interests of clarity I recommend the following be inserted in section 7.9 of the draft plan as follows:

It is an objective of the planning authority to achieve the preservation of the special character of places, areas, groups of structures or townscape within Kilkenny city & environs by designating Architectural Conservation Areas of appropriate extent within the city & environs.

The Architectural Conservation Areas designated in this Plan are:

1. City Centre
2. Kilkenny Castle
3. St. Canice’s
4. John Street
5. Patrick Street
6. Michael Street and Wolfe Tone Street
7. St. Mary’s
8. Lacken
9. Talbotsinch

Ref: D235

Name: Paddy Kearney, Drumdowney, Slieverue

Summary of Submission:
The submission seeks zoning of land in Belview for industrial use.

Assessment & Recommendation:
This should be addressed in the context of the making of a Local Area Plan for the Waterford City Environs and Belview. This process has just commenced and this submission will be dealt with under that process.
Ref: D238

Name: Brendan Kehoe, Rockfield, Gowran

Summary of Submission:
The submission is in relation to a site in Gowran. The submission seeks the zoning of the site for residential and general business.

Assessment & Recommendation:
This should be addressed in the context of the review of the Gowran LAP. The Gowran LAP was adopted in 2003 and will be reviewed in 2009.

Ref: D240

Name: Breda Kelly, Tidy Towns Committee, Abbey Centre, Graiguenamanagh

Summary of Submission:
The submission seeks to include the following in the Development plan: a commitment to implement the Derelict Sites Act, an objective to work with other councils for peripheral areas, a commitment to bye-laws for CCTV, and a commitment to ban bituminous coal.

Assessment & Recommendation:

Derelict sites act
A policy will be added to Chapter 5, Economic Development as follows:

“That implement the Derelict Sites Act 1990 in order to ensure the removal of dereliction within the Plan period as resources permit”.

The submission seeks that the plan refer specifically to the economically disadvantaged area of Graiguenamanagh and should contain an objective to work with other councils to devise joint strategies for areas that span two council jurisdictions. Kilkenny County Council is committed to working with adjoining local authorities where necessary, and in 2006 a Development and Economic Study for Graiguenamanagh and Tinnahinch was carried out by Kilkenny County Council in association with Carlow County Council. The Development Plan contains a commitment to implementing this Study, and Chapter 3 of the Draft Plan contains an objective to
“Promote enterprise and economic development in Graiguenamanagh in line with the Graiguenamanagh-Tinnahinch Development and Economic Study, 2006”.

The submission seeks a commitment in the Development Plan to introduce bye-laws in the planning regulations requiring operators of fast food outlets to install and operate a functioning CCTV system. This is not a Development Plan issue. Issues in relation to the control of fast food outlets are dealt with at planning application stage, and Chapter 10 outlines that regard will be had during the assessment of any application to the impact of the take-away on the amenities of the area, including noise, odour and litter.

The submission also seeks a ban on bituminous coal to cover the district towns. The Council implements national policy and air pollution legislation and at present the sale and distribution of bituminous coal is banned in the Waterford Environs and in Kilkenny City only.

This submission will also be considered as part of the Graiguenamangh Local Area Plan process which has commenced.

No change recommended.

Ref: D244

Name: Kathleen Lonergan, Clashnamuth, Ahenny, Carrick on Suir, Co. Tipperary

Summary of Submission:
The submission objects to the designation of the Blackbog area as Open for Consideration in the Wind Energy Strategy due to their effect on heritage and the tourist attractions in the area.

Assessment & Recommendation:
As part of this Draft Development a wind energy strategy was developed. An area of the County adjacent to the Blackbog area has been designated as ‘Acceptable in Principle’, with an adjacent area designated as ‘open for consideration’.

The strategy was developed having regard to all the heritage and amenity constraints and taking into account the Government Guidelines on wind energy published in 2006.

No change to the proposed strategy is recommended.
Ref: D247

Name: Castlecomer Community Sports Partnership

Summary of Submission:
This submission is on behalf of the Castlecomer Community Sports Partnership, and it outlines that a community sports facility is proposed at the Castlecomer Community school in Castlecomer.

Assessment & Recommendation
The submission outlines how the proposal fits in with the Development Plan policy, and does not seek a change to the Plan. The proposal to develop the school through the addition of such a facility is noted and this submission will also be addressed in the context of a Local Area Plan for Castlecomer.

Ref: D248

Name: Willie Maloney, Skough, Owning, Piltown

Summary of Submission:
Objection to wind turbines in the vicinity of his home on the grounds of health and safety.

Assessment & Recommendation
As part of this Draft Development a wind energy strategy was developed. An area of the County south east of Kilmaganny has been designated as ‘Acceptable in Principle’, with an adjacent area designated as ‘open for consideration’.

The strategy was developed having regard to all the heritage and amenity constraints and taking into account the Government Guidelines on wind energy published in 2006.

No change to the proposed strategy is recommended.

Ref: D249

Name: B. Maher and N. Kelly, c/o Aylwardstown House, Glenmore

Summary of Submission:
The submission requests the zoning of land in Glenmore, and also the upgrading of the sewerage scheme and the improvement of junctions in the village. This submission is similar to that under D95, D96, D97, D98, D99 and D100.

Assessment & Recommendation
There is no Local Area Plan in place for Glenmore. Glenmore has been identified as a smaller town /village in the Draft County plan. As such, it is likely that a Local Area Plan will be prepared for it, but it is not in the programme of works for the immediate future. Zoning in Glenmore will be addressed through a Local Area Plan.

The submission also seeks the upgrading of the village sewerage system. The primary treatment system consists of a septic tank discharging to a nearby stream. Glenmore is one of a large number of similar locations, all of which are being considered for upgrading in accordance with the scheme of priorities which is influenced by environmental and developmental considerations. Areas such as Thomastown, Castlecomer, Kells, Urlingford, Freshford, Johnstown, Goresbridge are currently receiving priority.

The submission seeks the improvement of the road junction entering the village from the N25, the upgrading of the Aylwardstown Road to the N25 at Murphy Motors and the improvement and upgrading of all rural by roads in the county. The upgrading of the N25 in the future will allow these issues to be addressed. The upgrading of the N25 is a specific objective of the Draft Plan.

No change recommended

Ref: D252

Name: Ramie Leahy, Dysart, Thomastown

Summary of Submission:
The submission seeks the inclusion in plan of proposed rural artisan development on land at Dysart, near Thomastown.

Assessment & Recommendation
The site is located in a rural area one mile south of Thomastown. The settlement strategy for the County is set out in Chapter 3 of the Draft Development Plan which identifies the settlements where residential zoning should take place, including the district town of Thomastown.

This site is in a rural location and the rural settlement strategy as outlined in section 3.4 should apply to this location.

The zoning of these lands would be contrary to the settlement strategy outlined in the Draft Plan and therefore I would not recommend the zoning of these lands for residential purposes.
Ref: D254

Name: ERAC, 6 Chapel View, Stoneyford

Summary of Submission:
The submission seeks modifications to section 8.3.4 in relation to Sustainability and Energy Efficiency in Buildings.

Assessment & Recommendation
The submission welcomes the requirement in Chapter 9 (Chapter 8 for the City) of the Development Plan to demonstrate compliance with the Building Regulations Part L, and seeks that the requirement should state that the certification of compliance should only be produced by Registered BER Assessors.

The development plan should not be specific about how that requirement is met. This is an operational issue and not appropriate to the development plan.

The submission proposes that a provisional rating illustrating the CDER is submitted with the planning application and upon completion a copy of the final BER certification is submitted to the Council to verify the actual CDER. The development plan should not be specific about how that requirement is met. This is an operational issue and not appropriate to the development plan.

The submission also encourages the Council to make ‘Air Leakage Testing’ a requirement for all buildings and enforce standards of air permeability. According to the Carlow-Kilkenny Energy Agency, procedures regarding Air Leakage testing will be brought in with the new Building Regulations Technical Guidance Document Part L, and therefore it is neither appropriate or necessary for the Development Plan to make specific recommendations.

No change recommended.

Ref: D255

Name: Jim Fennelly, Principal, Church Hill National School, Cuffesgrange

Summary of Submission:
The submission outlines concerns with the level of enrolment in Church Hill National School, Cuffesgrange and seeks that the settlement strategy caters for:
- Group development in the heart of the village
- Planning decisions that support people who have an affinity with the area
- Providing services for young people – sport and recreation
- Providing employment
Assessment & Recommendation
Chapter 3 of the Draft Plan outlines the settlement strategy for the county. The existing policies in the Plan provide for all these issues. Clusters or grouped development is allowed for. People who have an affinity to the area are provided for when it comes to rural housing policy.

There are policies also in relation to rural development which support rural enterprises.

No change recommended.

Ref: D262

Name: Patrick O'Donovan, 20 Shorewood, Ballinakill Downs, Waterford

Summary of Submission:
The submission seeks residential zoning of a site in Slieverue.

Assessment & Recommendation
This should be addressed in the context of the review of the Slieverue LAP. The Slieverue LAP was adopted in October 2006 and will be reviewed in 2012.

Ref: D263

Name: Tom Burtchaell, c/o Byrne and McCabe Design, Upper Main street, Graiguenamanagh

Summary of Submission:
The submission seeks residential zoning for 9.3 acre site in Graiguenamanagh.

Assessment & Recommendation
This should be addressed in the context of the making of a Local Area Plan for Graiguenamanagh. This process has just commenced and this submission will be dealt with under that process.
Other issues

The following issues arose during consideration of the Draft Plan by the Council. Text proposed to be deleted is indicated by strikethrough and proposed additional text is indicated in italics.

1.6 County Vision and Strategic Goals
Strategic goals
To provide the highest quality living environments possible, in both urban and rural areas to all the citizens of Kilkenny members of our community.

4.3 Residential Development
Quality in this context means the development of accessible, sustainable, integrated neighbourhoods which are much less car dependent and are more easily served by public transport.

5.5.3 Enterprise and Employment in Rural Areas
- To provide an adequate range of locations for both large and small scale new industrial development throughout the County. This development will be encouraged to locate on appropriately zoned lands within the development boundaries of established settlements to facilitate more sustainable commuting patterns and to contribute to the economic development of towns and villages.

6.3.3 Extractive Industries

POLICY
- Where important mineral resources have been identified and are suitable for extraction, the Council will seek to prevent incompatible land uses in the vicinity of these resources which could be located elsewhere and limit their future exploitation protect the extractive potential of such resources.
- In general encourage the development of extractive industries where it is compatible with the protection of the landscape, the continued operation of agriculture and the preservation of the amenities of local residents generally.
- To minimise environmental and other impacts of mineral extraction through rigorous application of licensing, development control and enforcement requirements for quarry and other associated developments with particular regard to visual impacts, methods of extraction, noise levels, dust prevention, protection of ground and surface waters, impacts on residential and other amenities, impacts on the road network (particularly with regard to making good any damage to roads), road safety, phasing, re-instatement and landscaping of worked sites.

7.3.5.1 Proposed River Nore Walking Route - Kilkenny to Inistioge
Policy ACTION
- Researching and mapping the existing network of traditional paths used for leisure purposes with the intention of determining the legal basis and status of their use.

Chapter 8 Heritage
Following a number of submissions in relation to heritage topics and internal review, we have amended Chapter 8 substantially and for clarification purposes the revised chapter is included as an Appendix to this Report.

9.4.1 National Road Network

POLICY
To assist and facilitate the development of service areas and rest areas on the N8 and N9

9.4.5 Road Improvement Projects

National Primary Routes
To improve, in accordance with best design standards and in accordance with proper planning, the connectivity between the existing N10 National Primary Route and the proposed N9 link. The location of connection to be decided following full spatial planning, technical and economic evaluation and in consultation with the National Roads Authority.

Regional Roads
f) To seek an upgrade of the R693 Kilkenny to Urlingford road to National Secondary status and to improve the road realignment in its entirety.

9.5.1 Rail
To protect and reserve free from development the line of the Waterford – New Ross railway.

9.10.2 Groundwater
Source Protection Areas
When new public water supply schemes come on stream, source protection areas shall be mapped as appropriate.

For multiple housing developments with private water supplies it will be the policy of the Council to identify source protection areas for that supply.

In practical terms protection of the groundwater can be achieved through the encouragement of best practice in agricultural and industrial activities and through best practice in the installation and use of wastewater treatment systems. Development within source protection zones shall be subject to more stringent requirements in accordance with the Groundwater Protection Scheme. Developments which include on-site
wastewater treatment in Inner Source Protection Areas of Extreme Vulnerability shall be subject to strict Development Assessment Criteria.

Kilkenny County Council requires that sites will be assessed in accordance with the EPA manual entitled Wastewater Treatment Manuals: Treatment Systems for Single Houses (2000) as may be replaced or updated by the EPA’s Code of Practice – Wastewater Treatment Systems for Single Houses. The person carrying out the assessment will be suitably qualified.

**DEVELOPMENT CONTROL ASSESSMENT**

New developments which include on-site wastewater treatment in an Extreme vulnerability Inner Source Protection Area shall be restricted to the following categories:

1. A dwelling for a full-time farmer
2. An existing inhabited dwelling in need of replacement
3. A second family dwelling on a farm where this is required for management of the farm

Permission may be granted in the above instances subject to the following stipulations:

a) That an alternative site outside the Extreme vulnerability Inner Protection Area is not available
b) The existing water quality of the source is not subject to any significant nitrate and / or microbiological contamination

**Action**

- Set up Panel of Approved Site Characterisation Assessors for the purpose of assessing planning applications.

---

**9.10.3 Water Quality**

To actively participate in the implementation of the Water Framework Directive

- To jointly with the other participating local authorities and the relevant Public Authorities, participate assist and co-operate in with the South Eastern River Basin District Management Project
- To implement the South Eastern River Basin District Management Plan
- To increase public awareness of water quality issues and the measures required to protect and where required, improve the quality of all waters
- To take account of the findings of the National Programs of Measures Studies being developed for the River Basin Management Plans

---

**10.7.2.1 Open Space in new residential development**

The Borough and County Councils will not normally permit new residential development unless public open space is provided within the development to a minimum standard of 2.4 hectares per 1,000 population or greater.
10.17 Parking and Loading

Table 10.3 Car Parking Standards

Apartments 1.25 spaces per unit
0.25 spaces per unit for visitor parking

Chapter 10 - New section- Granny flats/Extensions

A ‘family’ flat refers to a sub-division or extension of a single dwelling unit to accommodate a member of the immediate family and is generally acceptable, provided it is not a separate detached unit and that it is possible to provide direct access to the remainder of the house. There shall be no permanent subdivision of the garden. The flat shall not be let or sold, other than as part of the overall property and shall revert to being part of the original house when no longer occupied by a family member. The design should ensure that the flat forms an integral part of the main dwelling unit capable of reintegration for single family use.

The principal requirement for any proposed domestic extension is that the design should have regard to the need for light and privacy of adjoining properties. The form and design of the existing building should be followed and the extension should integrate fully with the existing building by using similar detailing and window proportions. The character and form of the existing building should be respected and external finishes and window types should match the existing.
APPENDIX - REVISED CHAPTER 8: HERITAGE
8 Heritage ....................................................................................................................... 8-1
8.1 Introduction ............................................................................................................. 8-1
8.2 Natural Heritage & Biodiversity ......................................................................... 8-1
  8.2.1 Designated Natural Heritage Sites of International and National Importance ................................................................................................................ 8-1
  8.2.2 Protected Species .............................................................................................. 8-4
  8.2.3 Nature Conservation Outside of Designated Areas .......................................... 8-5
  8.2.4 Local Biodiversity Action Plan ....................................................................... 8-5
  8.2.5 County Geological Sites & Geological Heritage Areas ................................ 8-6
  8.2.6 Woodlands, Trees and Hedgerows .................................................................. 8-8
  8.2.7 Historic Gardens and Designed Landscapes .................................................. 8-10
  8.2.8 Woodstock Gardens ....................................................................................... 8-10
  8.2.9 Mount Juliet Estate ........................................................................................... 8-11
    8.2.9.1 Mount Juliet Action Plan Strategy .............................................................. 8-11
  8.2.10 Inland Waters, Rivers, Streams and Wetlands ............................................. 8-14

8.3 Landscape ............................................................................................................. 8-14
  8.3.1 Areas of High Amenity ..................................................................................... 8-15
  8.3.2 Views and Prospects ....................................................................................... 8-15
  8.3.3 Landscape Character Assessment: ................................................................... 8-15
    8.3.3.1 Policies for Upland Areas ......................................................................... 8-16
    8.3.3.2 Policies for Lowland Areas ....................................................................... 8-17
    8.3.3.3 Policies for River Valleys .......................................................................... 8-17
    8.3.3.4 Policies for Transitional Areas ................................................................….. 8-18

8.4 Built Heritage ....................................................................................................... 8-18
  8.4.1 Archaeological Heritage ................................................................................... 8-18
    8.4.1.1 Zones of Archaeological Potential ............................................................ 8-19
    8.4.1.2 Industrial Archaeology ............................................................................. 8-19
    8.4.1.3 Underwater Archaeology ......................................................................... 8-20
  8.4.2 The Record of Monuments and Places ............................................................ 8-20
  8.4.3 Historic Graveyards ......................................................................................... 8-21
  8.4.4 Architectural Heritage ...................................................................................... 8-21
    8.4.4.1 Record of Protected Structures ................................................................. 8-22
    8.4.4.2 Retention and Re-use of Older Buildings of significance which are not protected ....................................................... 8-23
    8.4.4.3 Architectural Conservation Areas ............................................................... 8-24
    8.4.4.4 Townscapes ............................................................................................... 8-25
    8.4.4.5 Street Furniture and Roadside Features .................................................. 8-26
    8.4.3.7 Features of Cultural Heritage Interest ...................................................... 8-26
    8.4.4.6 Farm Villages of South Kilkenny ............................................................... 8-26
  8.4.5 Floodlighting ..................................................................................................... 8-27
  8.4.6 Place names ..................................................................................................... 8-27

TABLES
Table 8.1 Designated Natural Heritage Sites of International & National Importance 8-3
Table 8.2 Sites of County Geological Interest ............................................................. 8-6
Table 8.3 Tree Preservation Orders in County Kilkenny ............................................ 8-8
Table 8.4 Mount Juliet Development Policies .............................................................. 8-12
Table 8.5 Mount Juliet Site-specific Objectives ........................................................... 8-13
Table 8.6 Mount Juliet Protected views ....................................................................... 8-14
8 Heritage

8.1 Introduction

County Kilkenny has a rich and varied heritage. It includes our rivers, woodlands, landscape, hedgerows, our historic churches and abbeys, our medieval towns and villages and much more. Kilkenny’s heritage is that which makes the county unique, what gives it its special character and its ‘sense of place’. It is a reflection and expression of our values and traditions.

POLICY

• To prepare and implement, in partnership with the Kilkenny Heritage Forum and relevant stakeholders, a County Heritage Plan and County Biodiversity Action Plan.
• To support and facilitate the Kilkenny Heritage Forum
• To continue and to develop the Council’s advisory/educational role with regard to Heritage matters through the Heritage Plan and to promote awareness and understanding of and access where appropriate to heritage.

8.2 Natural Heritage & Biodiversity

Natural heritage includes flora and fauna, wildlife habitats, inland waterways, landscapes and geology. There is a great variety of natural heritage in County Kilkenny, including our rivers and woodlands, hedgerows, mammals, birds, plants, and diverse landscapes and geological features.

Biodiversity is the variety of life. It includes all aspects of natural heritage.

POLICY

• To protect, conserve and enhance County Kilkenny’s natural heritage and biodiversity, to include the diversity of habitats found in the county e.g watercourses and waterbodies; trees; woodlands and hedgerows; fens; marshes; estuaries and wetlands; geological and geomorphological sites/features; improved and semi-natural grasslands; etc.

8.2.1 Designated Natural Heritage Sites of International and National Importance

Habitats in the county, of international and national importance, are designated under EU and national legislation. The four categories of designated site in effect in County Kilkenny are:

i. Special Areas of Conservation (SAC)
   SAC’s have been, and are being designated, under the EU Habitats Directive to conserve habitats and species of European importance.

ii. Natural Heritage Areas (NHA)
NHA’s have been, and are being, designated to conserve habitats and species of national importance and sites of geological interest, under the Wildlife (Amendment) Act, 2000.

iii. Statutory Nature Reserve
Nature reserves, designated under the Wildlife Act 1976 and Wildlife (Amendment) Act, 2000, are wildlife habitats which meet certain scientific criteria, are worthy of conservation, and where nature conservation is the primary objective and takes precedence over all other activities.

iv. Wildfowl Sanctuary
Wildfowl Sanctuaries are designated under the Wildlife Act 1976 and Wildlife (Amendment) Act, 2000 to protect ducks, geese and waders from hunting.

At present there are 36 designated natural heritage sites of international and national importance in County Kilkenny, covering approximately 4.5% of the county. See Table 8.1 and Figure 8-1 for further information.

The designation of these sites at a national level is the responsibility of the National Parks and Wildlife Division of the Department of Environment, Heritage and Local Government. The designation of these sites is an ongoing process as boundaries are revised and adjusted and new sites added. The Council will take cognisance of any change in boundaries that may occur in designated sites within the life of this plan. Please consult with the National Parks and Wildlife Service for further details and for the most up to date data.
Table 8.1 Designated Natural Heritage Sites of International & National Importance

<table>
<thead>
<tr>
<th>Site Name</th>
<th>Site Code/Ref</th>
<th>cSAC</th>
<th>pNHA</th>
<th>SNR</th>
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<td>Hugginstown Fen</td>
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<td>Galmoy Fen</td>
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<td>Clohastia</td>
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<td>Fiddown Island</td>
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<td>Inchbeg</td>
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<td>Lough Cullin</td>
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<td>Lough Macask</td>
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<tr>
<td>Mount Juliet</td>
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<td>Thomastown</td>
<td>000410</td>
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<td>Tibberaghny Marshes</td>
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<td>Whitehall Quarries</td>
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<td>candidate Special Area of Conservation</td>
<td>Proposed Natural Heritage Area</td>
<td>Statutory Nature Reserve</td>
<td>Wildfowl Sanctuaries</td>
</tr>
<tr>
<td>* Designated Natural Heritage Area</td>
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</tbody>
</table>
POLICY

• To protect natural heritage sites designated in National and European legislation. This includes sites proposed to be designated or designated as Special Areas of Conservation (SAC), Natural Heritage Areas (NHA), Nature Reserves and Wildfowl Sanctuaries. This protection will extend to any additions or alterations to sites that may arise during the lifetime of this plan.

• To assess all proposed developments (individually or in combination with other proposals, as appropriate) which are likely to impact on designated natural heritage sites or those sites proposed to be designated.

• To consult with the prescribed bodies and relevant government agencies when assessing developments which are likely to impact on designated natural heritage sites or those sites proposed to be designated.

• To ensure that any development in or near a designated natural heritage site will avoid any significant adverse impact on the features for which the site has been designated.

• To require an appropriate environmental assessment in respect of any proposed development likely to have an impact on a designated natural heritage site, or those sites proposed to be designated.

ACTION

• To provide Supplementary Planning Guidance, in relation to conserving and enhancing biodiversity in the context of development.

8.2.2 Protected Species

Certain plant, animal and bird species are protected by National and European law. This includes plant species listed in the Flora Protection Order 1999 (or other such Orders) and animals and birds listed in the Wildlife Act, 1976 and subsequent statutory instruments, those listed in Annex IV if the Habitats Directive, and those listed in Annex 1 of the Birds Directive.

POLICY

• To protect and, where possible, enhance to the plant and animal species and their habitats that have been identified under EU Habitats Directive, EU Birds Directive, the Wildlife Act and the Flora Protection Order.

• Ensure that development does not have a significant adverse impact on plant animal or bird species protected by national or European legislation.

• Consult with the National Parks and Wildlife Service, and take account of any licensing requirements, when undertaking, or approving
development which is likely to affect plant, animal or bird species protected by national or European legislation.

8.2.3 Nature Conservation Outside of Designated Areas

Much of the biodiversity and many of our landscape features of importance in the county occur in areas outside of sites which are subject to legal protection under National or EU law. These habitats and features are particularly important in contributing to the biodiversity, landscape value and sense of place of the county. These features include: hedgerows, ditches and banks, stone walls, woodlands, estates and parklands, rivers, streams and associated riparian zones, reservoirs, ponds and canals.

Habitats and landscape features have an important role to play as ecological “corridors” or “stepping stones” i.e. they allow for the movement of species, and help to sustain the habitats, ecological processes and functions necessary to enhance and maintain biodiversity. It is important that these areas are conserved and managed well.

POLICY

- Identify, in co-operation with the relevant statutory authorities and other relevant groups, sites of local nature conservation interest, not otherwise protected by legislation.

- To protect and enhance wildlife habitats and landscape features which form part of habitat networks, such as river corridors and associated habitats.

- To ensure that any development in or near sites of local conservation interest will minimise any significant adverse impact on the features for which the site has been designated.

- Minimise the loss of habitats and features of the wider countryside (hedgerows, ponds, streams, wetlands, trees etc) through the planning process, which are not within designated sites.

- Where the loss of habitats and features of the wider countryside is unavoidable as part of a development, to ensure that appropriate mitigation and/or compensation measures are put in place, to conserve and enhance biodiversity and landscape character.

8.2.4 Local Biodiversity Action Plan

Biodiversity, or biological diversity, is the variety of life on earth. The term refers to the diversity of ecosystems, individual species of flora and fauna, and also genetic diversity. The National Biodiversity Plan (2002) sets out the framework for the conservation and sustainable use of biodiversity and requires local authorities to prepare and implement a Local Biodiversity Action Plan. The Kilkenny Biodiversity Plan will be prepared, in association with the Kilkenny Heritage Forum, using guidelines produced by the Heritage Council and Department of the Environment, Heritage and Local Government.
POLICY

- Prepare a County Bio-Diversity Plan, in accordance with the National Bio-diversity Plan (2002), and to liaise with all relevant agencies and community groups in its preparation and implementation.

- Integrate bio-diversity considerations into Council plans, programmes and activities.

8.2.5 County Geological Sites & Geological Heritage Areas

The predominant underlying bedrock geology of County Kilkenny is dominated by limestone. To the south of the county are older sedimentary and igneous rocks such as coarse red sandstone, mudstone and granite. Deposits of glacial materials such as clay, sand and gravel overlie much of this bedrock.

The geology of the county has influenced the landscapes, soils, habitats, economic activities such as quarrying and features of local cultural interest such as stonewalls, limekilns etc.

The Council recognises the need to identify sites of geological and geomorphological interest within the county and to protect these sites, or parts of these sites, in the interest of protecting our geological heritage. The Geological Survey of Ireland, in partnership with Kilkenny County Council, has developed a list of County Geological Sites (CGS), as part of the Irish Geological Heritage Programme and in accordance with the National Heritage Plan, 2002. These are sites of local geological and geomorphological interest, or sites which contain a feature of local geological and geomorphological interest (see Table 8.2). Some of these sites, which are of national significance, may in the future, be proposed by the Geological Survey of Ireland and the National Parks and Wildlife Service, as geological Natural Heritage Areas (NHA’s).

<table>
<thead>
<tr>
<th>Site Name</th>
<th>Summary</th>
<th>Townland(s)/district</th>
</tr>
</thead>
<tbody>
<tr>
<td>Archersgrove Quarry</td>
<td>One of the original Kilkenny Black Marble Quarries</td>
<td>Archersgrove, Kilkenny</td>
</tr>
<tr>
<td>Ahenny</td>
<td>Disused Quarries Exposing Slate</td>
<td>Ahenny</td>
</tr>
<tr>
<td>Ballyfoyle Channels</td>
<td>Glacial Meltwater Channels</td>
<td>Ballyfoyle</td>
</tr>
<tr>
<td>Ballykeefe Quarry</td>
<td>Disused Quarry Exposing Limestone</td>
<td>Ballykeefe</td>
</tr>
<tr>
<td>Ballyragget Quarry</td>
<td>Working Quarry Exposing Limestone</td>
<td>Ballyragget (town)</td>
</tr>
<tr>
<td>Bennettsbridge</td>
<td>Working Quarry Exposing Dolomite</td>
<td>Bennettsbridge (town)</td>
</tr>
<tr>
<td>Coolbaun Hill</td>
<td>Working Open-Cast Quarry</td>
<td>Coolbaun, Castlecomer</td>
</tr>
<tr>
<td>Coolbaun Valley</td>
<td>Disused Coal Mines</td>
<td>Coolbaun, Castlecomer</td>
</tr>
<tr>
<td>Feature</td>
<td>Description</td>
<td></td>
</tr>
<tr>
<td>-------------------------------</td>
<td>--------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Deer Park Mine</td>
<td>Disused Coal Mines Deer Park</td>
<td></td>
</tr>
<tr>
<td>Dunmore Cave</td>
<td>Glacially Derived Caves Mohil</td>
<td></td>
</tr>
<tr>
<td>Granny Quarries</td>
<td>Disused Quarry Exposing Limestone Granny</td>
<td></td>
</tr>
<tr>
<td>Inistioge</td>
<td>Glacial Meltwater Channels Inistioge</td>
<td></td>
</tr>
<tr>
<td>Threecastles Quarry</td>
<td>Working Quarry Producing Kilker Black Marble Threecastles</td>
<td></td>
</tr>
<tr>
<td>Kiltorcan New Quarry,</td>
<td>Fossil Locality Kiltorcan</td>
<td></td>
</tr>
<tr>
<td>Kiltorcan Old Quarry</td>
<td>Fossil Locality Kiltorcan</td>
<td></td>
</tr>
<tr>
<td>Piltown</td>
<td>Boreholes, Jurassic -Cretaceous Geology Piltown</td>
<td></td>
</tr>
<tr>
<td>Windgap Artesian Borehole</td>
<td>Artesian Well Windgap</td>
<td></td>
</tr>
<tr>
<td>Swan, Castlecomer</td>
<td>Braided River Channel and Meanders Swan</td>
<td></td>
</tr>
</tbody>
</table>

**POLICY**

- Maintain, and where necessary facilitate, the enhancement of the conservation values of those features or areas of county geological and or geomorphological importance.

- Protect from inappropriate development, County Geological Sites, or parts thereof, and geological Natural Heritage Areas that become designated during the lifetime of this plan.

- To consult with the Geological Survey of Ireland when assessing developments which are likely to impact on County Geological Sites, or geological Natural Heritage Areas which may be designated during the lifetime of this plan.

- To assess all proposed developments with respect to geology (individually or in combination with other proposals, as appropriate) which are likely to impact on County Geological Sites, or geological Natural Heritage Areas that become designated during the lifetime of this plan.

- Ensure that any development in or near County Geological Sites will avoid any significant adverse impact on the features for which the site is considered important.

- To consult with the Geological Survey of Ireland in advance of any proposals for major developments that will entail significant ground excavation, such as quarrying, road cuttings, major drainage works and foundations for major buildings/building complexes.
8.2.6 Woodlands, Trees and Hedgerows

Woodlands, trees and hedgerows are an environmental, economic, amenity and landscape resource of great importance. Trees, hedgerows and woodlands are an integral part of the county’s biodiversity, as they form part of a network of habitats, ecological ‘corridors’ and ‘stepping stones’ essential for wildlife to flourish and move between and within habitats. In some cases, trees within the curtilage and/or attendant grounds of a Protected Structure can be important to the character and special interest of the structure and could contribute to its landscape setting. Hedgerows also have historical significance as townland and field boundaries.

The Tree Register of Ireland (TROI) is a database of outstanding trees in Ireland compiled by the Tree Council of Ireland. The TROI identified approximately 180 significant trees in the county, based on characteristics such as age, height, diameter, historical or folklore connections.

A Woodland Survey of Kilkenny, undertaken in 1997, identified the amenity potential of woodlands in the county.

There are a number of legislative measures which recognise the importance of trees and woodlands and provide for their protection. These include:

i. Tree Preservation Orders (TPO)
   Under the Planning and Development Act 2000, TPOs allow for the protection of trees, groups of trees and woods of amenity value. Trees, which are the subject of a TPO, cannot be felled unless the owner also obtains planning permission. At present there are 4 TPOs in County Kilkenny.

<table>
<thead>
<tr>
<th>Site</th>
<th>TPO Ref No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oldcourt, Inistioge</td>
<td>1/85</td>
</tr>
<tr>
<td>Keatingstown</td>
<td>1/84</td>
</tr>
<tr>
<td>Barna, Freshford</td>
<td>1/92</td>
</tr>
<tr>
<td>Sawney’s Wood, Castlecomer</td>
<td>1/67</td>
</tr>
<tr>
<td>Castle Gardens, Castle Road</td>
<td>1/2006</td>
</tr>
</tbody>
</table>

ii. Forestry Act, 1946
   Under the 1946 Forestry Act, with certain exceptions, it is illegal to uproot a tree over ten years of age or cut down a tree of any age unless notice of intention to do so has been given in accordance with the Act.

iii. Wildlife (Amendment) Act, 2000
   The Wildlife (Amendment) Act, 2000 seeks to prohibit the cutting of hedges within the bird nesting period (1st March until September 1st).

POLICY

- To protect existing woodlands, trees and hedgerows which are of amenity or biodiversity value and/or contribute to landscape character of the county, and to ensure that proper provision is made for their protection
and management, when undertaking, approving or authorising development.

- To ensure that when undertaking, approving or authorising development that sufficient information is provided to enable an assessment of impacts on woodlands, trees, and hedgerows.
- To conserve important trees, groups of trees or woodlands, using Tree Preservation Orders, as appropriate.
- In partnership with the Forest Service, to provide guidance to developers and others on requirements and procedures in relation to tree felling.
- Have regard to sites of significance identified in the Kilkenny Woodland Survey 1997 in the assessment of planning applications.
- Have regard to, and seek the conservation of, the trees of County Kilkenny identified in the Tree Register of Ireland.
- Support the provisions of Wildlife (Amendment) Act 2000, which seeks to prohibit the cutting of hedges within the bird nesting period (1st March until September 1st).
- Retain hedgerows, and other distinctive boundary treatment such as stone walls, when undertaking, authorising or approving development, where possible.
- Where the loss of hedgerows is unavoidable, for health and safety reasons, as part of a development, to ensure that a new hedgerow is planted using native species, and species of local provenance. (See Appendix C.)
- Where the loss of stone wall is unavoidable, for health and safety reasons, as part of a development, to ensure that the wall is re-built using local stone and local design.
- Discourage the felling of mature trees to facilitate development and encourage tree surgery rather than felling, where possible.
- Ensure that new development incorporates the planting of native broadleaved species, and species of local provenance, as appropriate.
- Continue to co-operate with Coillte and other forestry bodies to seek an increase in appropriate afforestation, particularly of native species, and maintain and improve access to woodlands for recreational purposes.
- Seek, where appropriate and feasible, the extension of existing woodlands and/or creation of new woodlands, based on planned planting and management schemes, and favouring the use of native species.
- Kilkenny County Council will promote the planting of native tree and shrub species, by committing to using native species (of local provenance wherever possible) in its landscaping work and on County Council property.

**ACTION**

- To carry out surveys of significant trees and hedgerows in the county during the lifetime of this plan, as appropriate and feasible.
- Investigate the possibility of updating the Woodland Survey of Kilkenny, in partnership with relevant stakeholders
- To develop and implement a Hedgerow Management Awareness and Conservation Strategy in consultation with all relevant agencies as part of the Heritage Plan.
8.2.7 Historic Gardens and Designed Landscapes

Historic gardens and designed landscapes are of natural heritage, architectural, landscape, cultural and historical importance. In addition, they are often the important setting of a Protected Structure.

The Department of Environment, Heritage and Local Government (DEHLG), through the National Inventory of Architectural Heritage (NIAH) carried out a preliminary survey of historic gardens and designed landscapes in 2003-2005. A total of 196 potential historic gardens and designed landscape sites in County Kilkenny were identified. Further work is required to be undertaken to determine the actual heritage significance of each of these sites, and to determine appropriate protection and conservation measures.

POLICY

• Co-operate with the (Heritage Section) DEHLG and other interested parties to facilitate the protection, promotion and enhancement of significant historic gardens and designed landscapes in the county and to support public awareness, enjoyment of and access to these sites.

• Have regard to the historic gardens and designed landscape sites in County Kilkenny, identified in the National Inventory of Architectural Heritage.

• Discourage development that would lead to a loss of, or cause damage to, the character, the principal components of, or the setting of parks, gardens and demesnes of special historic interest.

• Preserve, protect and where necessary encourage the use of, heritage/traditional varieties of plants and trees that form part of the local/regional biodiversity resource, and that contribute to local identity.

8.2.8 Woodstock Gardens

In the Victorian era Woodstock was regarded as one of the great gardens of Ireland and it has been identified in the National Inventory of Architectural Heritage (NIAH). It suffered from years of neglect, vandalism and indifference but the main framework of the gardens remained intact. The Woodstock garden restoration project is an example in environmental partnership between Kilkenny County Council, Coillte, the Tighe Estate, Great Gardens of Ireland Restoration Programme, Inistioge Heritage Society, FAS and the local community.

In order to secure a long term strategy for Woodstock Gardens and the Demense the Council commissioned the preparation of a Local Area Plan for Woodstock. The preparation of a draft plan is nearing completion.

POLICY

• To continue and complete the Woodstock Gardens Restoration Project.
• To complete the Woodstock Local Area Plan.
• To have regard to the policies regarding historic gardens and designed landscapes outlined in section 8.2.7 of this plan.
8.2.9  Mount Juliet Estate
Mount Juliet Estate and the adjoining Ballylynch estate are situated in the Nore Valley to the west of Thomastown. Mount Juliet is generally recognised as a high quality tourism and sporting resource of significant local, national and international importance. It is also a significant built, natural and cultural heritage resource. An action plan was developed for the estate in 2000 to set out the guiding principles and overall future direction for the development of the estate. The relevant elements of this action plan have been updated to provide guidance for the estate during the period of this development plan.

The Mount Juliet Area Action Plan was drawn up in 2000, before changes in the architectural heritage protection legislation had been put into practice. Any future proposals for development at Mount Juliet and Ballylynch will be assessed against the carrying capacity of the estates and their ability to absorb development without detracting from the landscape character and built and natural heritage context of each estate. Significant development proposals should be made in the context of a long-term vision for the entire estate.

8.2.9.1  Mount Juliet Action Plan Strategy
The strategy was based on the following principles:

- The entire Action Area is a sensitive environment.
- Some degree of future development was anticipated and the objective was to regulate and order development rather than presume against development.
- Development trends at that time (2000), either planned or constructed, were taken as indicators and the basis on which predictions of future growth and development patterns were made.
- Where particular development trends or intentions were identified, areas and site specific proposals were made.
- Existing planning permissions on the estate were incorporated into the plan and where appropriate further measures were proposed to integrate previously approved development.

For this development plan period a review of the policies and objectives contained in the 2002 to 2008 Development Plan took place and the following Development Policies and Objectives are proposed.
### Table 8.4 Mount Juliet Development Policies

<table>
<thead>
<tr>
<th>Area</th>
<th>Objectives</th>
<th>Permissible uses/Developments</th>
<th>Uses open for consideration</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>To protect and enhance the Protected Structure, its curtilage and attendant grounds, existing woodlands, individual trees, gardens, built and other environmental amenities.</td>
<td>Sport and leisure facilities such as croquet, tennis putting or bowling lawns.</td>
<td>Temporary tented or other temporary enclosures.</td>
</tr>
<tr>
<td>B</td>
<td>River Barrow/River Nore Special Area of Conservation: To protect and enhance existing landscape, ecological and other environmental amenities. To provide for the protection of water quality and the ecological integrity of the watercourse.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C</td>
<td>To provide for the maintenance and enhancement of tourism, sporting, leisure and related uses.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D</td>
<td>To provide for the maintenance and enhancement of existing golf course uses.</td>
<td>Planting and ground works related to golf course uses.</td>
<td>Temporary tented or other temporary enclosures.</td>
</tr>
<tr>
<td>E</td>
<td>To provide for the creation of facilities related to grounds upkeep and maintenance activities</td>
<td>Stores, machinery storage/repair &amp; office uses related to maintenance of estate lands.</td>
<td></td>
</tr>
<tr>
<td>F</td>
<td>To provide for the maintenance and enhancement of existing agricultural lands in an area of sensitive landscape.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>G</td>
<td>To protect and maintain and reinstate existing parkland character of the estate.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>H</td>
<td>To provide for the maintenance and enhancement of existing agricultural and related buildings.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>I</td>
<td>Woodlands to be protected and maintained in accordance with the woodland management strategy.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>J</td>
<td>To protect the residential amenity of existing dwellings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>K</td>
<td>To provide for the creation, maintenance and improvement of equestrian facilities</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Table 8.5 Mount Juliet Site-specific Objectives

<table>
<thead>
<tr>
<th>Area</th>
<th>Objective</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>To protect and enhance Mount Juliet House (protected structure), its curtilage and attendant grounds and allow for its extension as appropriate.</td>
</tr>
</tbody>
</table>
| 2    | To protect and enhance existing archaeological features:  
   2a Ecclesiastical Remains  
   2b Castle and Mansion  
   2c Enclosure  
   2d Enclosure |
| 3    | To protect and enhance the existing south western entrance to the estate, gate lodges, boundary walls and road frontage. |
| 4    | To protect and enhance the existing Thomastown entrance to the estate, gate lodges, boundary walls and road frontage. |
| 5    | To provide for the enhancement of the cricket pavilion facilities. |
| 6    | To provide for the development of a health spa/wellness centre at the Walled Gardens as approved in planning permission 04/1153. |
| 7    | To provide for the development of an extension at Hunters Yard to cater for health spa requirements, golf reception, members area, restaurant, bar, additional bedroom accommodation, and conference facilities. |
| 8    | To provide for the creation of equestrian facilities as approved in planning permission 06/1455. |
| 9    | To provide for the development of 6 no. apartments adjoining the existing Rose Garden apartments associated with the estate’s sporting and recreational functions permission 02/1632 |
| 10   | Provide for the development of 10 no. two storey houses previously approved in planning permission 06/1134, associated with the estate’s sporting and recreational functions. |
| 11   | Provide for wet sand and dry sand storage areas to facilitate the on-going maintenance of the golf course uses. |
| 12   | Provide for an extension to the existing golf maintenance facility to include changing area and other associated staff uses. |
| 13   | Provide for the development of a tennis court, pavilion and croquet lawn. |
| 14   | Provide for 2 no. helipads as approved in pp. 07/219. |
| 15   | Provide for the development of 3 no. detached houses associated with the estate’s sporting and recreational functions. |
| 16   | Provide for a house at the maintenance facility building previously approved under planning permission 05/925 associated with the estate’s sporting and recreational functions. |
| 17   | Provide for an administration building for the on-going management of the estate. |
| 18   | Provide for the abstraction of water from the River Nore for fire fighting purposes in line with the Chief Fire Officer’s requirements. |
| 19   | Provide for Mount Juliet staff offices at an appropriate location to replace the existing temporary facility. |
| 20   | Provide for estate maintenance/administration area at an appropriate location to replace existing maintenance facility building. |
| 21   | Provide for conservation works within the Walled Gardens in accordance with the Architectural Heritage Protection Guidelines (DoE, 2004). |
| 22   | Provide for the development of 9 no. houses at the Kennels site similar to those at the Gallops subject to the capacity of the estate to absorb development without detracting from the estate’s landscape character and built and natural heritage context. |
Table 8.6 Mount Juliet Protected views

<table>
<thead>
<tr>
<th>View</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>V1</td>
<td>From Mt Juliet House to Ballylinch Stud</td>
</tr>
<tr>
<td>V2</td>
<td>Approach from Thomastown gate towards Mt. Juliet House and the Inch</td>
</tr>
<tr>
<td>V3</td>
<td>River valley from White bridge.</td>
</tr>
<tr>
<td>V4</td>
<td>River valley from Ballylinch bridge.</td>
</tr>
</tbody>
</table>

8.2.10 Inland Waters, Rivers, Streams and Wetlands

The waterways and wetlands of Kilkenny are of great importance, in terms of their influence on the landscape, as a wildlife habitat and as an amenity resource.

The River Nore, and its many tributaries runs from the north to the south of the county; the River Suir and its tributaries flows along the south west county boundary and the Barrow Navigation System runs along the eastern border with Counties Carlow and Wexford. In addition, to the main waterways there are a number of smaller wetland areas of significance.

POLICY

- Protect and enhance the natural heritage and landscape character of waterway corridors and wetlands and to maintain them free from inappropriate development.

- In partnership with the National Parks and Wildlife Service, Waterways Ireland and other relevant stakeholders to facilitate public access to, and understanding of, waterways corridors and wetlands where feasible and appropriate.

- Protect items of architectural heritage and industrial archaeological interest associated with waterways corridors.

- To consult with the Southern Regional Fisheries Board and the National Parks and Wildlife Service prior to undertaking, approving or authorising any works or development which may have an impact on rivers, streams and waterways.

8.3 Landscape

The landscape of County Kilkenny is a dynamic and valuable resource which incorporates all aspects of the natural, built and cultural heritage. Landscapes provide a sense of place and characterise the county for local residents and visitors alike both in terms of a place to live and also for recreational and tourism purposes.

Developments by their nature are likely to have some varying degree of visual impact on a landscape’s character profile depending on the type, use and scale of development proposed. It is important that Kilkenny’s landscape as a resource is sensibly managed and protected. Consequently, the onus shall be on the developer to satisfactorily
demonstrate that such new development can be adequately absorbed into its
surrounding landscape without significant adverse visual impacts to its overall landscape
value.

Ireland has signed and ratified the European Landscape Convention which means that
we are committed to introducing policies to effect landscape protection and
management. The Planning and Development Act, 2000 includes both mandatory and
discretionary development plan objectives in relation to landscape.

The management of the county’s landscapes involves:

- Sustaining, conserving and enhancing the landscape diversity, character and quality;
  and
- Protecting sensitive areas from injurious development, while providing for
development and change that will benefit the rural community.

8.3.1 Areas of High Amenity

The Planning Authority established Areas of Special Control within the County in the
1986 Development Plan and this designation was continued in the 1994 Development
Plan. The 2002 Plan amended this designation by defining these areas as Areas of High
Amenity.

It is intended that the Landscape Character Assessment will be the main guiding force
into the future for the assessment of developments within County Kilkenny. However
it is intended to retain the designation of Areas of High Amenity within the Draft Plan.
This is to allow the development of the Landscape Character Assessment policies in a
historical policy context. As with all areas of the county a high standard of design and
siting will be required for all development in the Areas of High Amenity.

8.3.2 Views and Prospects

There is a need to protect and conserve views and prospects adjoining public roads and
river valleys throughout the county where these views are of high amenity value. In
conserving views, it is not proposed that this should give rise to the prohibition of
development along these routes but development, where permitted, should not seriously
hinder or obstruct these views and should be designed and located to minimize their
impact. The views and prospects to be preserved and protected are contained in
Appendix D to the Plan and are shown on Figure 8.1.

POLICY

- To preserve and improve places or areas from which views or prospects of
  high amenity exist, as identified in Appendix D.

8.3.3 Landscape Character Assessment:

A Landscape Character Assessment report was prepared for County Kilkenny in 2003
(in accordance with the Landscape and Landscape Assessment Guidelines for Planning
Authorities, 2000). This complete document is attached in Appendix E. In summary, the Landscape Character Assessment divided the county into four broad categories of landscape unit types – i.e. the identified landscape character areas with similar physical and visual characteristics were combined to define the major landscape areas in the County. These broad landscape areas are:

1) Upland Areas,
2) Lowland Areas,
3) River Valleys, and
4) Transitional Areas.

These are identified in Map 1 of the Landscape Character Assessment (Document 3) which is incorporated into this Draft Development Plan as Figure 8.2.

POLICY

- Seek to preserve and protect the landscape character, quality and distinctiveness of County Kilkenny,
- Assess developments having regard to the guidance set out in the Landscape Character Assessment. Proposed developments should be consistent with the various landscape policies outlined for each landscape character area specified in the this draft plan whilst also seeking to minimise their visual impact, particularly in areas designated as sensitive and vulnerable landscapes.
- To require that any necessary assessments, including visual impact assessments, are made when undertaking, authorising or approving development.

In the process of reviewing the recommendations of the Landscape Character Assessment, the Council has incorporated the following policies into the draft plan for assessing development proposals in each of the broad landscape area types.

8.3.3.1 Policies for Upland Areas

To consider development on steep slopes, ensuring that it will not have a disproportionate or dominating visual impact on the surrounding environment as seen from areas of the public realm.

To ensure that development will not have a disproportionate visual impact (due to excessive bulk, scale or inappropriate siting) and will not significantly interfere or detract from scenic upland vistas, as identified in the Development Plan, when viewed from areas nearby scenic routes, viewpoints or settlements.

To facilitate developments that have a functional and locational natural resource requirement to be situated on steep or elevated sites (e.g. reservoir, telecommunications or wind energy structures) with reference to the appropriate County strategies currently in place, which ensure that any residual adverse visual impacts are minimised or mitigated.
To maintain the visual integrity of areas, which have retained a predominantly undisturbed upland character.

To have particular regard to potential impacts of new development on any sensitive upland areas.

To facilitate appropriate development that reflects the scale, character and sensitivities of the local landscape.

The difficulty of establishing and maintaining screening vegetation shall be a material consideration when evaluating proposals for development within sensitive areas of the uplands.

8.3.3.2 Policies for Lowland Areas

To recognise that the lowlands are made up of a variety of working landscapes that are critical resources for sustaining the economic and social well-being of the County.

To recognise that this policy area contains the majority of the County’s population. These also incorporate most of the major national primary and regional roads.

To continue to permit development that can utilise existing infrastructure, whilst taking account of local absorption opportunities provided by the landscape and prevailing vegetation.

To continue to facilitate appropriate development in a manner that respects the scale, character and sensitivities of the landscape, recognising the need for sustainable settlement pattern and economic activity within the County.

To recognise that in this low lying open environment, tall and bulky development sometimes can have a disproportionate impact against the landscape particularly when viewed from the predominantly low lying areas of the public realm. Visually obtrusive and/or insensitive development shall be discouraged in such instances.

8.3.3.3 Policies for River Valleys

To direct new development whenever possible towards the vicinity of existing structures and mature vegetation.

To ensure that development will not detract from scenic vistas, especially from bridges, as identified in the development plan, and visible from relevant scenic routes and settlements.

To continue to permit development that can utilise existing structures, settlement areas and infrastructure, whilst taking account of the visual absorption opportunities provided by existing topography and vegetation.
To control development that will adversely affect distinctive linear sections of river valleys, especially open floodplains, when viewed from relevant scenic routes and settlements.

To facilitate appropriate development that reflects the scale, character and sensitivities of the local landscape.

8.3.3.4 Policies for Transitional Areas

To maintain the visual integrity of areas, which have retained a predominantly undisturbed upland character.

To facilitate appropriate development that reflects the scale, character and sensitivities of the local landscape recognising the need for sustainable patterns and economic activity within the County.

To recognise that the lowlands are made up of a variety of working landscapes that are critical resources for sustaining the economic and social well-being of the County.

To continue to permit development that can utilise existing infrastructure, whilst taking account of local absorption opportunities provided by the landscape and prevailing vegetation.

8.4 Built Heritage

Built heritage includes all built features, buildings, archaeological sites, industrial archaeology, and structures such stone walls and bridges.

POLICY
• To conserve and enhance the built heritage of County Kilkenny.

8.4.1 Archaeological Heritage

The principles set out in the Framework and Principles for the Protection of the Archaeological Heritage (1999) provide a framework for the policies to be included in relation to archaeological heritage. The archaeological heritage includes National Monuments in the care of the State, archaeological and architectural monuments and sites in the Record of Monuments and Places and the Register of Historic Monuments, zones of archaeological potential in Historic Towns; the underwater archaeological heritage, including Historic Wrecks; unknown and unrecorded archaeological sites (including subsurface elements with no visible surface remains); potential sites located in the vicinity of large complexes of site or monuments, present or former wetlands, unenclosed land, rivers or lakes, or the inter-tidal zone.

The National Monuments Acts 1930 – 2004 provide for the protection of the archaeological heritage. The Record of Monuments and Places (RMP) was established under Section 12 of the National Monuments (Amendment) Act 1994 and structures, features, objects or sites listed in this Record are known as Recorded Monuments.
As well as extending protection to all known sites, now identified as Recorded Monuments, the National Monuments Acts 1930 – 2004 extends protection to all previously unknown archaeological items and sites that are uncovered through ground disturbance or the accidental discovery of sites located underwater. Where necessary, the Minister for the Environment, Heritage and Local Government will issue preservation orders to ensure protection is afforded to sites believed to be under threat. (Please consult the Department of Environment, Heritage and Local Government’s Record of Monuments and Places for the location of Recorded Monuments and Zones of Archaeological Potential in County Kilkenny.)

8.4.1.1 Zones of Archaeological Potential

Kilkenny has a rich archaeological heritage which ranges from megalithic tombs, to early ecclesiastical enclosures, medieval earthworks and buildings, and industrial archaeology. Ballyragget, Callan, Castlecomer, Dungarvan, Freshford, Gowran, Graignamanagh, Inistioge, Kells, Knocktopher, Thomastown are of particular archaeological significance with very important medieval structures surviving intact above ground and the potential of archaeological finds below ground.

These towns have Zones of Archaeological Potential delineated by the National Monuments Section of the Department of Environment, Heritage and Local Government (DEHLG), around their cores to protect their significant archaeological heritage. The location of these zones will be demarcated in the Local Area Plans for each of these towns. For areas with no Local Area Plan the Record of Monuments and Places should be consulted. All development proposals within the Zones of Archaeological Potential or which relate to Recorded Monuments and Places must be referred to the National Monuments Advisory Service of the DoEHLG.

8.4.1.2 Industrial Archaeology

Kilkenny has a wealth of industrial archaeological sites, sites of past industrial activity. This includes sites and machinery relating to extractive industries (e.g. mines and quarries), manufacturing (e.g. corn and textile mills), service industries (e.g. main drainage, water supply, gas, electricity), power (windmills, watermills, steam engines) and transport and communications (e.g. roads, bridges, railways, canals, harbours, airfields). Although some of this heritage extends back to prehistoric times, most of what now survives relates to the last 250 years, the period during which Ireland became progressively industrialised.

An Industrial Archaeology Survey of County Kilkenny (1990) was commissioned by Kilkenny County Council and this identified significant sites which were added to the Record of Protected Structures.

The Draft County Heritage Plan has identified an action to undertake a review of mining heritage structures and features, and to use this as a pilot for the review of the Industrial Archaeological Survey.

ACTION
In partnership with the Kilkenny Heritage Forum, to carry out a review of mining heritage, structures and features and to use this as a pilot for the review of the Industrial Archaeological Survey.

8.4.1.3 Underwater Archaeology

Wrecks and underwater archaeological objects do not appear on the Record. However much archaeology exists underwater and it does form part of the archaeological heritage.

8.4.2 The Record of Monuments and Places

The record for the County was established under section 12.3 of the National Monuments (Amendment) Act 1994. It identifies sites and monuments and areas within the county which were known when this section of the Act became statutory in December 1997. The record consists of two documents i) a set of constraint maps and ii) a list. Previously unidentified monuments, sites and areas will come to light from time to time and will be included in updates of the record.

POLICY

- Protect and enhance archaeological sites, monuments (including their setting), underwater archaeology, including those that are listed in the Record of Monuments and Places, and in the Urban Archaeological Survey of County Kilkenny or newly discovered sub-surface archaeological remains.
- To ensure the preservation in-situ, or preservation by record of:
  (a) The archaeological monuments included in the Record of Monuments and Places as established under section 12 of the National monuments (Amendment) Act, 1994 and in the Urban Archaeological Survey of County Kilkenny.
  (b) Any other sites and features of historical or archaeological interest.
  (c) Any subsurface archaeological features that may be discovered during the course of infrastructural/development works.
- Provide guidance to developers and property owners regarding the archaeological implications of a proposed development.
- Promote pre-planning consultations in relation to the archaeological heritage with the planning authority and with the Department of the Environment, Heritage and Local Government in its capacity of being charged with the implementation of the National Monuments Acts.
- To require an appropriate archaeological assessment to be carried out in respect of any proposed development likely to have an impact on a Recorded Monument, a Zone of Archaeological Potential, or their settings.
- To ensure the protection of archaeological material in situ by ensuring that only minimal impact on archaeological layers is allowed.
- To require that sites of archaeological interest shall be subject to archaeological investigations and recording according to best practice, in advance of redevelopment where preservation in situ is not feasible.
• Endeavour to ensure the dissemination of the results of archaeological excavation in a timely and appropriate manner.
• To acknowledge the importance of underwater archaeology by requiring that any proposed developments that may have implications for the underwater heritage shall be subject to an underwater archaeological assessment in advance of works.
• Facilitate and where feasible create public rights of way to sites of archaeological and historical interest and to National Monuments in state and Local Authority ownership in the county. The Council will also seek the preservation, maintenance and improvement of all existing right of ways to such areas where appropriate.
• Require the retention of surviving medieval plots and street patterns in the villages and towns of Kilkenny and to facilitate the recording of evidence of ancient boundaries, layouts etc. in the course of development.
• To facilitate the implementation of the conservation plans for St. Lachtain’s Church, Freshford and other Conservation Plans prepared with the support of the Council over the lifetime of this plan.
• To ensure that development in the vicinity of a Recorded Monument or Zone of Archaeological Potential does not seriously detract from the setting of the feature, and is sited and designed appropriately.

8.4.3 Historic Graveyards
The historic graveyards of Kilkenny, in addition to being the resting places of our ancestors, are an important part of the heritage of the county. They contain a wealth of architectural and archaeological features and are refuges for many species of plant and animal. A survey of historic graveyards was carried out in 2005, entitled ‘The Historic Graveyards of the City and County of Kilkenny: An Inventory’.

Most historic graveyards are afforded legal protection through the National Monuments (Amendment) Acts or the Planning and Development Acts.

POLICY

• Conserve and protect historic graveyards and churches within Kilkenny and to encourage their maintenance in accordance with conservation principles and as resources allow.
• To continue to support and assist communities in the care and conservation of historic graveyards through the Historic Graveyards Grants Scheme.

8.4.4 Architectural Heritage
County Kilkenny is rich in structures and places of historic and architectural value that are symbols of the social, economic and cultural development of the county and which contribute to its essential character. An Introduction to the Architectural Heritage of County Kilkenny was published by the NIAH in 2006, and this offers an illustrated introduction to the architecture of the county. Part IV of the Planning and
Development Act, 2000 sets out the statutory provisions for protecting the architectural heritage which includes a requirement to:

1. Include in the development plan a Record of Protected Structures.
2. Include in the development plan an objective to consider the designation of Architectural Conservation Areas.

8.4.4.1 Record of Protected Structures
Each planning authority has a statutory responsibility, under the Planning and Development Act 2000, to include a Record of Protected Structures (RPS) in its Development Plan.

A Protected Structure, unless otherwise stated in the RPS, includes the interior of the structure, the land lying within its curtilage, any other structures lying within that curtilage and their interiors, plus all fixtures and features which form part of the interior or exterior of any of these structures. Structures, or parts of structures, can be added to the Record if they are deemed of special interest under one or more of the following headings: architectural, artistic, historic, archaeological, cultural, scientific, social, technical.

Guidance on the categories of special interest for considering the inclusion of protected structures in the RPS is given in Section 2.5.4 to 2.5.20 of the ‘Architectural Heritage Protection Guidelines for Planning Authorities, 2004’ issued by the Department of the Environment Heritage and local Government.

The term ‘protected’ is defined in the 2000 Planning and Development Act as including ‘conservation, preservation and improvement compatible with maintaining the character and interest of the structure or part thereof’. Therefore, works which would, in the opinion of the Council, have material effect on the character of the protected structure, require planning permission. Owners or occupiers of a protected structure may seek a Declaration under Section 57 (2) setting out which works would materially affect the character. Section 57(10) (b) of the Planning and Development Act 2000 provides that permission may only be granted for the demolition of a protected structure or a proposed protected structure in exceptional circumstances.

There are now approximately 700 buildings, structures and features listed in the RPS and the Record will continue to be added to as structures, buildings and features of special interest are identified and as resources permit. The Record of Protected Structures is listed in Appendix F.

The National Inventory of Architectural Heritage (NIAH) has been completed by the Department of Environment, Heritage and Local Government, for County Kilkenny. Descriptions and descriptions and appraisals of over 2000 structures can be viewed at the NIAH website. The Council will respond to the Ministerial recommendation made in 2006 to consider structures included in the survey and rated Regional and above for inclusion in the RPS and additions will be made to the RPS on a phased basis.

POLICY
• Ensure the protection of the architectural heritage of County Kilkenny by including all structures considered to be of special architectural, historical,
archaeological, artistic, cultural, scientific, social or technical interest in the Record of Protected Structures.

- To have regard to the Architectural Heritage Protection Guidelines issued by the Department of the Environment Heritage and Local Government in 2004 when assessing proposals for development affecting a protected structure.
- To encourage the sympathetic retention, reuse and rehabilitation of protected structures and their setting.
- To promote principles of best practice in conservation and the use of appropriate materials and repair techniques through the administration of the Conservation Grants Scheme funded by The Department of the Environment Heritage and Local Government.
- Ensure the protection of the architectural heritage through promoting the importance of regular maintenance of structures contained within the Record of Protected Structures.
- Provide assistance to owners of protected structures in undertaking essential repairs and maintenance by the provision of relevant information.
- Promote by example the principles of best practice in conservation of the built heritage through the custodianship of Protected Structures in the Council's ownership/care.

ACTION

- To respond to the Ministerial recommendation to include in the Record of Protected Structures, structures which have been identified as being of Regional, National or International significance in the National Inventory of Architectural Heritage survey of the city and county published in 2006.
- To carry out a review of the Record of Protected Structures.

8.4.4.2 Retention and Re-use of Older Buildings of significance which are not protected

The retention, rehabilitation and re-use of the vernacular built heritage and older buildings can play a pivotal role in sustainable development. The vernacular built heritage consists of buildings and settlements created by the people from local materials and resources to meet local needs following local traditions. Kilkenny contains many examples of buildings, which although not protected, have artistic, architectural, historic or aesthetic merit. Many of these buildings are attractively designed, have stood the test of time and make a positive contribution to their landscape or urban setting and to quality of life.

POLICY

- Seek the retention, re-use and refurbishment where feasible, using appropriate materials and techniques, of older buildings of architectural, cultural, historic and aesthetic merit which, though not protected structures, make a positive contribution to the character, appearance and quality of local streetscapes and rural areas.
• Encourage the retention of original windows, doors, renders, roof coverings and other significant features of older buildings of architectural, cultural, historic or aesthetic merit, whether protected or not.

• To promote the retention and re-use of the vernacular built heritage through increasing public awareness of its potential for re-use and its adaptability to change.

ACTION

• To carry out a systematic comprehensive survey of thatched structures in County Kilkenny to include a review of the existing surveys carried out in the county in the 1980s.

• To consider for inclusion in the RPS all thatched structures where the historic thatch survives.

8.4.4.3 Architectural Conservation Areas

The Planning and Development Act, 2000 provides for the inclusion of objectives for preserving the character of places, areas, groups of structures or townscapes where the planning authority is of the opinion that such an area:

(a) is of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest or value, or

(b) contributes to the appreciation of protected structures.

Such areas are designated as Architectural Conservation Areas (ACA’s). Guidance on the categories of special interest for considering the designation of Architectural conservation Areas is given in Sections 3.3 and 3.4 of the ‘Architectural Heritage Protection Guidelines for Planning Authorities, 2004’.

There are ACA’s within Gowran, Freshford, Inistioge and Ballyragget which were identified during the preparation of Local Area Plans for these villages.

It is the purpose of the Architectural Conservation Area designation to preserve the general character of the area with regard to building scale, proportions, historical plot sizes, materials, building lines, and height, historic street paving and street furniture, as well as general use.

Works to the exterior of a building within an ACA which, in the opinion of the local authority, would affect the character of the area, would require planning permission. Guidance on the criteria the planning authority will use to assess proposals for new development and proposals for demolition within an Architectural Conservation Area are given in section 3.10 of the Architectural Heritage Protection Guidelines, 2004, issued by the Department of the Environment Heritage and Local Government.

A detailed survey, character appraisal, and set of policies and objectives have been produced for each ACA. The identification of new ACA’s and the modification of existing ACA’s may be proposed during the lifetime of the Plan. The re-assessment of existing or the designation of new ACA’s will form part of each Local Area Plan.

POLICY
• To ensure the preservation of the special character of each ACA particularly with regard to building scale, proportions, historical plot sizes, building lines, height, general land use, building materials, historic street furniture and paving.
• To have regard to the Architectural Heritage Protection Guidelines, issued by the Department of the Environment Heritage and Local Government when assessing proposals for development affecting the character of an ACA
• To consider the designation of Architectural Conservation Areas where appropriate and provide a local policy framework for the preservation of the character of these areas.
• To ensure the retention, repair rather replacement and the regular maintenance of original/early features in buildings which contribute to the character of an ACA such as chimney stacks, roof coverings, roof profiles, external wall treatments, doors and windows, shopfronts and pubfronts and to ensure the use of appropriate materials and repair techniques when repairs are being carried out.
• To ensure that inappropriate materials such as windows, doors and rainwater goods constructed in aluminium or uPVC are not introduced to buildings within ACAs.
• To encourage high quality, contemporary design and materials where appropriate when new buildings are being introduced into an ACA and the retention of the historic scale and plot size
• To ensure the preservation of the character of an ACA when assessing proposals for advertising
• To retain historic items of street furniture where they contribute to the character of the ACA and to protect historic items of street furniture and roadside items as appropriate.

ACTION

• To designate Architectural Conservation Areas as appropriate and to provide a local policy framework for the preservation of the character of the designated areas.

8.4.4.4 Townscapes

Formal townscape is about placing the everyday parts of a town in a layout of relationships which we can identify, understand and enjoy. The formal layout of some towns is easily readable. However there are also, in other towns, carefully composed arrangements of buildings and spaces placed in such a way that their roles are much less obvious but equally effective.

The use of Local Area Plans (LAP’s), Village Design Statements, or other appropriate mechanisms, will be encouraged to integrate new development within the existing built fabric.

POLICY
To protect, conserve and where necessary restore or enhance, the quality, character and distinctiveness of the townscapes of the county.

8.4.4.5 Street Furniture and Roadside Features
Items of street furniture are an important part of our built and cultural heritage. They are also important elements in establishing the character and interest of an Architectural Conservation Area. Such items could include the following; lamp standards, seats and benches, bollards, railings, street signs, freestanding or wall mounted post boxes, telephone kiosks, horse troughs, water pumps, drinking fountains, jostle stones, milestones, paving, kerbstones, cobbles and setts, pavement lights, coal hole covers, weighbridges, statues, plaques and other monuments.

POLICY
• Protect and enhance historic items of street furniture and roadside features, as appropriate.

8.4.3.7 Features of Cultural Heritage Interest
Features of cultural heritage interest such as mass rocks, mass paths, rag trees etc are locally significant and add to the distinctive character and sense of place of an area.

POLICY
• To preserve, protect and where necessary enhance, significant heritage objects such as mass rocks and/or other significant cultural features that form part of the cultural heritage of the County.

8.4.4.6 Farm Villages of South Kilkenny
A number of villages in South Kilkenny can be considered distinctive on a national level due to their nucleated and clustered settlement pattern. These are collectively known as the farm villages of South Kilkenny. An essay by Jack Burtchaell entitled “The South Kilkenny Farm Villages” published in 1988 in the collection of historical geography essays entitled New Ground (Smyth et al, 1988), identifies these villages and provides detail on their origins and significance. A cultural heritage assessment of the farm village of Listrolin was undertaken in 2004. The aim of the study was to establish an understanding of the cultural heritage of the village, assess its significance, analyse the factors affecting its significance, and make recommendations for the future.

Although Burtchaell identified a total of 57 such villages, six have been identified as being worthy of further study, namely: Listrolin, Licketstown, Glengrant, Luffany, Corludy, and Portnahully located in the parish of Mooncoin.

The Council will examine measures to protect the importance of these farm villages.

ACTION
• To investigate the possibility of preparing Conservation Plans and possibly the designation where appropriate of ACAs for the villages of Licketstown, Glengrant, Luffany, Corludy, and Portnahully located in the parish of Mooncoin) and Listrolin (Mullinavat parish), and to be proactive in encouraging preservation of the character of these unique village settlements.

8.4.5 Floodlighting

The floodlighting of buildings and structures is often regarded as a means of highlighting the significance of a structure and reflects the substantial pride that communities have in individual heritage sites and structures. Notwithstanding this, floodlighting has the potential to negatively impact on both natural and built heritage. It can contribute to light pollution, impinge on protected species such as bats, and affect the architectural and archaeological significance of a site.

A successful lighting scheme will relate to the architectural form of the building and will sensitively utilise the detailing and features of such buildings with low wattage light sources and discreet light fixtures. It will also minimise the spillage of potential obtrusive light to adjacent areas and will avoid unnecessary over lighting, which can alter the appearance of a building or area. Successful schemes may also combine exterior lighting with interior lighting; however, in certain cases interior lighting only may be appropriate.

Proposals for lighting schemes should include details of the size, type, siting and number of fixtures, as well as wattage, colour of light source, light pattern and potential impact on the building material.

To avoid conflict, proposals should demonstrate how lighting schemes would enhance and protect the character of an area or group of protected structures and/or co-ordinate with any adjacent lighting schemes. Powerful wide angled over lighting which can diminish the architectural features of a building or area will be discouraged.

POLICY

• To require an appropriate assessment of the potential impacts of proposals to floodlight buildings and structures.
• To ensure the protection of the special character and setting of protected structures and of an ACA when considering proposals for floodlighting.
• To ensure the avoidance of the spillage of potential obtrusive light to adjacent areas and to avoid unnecessary over lighting.
• To provide guidance to developers and others in relation to floodlighting

8.4.6 Place names

Place names are a very important part of our cultural heritage. They provide a link to the past and reflect the natural, built and cultural heritage of a locality. It is important that place names of all new developments reflect the local topography, history, culture, ecology or significant people and events and incorporate traditional and Irish language place names from the locality.
POLICY

- To preserve historic place names and historic street names.
- To ensure that the names of all new developments shall reflect local historical, heritage or cultural associations.
- To encourage the use of bi-lingual and Irish-Language place names and signs.
- To place a condition on grants of planning permission requiring the agreement of place names between the developer and the Planning Authority.
- To provide guidance to developers and others in relation to naming of new developments.