

**Draft Minutes of Special Meeting of Kildare County Council
Held at 1pm on Wednesday 20th April 2016
At Aras Chill Dara, Naas, Co. Kildare**

Members Present: Councillor B.Weld (Mayor), Councillors M. Aspell, A. Breen, A. Breslin, F Brett, K Byrne, B Caldwell, D. Callaghan, M. Coleman, R Cronin, I Cussen, M Dalton, S Doyle, T Durkan, D. Fitzpatrick, B Hillis, I. Keatley, C. Kelly, P. Kennedy, A Larkin, M. Lynch, M. McCabe, J McGinley, F McLoughlin-Healy, M. Miley Jnr, S. Moore, T Murray, J. Neville, J. Pender, R Power, S Power, D Scully, M Stafford, M Wall and B Young.

Absent: Councillor P Ward.

Apologies: Councillor N. O’Cearuil, P. McEvoy, S. O’Neill and T. Redmond.

Also Present: Mr. P. Carey (Chief Executive), Mr. P. Minnock (Director of Services), Mr. Ml. Kenny (Senior Planner), Ms. K. Kenny (Senior Executive Planner) Mr. K. Kavanagh (Meetings Administrator), Mr. G. Willoughby (Senior Executive Engineer), Ms.V.Cooke (Administrative Officer) and other officials.

The Mayor thanked the members for their attendance and set out the order of business of the meeting and stated that it was his intention that the review of the proposed Draft Plan would be completed by the end of the meeting.

K. Kenny gave the members an overview of the content of the Chief Executive’s report and stated that there were 100 Notices of Motion to consider including issues which the members had raised at their earlier meetings and which the staff had undertaken to report on prior to the draft Plan going on display.

The Mayor then proceeded with the meeting in accordance with the agenda and with the items and motions as listed in the Chief Executives report.

1. To adopt minutes of 5th April 2016

It was agreed that the adoption of the minutes of 5th April 2016 be included on the agenda for a subsequent meeting of council.

Chapter 12

2. Chief Executive's Amendments

1.1

To amend RPS as follows:

B22-17: Thomastown Country House, insert in Description – **House and Enclosure**

Reason

Thomastown House is located at Thomastown West, Kildare. The amendment is to clarify the full extent of the protection.

K. Kenny advised the members that the amendment only referred to Thomastown House.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

1.2

To amend RPS at the request of the Transportation Department as follows:

B22-57: Railway Bridge, Hill Road, Kildare – delete from RPS

Reason

To facilitate the completion of an approved road scheme at this location that forms part of the transportation strategy for planned development to the north of the railway line in the Southgreen area of Kildare Town and to facilitate the future development of the rail network by Iarnród Éireann.

This bridge is one of c. 50 stone arched railway over bridges in County Kildare and is the only one included on the RPS.

The Southgreen area of Kildare has been subject to an Action Area Plan adopted in 2004. The key objective of this Plan is to plan for the orderly expansion of the residential core of Kildare in the Southgreen area, subject to good planning and the provision of adequate and appropriate services. The proposed scheme will allow for the construction of both an inner and outer relief road in the area, a new railway bridge at Hill Road and improvements to the existing railway bridge at Old Road (RPS B22-57). These works will provide connectivity for the proposed residential developments at Southgreen, with a high level of pedestrian and cycle infrastructure.

The proposed works to the two railway bridges are as follows:

- **Hill Road Railway Bridge (not on RPS):** a new railway bridge to replace the existing railway bridge. CIE / IE request that this bridge be replaced with a wider bridge to allow for future rail improvement works. [Iarnród Éireann](#) has stipulated that the new bridge shall be constructed to facilitate the future 4-tracking of the Dublin Cork rail line at this point.
- **Old Road Railway Bridge (RPS B22-57):** improvement works to the existing bridge which will include the installation of safety barriers on the bridge approaches, increasing the height of the bridge parapet, a new

pedestrian footway and kerb build outs with a stop/go signal control of traffic to be provided.

Four conservation reports have been prepared in respect of this bridge.

The National Inventory of Architectural Heritage survey appraised the bridge as follows:

This bridge is a fine rubble stone bridge that forms an attractive feature on the former Great Southern and Western Railway line and is one of a group of bridges on the section of that railway line that passes through County Kildare. The construction of the arch that has retained its original shape is of technical and engineering merit. The bridge exhibits good quality stone masonry and fine, crisp joints. The bridge is of considerable historical and social significance as a reminder of the railway network development in Ireland in the late nineteenth century that necessitated the construction of such road bridges.

Kildare County Council commissioned Carrig Consultants in 2016 to carry out a review of structures to inform the review of the RPS.

Summary of Report on RPS B22-57: Having conducted extensive surveys of industrial heritage in the greater Dublin area, and having recorded and assessed many railway bridges in the course of those surveys, we can state with confidence that it is unusual to find a bridge like this in such a sound state. The bridge appears to have suffered little or no damage or alteration other than a small area of repair and repointing to the southern end of the western parapet. In addition the location of this bridge close to Kildare railway station, a Protected Structure (RPS no. B22-59), lends it added significance.

Kildare County Council commissioned AR&R Consultants to carry out a review of the structure in July 2013.

Summary of the report is set out below:

- The bridge is part of a collection of railway related structures on this historically important line that includes railway stations, goods sheds, signal boxes, bridge and crossings.
- The single arch masonry bridge is typical in its style and materials used of railway bridges built throughout Ireland from mid-nineteenth century.
- The bridge design and quality of materials and their treatment all contribute to the special architectural interest of the bridge.
- The arrival of the railway to parts of rural Ireland heralded a transformation for commerce and public transport and linked small towns such as Kildare with main cities and ports. The construction of the railway network in Ireland brought huge economic, cultural and social change and as such this bridge is of social importance.
- The bridge survives in good original condition and it contributes to the visual character of the surrounding rural landscape.

The South Green landowner commissioned Rob Goodbody Historic Building Consultants to carry out a review of the structure in September 2015.

Summary of conclusion:

- Essential works to upgrade the railway line through Kildare involve three elements – widening to four-track running, electrification and upgrading to high-speed running – each would require removal of the bridge.
- The expansion of the town of Kildare as envisaged in the AAP for Southgreen would require the upgrading of the access to the lands to the north of the railway and this would include the widening and realignment of Old Road and Hill Road, requiring the replacement of the bridge at Hill Road.
- The bridge at Old Road is typical of its period and, like many hundreds of stone-arched railway bridges around the country that were built in the 1840s and 1850s and later, it is well constructed and attractive to view. It is not, however, a rarity, let alone unique and in my opinion it would not warrant given precedence over the other railway bridges in the County.
- In light of the above it is not considered that there are any reasons why Old Road Railway Bridge should be singled out for protection and the bridge will need to be removed from the RPS in order for the AAP to proceed and for the upgrading of Ireland's principal railway line to be implemented.

K. Kenny advised the members that the address should read "Old Road" rather than "Hill Road". G. Willoughby advised the members that the deletion of record B22-57 from the Record of Protected Structures was required to facilitate the removal of the bridge structure to enable railway upgrade works to be undertaken.

Resolved: On the **proposal** of Councillor Doyle, **seconded** by Councillor Hillis and **agreed** by all members present that the Chief Executive's amendment be accepted.

1.3

To amend RPS as follows:

B04-26: Celbridge, Collegiate School – re number as **B11-22** and amend structure name to "Celbridge, **former** Collegiate School (Celbridge Manor Hotel).

Reason

To provide increased clarity in relation to the location of this structure and to align the reference to the County 6" Map series.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

1.4

Relocate text from Section 12.3 to Section 12.1 as follows:

The County also has a rich heritage of gardens and designed landscapes associated with Demesnes. Demesnes date back to the Anglo-Normans and are the portion of a manor retained by the lord for his own occupation and use. A great flourishing of garden design came in the eighteenth and nineteenth centuries – with "geometric" layouts being replaced by more natural layouts in the later period. This was also the period when many of our town squares and public gardens were developed.

Reason

To include this overview information in the introduction.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

3. Councillor Martin Miley

Major concerns with policy 12.7.2 architectural conservation areas.
Village of Ballitore has been held back due to its heritage.

Response:

Planning Authorities are obliged under Part 4 of the PDA 2000 (section 81) as amended to preserve the character of places and townscapes which are of special architectural character, by means of an ACA.

In an ACA protection is best achieved by controlling and guiding change on a wider scale than the individual structure, in order to retain the overall architectural or historic character of an area. This does not prohibit new development and development that will not harm the character or appearance of the area will be considered. The ACA designation provides opportunities with many communities seeking the designation, using it to build upon an existing character and to promote their area for tourism and heritage purposes.

It is also noteworthy that the DAHG run a scheme to match fund aid repair works to historic structures in ACAs.

Recommendation:

No change

K. Kenny advised the members that the policy didn't prohibit new development. Councillor Miley stated that most buildings appeared to be considered to be heritage buildings.

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

4. Councillor Íde Cussen & Councillor Reada Cronin

Page 12-1

12.2 Strategy

I propose to remove the wording "or record" from the 2nd paragraph

"Protect and conserve the archaeological heritage of the county. Secure the preservation in situ or record of all sites and features of historical and archaeological interest.

Response:

National Guidance in relation to the protection of architectural and archaeological heritage - framework and methodology of protection - seeks protection in – situ in the first instance, with provision for preservation by record in certain circumstances.

The bullet point can be amended to acknowledge that preservation in situ is preferred.

Recommendation:

Agreed with amendment. Amend bullet point as follows:

Protect and conserve the archaeological heritage of the County. The Council will favour the preservation in-situ of all sites, monuments and features of significant historical or archaeological interest in accordance with the recommendation of the Framework and Principals for the Protection of Archaeological Heritage (1999) or any superseding national policy.

The members agreed to consider Motion no. 4 and Motion no. 10 together. K. Kenny briefed the members on the Chief Executive's recommendation.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

5. Councillor Íde Cussen & Councillor Readá Cronin

Add "to protect and conserve the Holy Wells in Kildare

Response:

This motion is considered to be addressed in the Proposed Draft County Development Plan, which includes policies to protect and conserve architectural and archaeological heritage. Holy Wells of particular architectural and / or archaeological interest should be referred to the Architectural Conservation Officer or Heritage Officer for review.

Recommendation:

No change

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

6. Councillor Íde Cussen & Councillor Readá Cronin

Add to 12.4.2 – Protected Structure Objectives

PSO

To protect and preserve William Roantree's House Main Street Leixlip as it is within an ACA.

Response:

This structure has been damaged by fire and the interior of the structure has been extensively damaged. The building is located within an ACA and as such the exterior has significant protection as part of the traditional streetscape of Leixlip.

Recommendation:

No change

K. Kenny advised the members that the legislation concerning an ACA referred to the exterior of buildings and that fire damage to the building had destroyed all aspects of note within the building.

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

7. Councillor Íde Cussen & Councillor Readá Cronin

Add to 12.4.2 – Protected Structure Objectives

PSO

To ensure that advertising/signage isn't fixed to walls of protected structures.

Response:

Works to Protected Structures will be assessed taking account of best conservation practice and design principles, as set out in national guidance documents such as the Architectural Heritage Protection, Guidelines for Planning Authorities. Protected Structures that are in commercial use would regularly have signage affixed to the structure – particularly where they front a public street. Where new fixings are proposed the method statement of works would generally seek to ensure that the signage is structurally independent of the historic fabric, so as to minimise any potential damage.

Recommendation:

No Change

K. Kenny advised the members that a method statement was usually required in cases where planning permission was sought.

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

8. Councillor Íde Cussen & Councillor Readá Cronin

Add: That the council makes the NIAH information available when ready to the public and to Fáilte Ireland for promotion for the county of Kildare

Response:

The architectural heritage inventory information for each County is readily accessible on line via NIAH website.

Recommendation:

No change

K. Kenny advised the members that there was extensive information on the NIAH website and agreed to Councillor Cussen's request to examine the possibility of adding a link from the Council's website to that of the NIAH.

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

9. Councillor Íde Cussen & Councillor Readá Cronin

Add: To include St Bridget's Well in Kilcullen on the list of heritage sites

Response:

The Record of Monuments and Places is not prepared or maintained by the County Council. Potential heritage sites can be discussed with the Heritage Officer and where appropriate referred to the National Monuments Section of the DAHG for assessment and inclusion on the Record as appropriate.

Recommendation:

No change

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

10. Councillor Íde Cussen & Councillor Readá Cronin

12.9

AH-1 I propose to remove the wording "or record" from the paragraph for reasons stated above

Response:

National Guidance in relation to the protection of architectural and archaeological heritage - framework and methodology of protection - seeks protection in – situ in the first instance, with provision for preservation by record in certain circumstances.

AH-1 can be amended to reflect this.

Recommendation:

Agreed with amendment. Amend AH – 1 as follows:

To manage development in a manner that protects and conserves the archaeological heritage of the county, avoids adverse impacts on sites, monuments, features or objects of significant historical or archaeological interest and secures the preservation in – situ or by record of all sites and features of historical and archaeological interest. The Council will favour preservation in –

situ in accordance with the recommendation of the Framework and Principals for the Protection of Archaeological Heritage (1999) or any superseding national policy.

The members agreed to consider Motion no. 4 and Motion no. 10 together. K. Kenny briefed the members on the Chief Executive's recommendation.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

11. Councillor Thomas Redmond

12.4.2

TO Add PSO 9 . To protect the views from Whites castle , in Athy.

Response:

Refer to PS 3 where the principal views of the elevations of a protected structure are protected. Also ACA 2, a Statement of Character, can link to policies to protect views within an ACA.

Recommendation:

No change

The members agreed to consider Motion no.'s 11, 12 and 13 together.

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

12. Councillor Thomas Redmond

12.4.3

To carry our field surveys on the Derries in Kilberry an old settlement.

Response:

The Record of Monuments and Places is not prepared or maintained by the County Council. Potential heritage sites can be discussed with the Heritage Officer and where appropriate referred to the National Monuments Section of the DAHG for assessment and inclusion on the Record as appropriate.

Recommendation:

No change

The members agreed to consider Motion no.'s 11, 12 and 13 together.

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

13. Councillor Thomas Redmond

12.7.2

To carry out a pilot study with the owner of Whites castle in developing its uses

Response:

The Planning Authority can provide guidance in respect of any future planning application for a change of use. Enquires can be made through the Section 247 Pre-Planning process or direction to the Architectural Conservation Officer.

It should be noted that PS 9 seeks to favourably consider the change of use of any structure included on the RPS provided such a use does not adversely impact on its intrinsic character. PS 10 seeks to actively encourage uses that are compatible with the character of protected structures and allows for relaxation of zoning restrictions in order to secure the preservation and restoration of the structure. The particular issue of Whites Castle is a matter for the Athy Development Plan and for the forthcoming Athy Local Area Plan.

Recommendation:

No change

The members agreed to consider Motion no.'s 11, 12 and 13 together.

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

14. Cllr Mark Lynch

E0?

Add a new one... "to passively add additional protected structures to the register".

Response:

This issue raised in this motion is addressed in legislation. The RPS is a live register and additions to and deletions from it can be made as a result of the review of the CDP under Section 12 of the Planning and Development Act, and outside of this review process under Section 55 of the Planning and Development Act.

Recommendation:

No change

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

Chapter 13**15. Chief Executive's Amendments**

None.

16. Councillor Brendan Young

Ch 13-6 NHO 7 amend to read: To complete a programme of mapping of invasive species and destructive parasites in the County in conjunction with Teagasc and other relevant agencies.

Response

The National Parks and Wildlife Service has overarching responsibility for the management of invasive plant and animal species in Ireland and for the preparation of legislation and guidance in relation to the control of invasive species.

It is an objective to Kildare County Council to complete a programme of mapping of invasive plant species in the County. The Council is not aware of any precedent for the mapping of parasites.

Recommendation:

No Change

The members agreed to consider Motion no.'s 16, and 18 together.

Councillor Young stated that his motion referred to Ash Dieback disease and said that there was a need to map its spread within the county as Nursery operators were concerning about their stock of ash plant stock and that it was necessary to liaise with the Department of Agriculture. Councillor Cussen asked why there wasn't a policy concerning native invasive species? K. Kenny advised the members that mapping work was being undertaken under the Heritage Plan and M. Kenny undertook to amend the working of the policy title 13.8 to make it obvious that native species were included.

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation subject to M. Kenny's undertaking.

17. Councillor Martin Miley

13.2

To ensure that the necessary drainage can take place in special areas of conservation

Response

The National NPWS is responsible for the preparation of Management Plans for Natura 2000 sites. Such plans include guidance on land use, management issues and recommended actions to protect and conserve the sites.

Objective NHO 6 is to request the NPWS to prioritise the preparation of Management Plans for Natura 2000 Sites which are located within the County.

Recommendation:

No Change

Councillor Miley stated that there was a need to be pragmatic and proactive. K. Kenny advised the members that SACs in County Kildare tended to be water-based and that AAs were required where planning permission was sought.

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

18. Councillor Íde Cussen & Councillor Reada Cronin

That this council develops a policy to support measures for the prevention and/or eradication of invasive native species within the county.

Response

The National Parks and Wildlife Service has overarching responsibility for the management of invasive species in Ireland and for the preparation of legislation and guidance in relation to the control of invasive species.

Objective NHO 8 seeks to raise awareness of potential threats caused by invasive species, their methods of dispersal and appropriate control measures in association with relevant authorities.

Recommendation:

No Change

The members agreed to consider Motion no.'s 16, and 18 together.

Councillor Young stated that his motion referred to Ash Dieback disease and said that there was a need to map its spread within the county as Nursery operators were concerning about their stock of ash plant stock and that it was necessary to liaise with the Department of Agriculture. Councillor Cussen asked why there wasn't a policy concerning native invasive species? K. Kenny advised the members that mapping work was being undertaken under the Heritage Plan and M. Kenny undertook to amend the working of the policy title 13.8 to make it obvious that native species were included.

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation subject to M. Kenny's undertaking.

19. Councillor Íde Cussen & Councillor Reada Cronin

Add: To add St Bridgets Well and mass walk to the list of geological interests.

Response

The audit of Geological Heritage of County Kildare was carried out in 2005, and identified 20 sites of interest in the County. St. Bridgets Well and mass walk is not identified as a geological site.

Recommendation:

No Change

K. Kenny advised the members that the issue could be discussed with the Heritage Officer at a future date.

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

20. Councillor Íde Cussen & Councillor Reada Cronin

13. 10. 2.1 Trees, woodlands & Hedgerow

Add: To actively pursue opportunities to use council owned land to create new forest areas as part of the tree management plan (Ref Chapter 13, GI 10)

21. Councillor Íde Cussen & Councillor Reada Cronin

13. 10. 2.1 Trees, woodlands & Hedgerow

Add: To help offset our overall carbon footprint, to promote and encourage more planting of trees and hedgerows as part of any new residential development or once off building planning applications in Kildare.

22. Councillor Íde Cussen & Councillor Reada Cronin

13. 10. 2.1 Trees, woodlands & Hedgerow

Add: To state the importance of offsetting our carbon footprint by ensuring adequate planting of trees and bushes as part of any new commercial development planning permissions.

Response to 20, 21 & 22

Agree with amendment.

Recommendation:

The following amendments / additions can be made in response to these motions:

Text of Section 13.10.2

Trees, woodlands and hedgerows make a valuable contribution to the landscape and visual amenity of County Kildare, **and provide wider environmental benefits that include carbon storage.**

Add Policy:

- To encourage the planting of woodlands, trees and hedgerows as part of new developments.

Add Objective:

- To seek to retain and supplement existing tree, woodland and hedgerow planting on Council owned lands.

The members agreed to consider Motion no.'s 20, 21 and 22 together.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

23. Councillor M. Lynch (referred from Chapter 5 meeting)

That within chapter 5, that the Curragh Plains are added as not only a county but national unique area and that the council will work and facilitate its listing as a NHA and a protected area under EU law.

Response

(addressed under 35 below)

Resolved: The members noted the response.

Chapter 14**24. Chief Executive's Amendments**

24.1

CE Change to be inserted into Chapter 14 - Section 14.8.5

It is a policy of the Council:

WC 9: To have regard to the relevant aspects of the Inland Fisheries Ireland's publication 'Planning for watercourses in an Urban Environment.'

Reason

To ensure best practice in protecting water quality and meet obligations under the Water Framework Directive.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

Motions**25. Councillor Brendan Young**

Ch 14-29

Insert new RAO 12 and renumber accordingly: - To preserve the pedestrian right of way through the Castletown House Demesne along the Liffey from the Batty Langley Lodge to Castletown Gates at Celbridge Main Street as part of a Liffey Valley Park Strategy.

Response:

To ensure best practice in protecting water quality and meet obligations under the Water Framework Directive.

K. Kenny advised the members that no verified Right of Way existed at the location referred to in Councillor Young's motion.

Councillor Young stated that council documentation referred to an established Right of Way at the location and that this was of serious concern with regard to RAO 9, RAO10 and RAO 11 and that Castletown should be included as part of the strategy for the development of the Liffey Valley Park. Councillor Cussen supported the motion.

A detailed discussion took place on the issue with a number of members contributing. The Chief Executive advised the members that greater clarity concerning the exact location would be required and that this could be provided during the public display period for the Draft Plan. M. Kenny advised the

members that the text of the motion was too general in nature and that an exact location map would also be required as vagueness could lead to legal difficulties in the future.

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

26. Councillor Suzanne Doyle

Add CU5 - To work with relevant partners in reviewing regulations and enforcement practices, that seek to preserve the natural amenity of The Curragh and Environs.

Response:

The review of regulations is a matter for the Oireachtas. The Council will continue to co-operate with relevant stakeholders in the interest of preserving the natural amenity of the Curragh. Agreed to amend CU3 to reflect the detail of the motion.

Recommendation:

Agreed with amendment. Amend CU 3 as follows:

CU 3: To co-operate with ~~the~~ **all relevant stakeholders including the** Department of Defence and other Government Departments, the racehorse industry, the owners of sheep grazing rights and the various interests currently with rights to the Curragh in the protection and conservation of the Curragh, designated as a pNHA.

The Chief Executive advised the members that a forum of all state holders had been set up to undertake a review. Councillor Doyle stated that she was in favour of a review and asked that the policy be amended to state that the Council would co-operate with such a review.

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation and to include co-operation.

27. Councillor Suzanne Doyle

RAO 14 Include Cherry Ave site in Kildare

Response:

RAO 14 relates to the identification of sites for three regional parks, and to commence the process of delivery of same.

The Kildare Open Space Strategy 2011 identifies a hierarchy of open space within the county and describes the function of each typology. A Regional Park is defined as large areas, corridors or networks of open space, the majority of which will be publically accessible and will provide a range of facilities and features offering recreational, ecological, landscape, cultural or green infrastructure benefits (Table 14.12 Refers).

Consultants have been engaged to prepare a Masterplan for the Cherry Avenue Site in Kildare, to include a public park. The park by reason of its size will be more consistent with the definition of a neighbourhood park - defined

as a large park (16 ha or less) located within a settlement for local use to contain facilities for active recreation.

Recommendation:

No Change

28. Councillor Suzanne Doyle

Add RAO15

To support run initiatives and assist in the development of Kildare Thoroughbred Run as a National flagship Run event.

Response:

Not a matter for the County Development Plan. The motion refers to a 5k/10k run.

Recommendation:

No Change

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

29. Councillor Mark Stafford

Ch 14.12.5 Allotments refers. Please insert the word "or" between criteria (i) and (ii).

Response:

In order to ensure sustainable development Policy AL 1 seeks to ensure that allotments are of an appropriate scale and meet all of the following criteria:

- (i) The lands are situated within or immediately adjacent to the edge of towns/villages or are easily accessible to the residents of a particular town or village; and
- (iii) Adequate water supply and adequate parking facilities can be provided.

Recommendation:

No Change

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

30. Councillor Mark Wall

Page 26 Add CR 15

To investigate the possibility of a BMX track in the South of the County

Response:

The Council will seek to develop a Play Policy for the County which will guide the provision and development of a range of play opportunities within the county over the lifetime of this Plan. The Play Policy will address the needs of

children of all age groups and the various types of facilities that can be provided, including BMX tracks. Section 14.12.8 includes the following policy:
CP 1: To develop and implement a Play Policy for County Kildare which will set out a strategy for the provision, resourcing and implementation of improved opportunities for children to play.

Recommendation:
No Change

31. Councillor Mark Wall

Page 29 Add RAO 15

To support and preserve the proposed "Blueway" route for recreational development and commercial potential.

Response:

This motion is addressed in a number of Chapters of the Proposed Draft CDP. Section 14.13 Recreation and Amenity, includes the following objective which seeks to develop long distance walking routes throughout the county including a section of the Grand Canal between Lowtown and Athy and the River Barrow between Athy and the county boundary as part of the Barrow Blueway project.
RAO 13: To develop long distance walking routes throughout the county

including along:

- The Royal Canal
- The Grand Canal
- The River Barrow

Recommendation:
No Change

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

32. Councillor Íde Cussen & Councillor Reada Cronin

14.8 Landscape Policies

LA5: That the Council will use its enforcement powers under the planning Acts..... and that this refers to election material also.

Response

This is not a matter for the County Development Plan. Under the Planning and Development Regulations (as amended) election posters must be removed with 7 days of the election date. Posters not removed are a littering offence and are dealt with by the Councils Environment Section. The issue raised is not a matter for the CDP

Recommendation
No Change

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

33. Councillor Íde Cussen & Councillor Readá Cronin

14. 12. 8

Add: To explore the possibility of dedicating small playground areas for young children as part of the open space areas in new residential developments.

Response:

The plan contains a range of policies which seek the provision of children's play areas. Chapter 14 includes the following policies.

CP 1: To develop and implement a Play Policy for County Kildare which will set out a strategy for the provision, resourcing and implementation of improved opportunities for children to play.

CP 3: To seek the provision and suitable management of children's play areas in new housing developments and to implement measures to find suitable sites for their provision to serve existing residential areas.

It is acknowledged that children should have access to safe and secure outdoor play opportunities that are accessible from their homes. Play opportunities include both the traditional playgrounds with formal play equipment and increasingly natural play spaces with natural features that promote informal and spontaneous children's play.

In recognition of this and the issues that are sometimes associated with the more formal play facilities in residential developments (noise, maintenance, management, under-use) an additional bullet point can be added to Section 19.4.6 – Public Open Space for Residential Development - to require that new residential development incorporates natural features to promote children's play.

Recommendation:

Agreed with amendment. Insert new bullet point in Section 19.4.6: Public and semi-private open space in all residential developments will be required to incorporate natural features that promote children's play. Opportunities for children's play should be addressed as part of the Landscape Plan.

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

34. Councillor Íde Cussen & Councillor Readá Cronin

14. 12. 4

Add: To monitor/control the uses of recycled materials with carcinogenic compounds on astro pitches, play or amenity areas.

Response:

This is not a matter for the County Development Plan.

Recommendation:

No Change

The Mayor advised the members that the issue was more relevant to the Waste Management Plan rather than to the County Development Plan.

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

35. Councillor Mark Lynch

14.5.1

That this council will in as much as possible seek full national and European protection for the Curragh Plains.

Response:

The Curragh is listed as a proposed NHA. National designation is a matter for the Department Arts, Heritage and the Gaeltacht and does not come under the remit of the CDP. The Council supports the designation and there are a range of policies included in the plan which seek the continued protection of the Curragh.

Recommendation:

No Change

K. Kenny advised the members that the issue was a matter for the Department of Arts, Heritage and the Gaeltacht and that Natura sites were European designated sites. Councillor Lynch stated that European protection should be sought as there were numerous reports which stated that the area was under threat. M. Kenny stated that the Curragh Plains was designated as an area of high amenity and that the council would do all within its remit to put policies and objectives in place to protect it. The Chief Executive advised the members that the council could only work within its remit and that a Forum had been established to review the overall position.

Resolved: That a majority of members present were in agreement to accept the Chief Executive's recommendation.

36. Councillor Mark Lynch

Chapter 14

That this council will work with Bord na Mona to attempt to re afforest its spent bogland's within the county in an attempt to have a future source of biomass for the county.

Or

It is a policy of this council to attempt to utilise the spent bogland of the semi state Board na Mona with tree planting or other such amenities which make use of idle state land.

Response:

The content of this motion was considered at the meeting on the 11th April 2016 - Chapter 10 Rural Development, Motion 52 Cllr Mark Lynch and the Chief Executives recommendation not to amend the plan was accepted.

Bórd na Móna has produced a 15 year strategy Sustainability 2030 which recognizes the role and responsibility of Bord na Mona in the rehabilitation of its peatlands to an environmentally sustainable condition with a higher biodiversity value.

The following policies which are included in the proposed draft CDP address the issue raised:

BL 3: To take a balanced approach to the re-development of cutaway bogs. Large portions of cutaway bog should be developed as areas for wildlife, biodiversity, conservation and their amenity value, whilst other portions can be utilized for economic uses such as grassland, forestry and wind energy, subject to all planning and environmental considerations being met.

BL 4: To liaise with Bord na Mona, the Irish Peatland Conservation Council, Coillte, National Parks and Wildlife Service of the Department of the Environment, Heritage and Local Government, to ensure the sustainable use of cutaway bogland, with due consideration given to their ecological and amenity value.

Recommendation

No Change

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

Chapter 15

37. Chief Executive's Amendments

None

Motions

38. Fine Gael (via Councillor Darren Scully)

Current

15.7.12

Building Language and Finishes

Good modern architecture and design should prevail throughout developments. There should be consistency in materials, colour, proportions, roof pitches, building detail, street/ route surfaces, planting and street furniture within a development.

Certain principles will apply in relation to materials and finishes for a development as follows:

- Use of uPVC window frames and doors etc. shall in general be avoided unless a particular and specific case can be made for their use. This is in the interests of sustainable development and to help to promote the use of natural and native materials and more environmentally friendly materials.

Proposed change

15.7.12

Building Language and Finishes

Good modern architecture and design should prevail throughout developments.

There should be consistency in materials, colour, proportions, roof pitches, building detail, street/ route surfaces, planting and street furniture within a development.

Certain principles will apply in relation to materials and finishes for a development as follows:

- The use of the most up to date modern sustainable, energy efficient and recyclable products should be encouraged such as timber, uPVC , aluminium for window frames and doors etc for domestic dwellings.

Reasons for change

In very recent times modern PVC has many greatly improved features and benefits which are advantageous to modern house building which are as follows by comparison to their wood counterparts;

- Low maintenance
- Long life span c. up to 50 years
- Fire safety
 - uPVC is hardly flammable and will not burn independently
- Security – ‘Secure by Design’
- Colour availability is extremely wide and adaptable to local surrounding area needs and sensitivities
- Sustainable
 - Eco Friendly – one of most sustainable products available
 - Main raw ingredient is salt and a calcium-zinc stabiliser. Lead and Cadmium are no longer used by systems installed.
 - uPVC systems do not need painting
 - Longevity
 - Extremely weather resistant
 - Superior sound insulation
 - Superior thermal insulation for energy ratings
 - Depending on system used A or B ratings are easily achieved depending on which spacer system is used
 - Systems have already been used in a number of Sustainable Housing developments throughout Ireland e.g. Cavan, Roscommon

- uPVC windows and doors reduce heat loss and therefore the building requires less heating and therefore emissions are reduced
- Extremely recyclable
 - Easily and cost effective to recycle due to its thermoplasticity which makes it easy to melt and remould/reform
 - Can be recycled many times
 - For many years recycling post consumer waste has not been an issue because of the durability of the material and as a result there have not been significant quantities heretofore.
 - Post consumer waste can easily be re-fed back into the production process as a raw material.

Origins of PVC

PVC is one of the World's oldest plastics and has evolved since the 1940s to become a universally used, cost effective, adaptable, safe and environmentally efficient material.

PVC in everyday life

- Medical – therefore not poisonous but inert and stable
 - Food bags
 - IV Bags (used for intravenous drips)
 - Blood bags
 - Catheters
 - Syringes
 - Operating theatre equipment
- TVs
- Computers
- Mobile phones

Response:

Agreed with modifications.

Section 15.7.12 provides guidance in relation building language and finishes in an urban environment. Notwithstanding advances in the manufacture and design of uPVC, natural timber hardwood window frames and doors are more sustainable than uPVC as they are sourced from natural materials and this is reflected in the text. The text does not preclude the use of uPVC.

Recommendation:

Amend section 15.7.12 Building Languages and Finishes bullet point 5 as follows:

- ~~Use of uPVC window frames and doors etc. shall in general be avoided unless a particular and specific case can be made for their use. This is in~~ In the interests of sustainable development and to help to promote the use of natural and native materials and more environmentally friendly materials **the use of timber window frame and doors is encouraged.**

K. Kenny advised the members that Chapter 15 set out urban design guidelines but did not prevent the use of PVC. The members discussed the positive and negative aspects of the use of PVC versus timber including environmental issues, manufacture and disposal costs and ongoing maintenance costs.

Councillor Scully **proposed** that the last sentence of the Chief Executive's recommendation be amended to include the phrase "sustainable, environmentally friendly materials" and this was **agreed** by the members.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment subject to Councillor Scully's further amendment.

39. Councillor Suzanne Doyle

15.7.8

change last paragraph to 'While height determines the impact of development on views, vistas and the skyline, it is accepted that achieving high density in town centre sites will help in consolidating towns and future proofing them to meet the growing needs of Kildare's dynamic demography. Multi storey buildings will be encouraged in appropriate locations in the large growth tier two towns.'

Response:

Agreed with amendment.

Recommendation:

Insert the following in place of last paragraph –

In general, heights should respect the local streetscape. In towns varied building heights will be considered across residential, mixed use and town centre areas to support consolidation and to create a sense of place, urban legibility and visual diversity.

- Higher Buildings are higher than the overall building height in a given area, and can act as local or district landmarks.
- Tall Buildings are defined as buildings that are significantly higher than their surroundings and / or have a considerable impact on the skyline. For the purposes of this County Development Plan Tall Buildings are defined as buildings that exceed five storeys (c. 15 metres in height).

The Planning Authority will be positively disposed toward Higher Buildings in towns where it is demonstrated that the proposal will:

- Make a positive contribution to the locality and is of an exceptional design quality;
- Not adversely impact on any vistas or views towards significant natural, built and landscape features or amenities including designated views and prospects;
- Not result in any excessive overshadowing of nearby properties, especially residential properties or areas of public open space, and
- Not have a detrimental effect on any existing building which has special visual identity.

Tall buildings will only be considered at locations of strategic planning importance as identified in a Local Area Plan.

Councillor Doyle stated that stronger policies were required and **proposed** that the word “unduly” be included in the bullet points. The members were in **agreement** with this.

Resolved: That all members present were in agreement to accept the Chief Executive’s amendment subject to Councillor Doyle’s further amendment.

40. Councillor Suzanne Doyle

15.8

Add

Development should be designed to minimise overhead cabling.

Response:

This items raised in this motion are addressed in Chapter 8 Energy and Communication. Section 8.13.3 contains the following polices which addresses the issue raised.

TN 1 To ensure that planning applications involving the siting of electricity power lines and other overhead cables and their support structures, consider in full, the impacts of such development on the landscape, nature conservation, archaeology, residential and visual amenity.

TN 2 To seek the undergrounding of all electricity, telephone and TV cables wherever possible and specifically in areas of sensitivity, in the interest of visual amenity. Provision should be made for the unobtrusive siting of transformer stations, pumping stations and other necessary service buildings. Pole mounted equipment (such as transformers) will not be permitted.

Recommendation:

No Change

Resolved: That all members present were in agreement to accept the Chief Executive’s recommendation.

41. Cllr Suzanne Doyle

15.8.3

Amend

'..... by quality buildings and a high consistent standard of finishes and treatments such as paving,.....'

Response:

Agreed

Recommendation:

Amend the first paragraph of section 15.8.3 Streetscape as follows:

The streetscape should be characterised by quality buildings and a high **consistent** standard of finishes and treatments such as paving, landscaping and street furniture, therefore creating an environment with a definite sense of place.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

42. Councillor Mark Stafford

Ch 15.7.12 Building Language and Finishes refers

Bullet point seven to be amended by replacement of the second sentence with "Timber cladding will only be considered in exceptional circumstances particularly in apartment and mixed use development schemes and shall be assessed at planning application stage on a case by case basis as follows;"

Response:

The items raised are considered to be appropriately addressed in the Proposed Draft Plan. The bullet point highlights that timber cladding will need to be considered at planning application stage on a case by case basis and highlights concerns in relation to the upkeep and maintenance of timber panelling including reference to apartment and mixed use development schemes.

Recommendation:

No Change

Councillor Stafford stated that his motion referred to timber cladding on houses and the fact that they needed to be replaced after a period of time which could prove costly for the owner. The members were in agreement with Councillor Stafford.

Resolved: That all members present were in agreement to reject the Chief Executive's recommendation.

Chapter 16

43. Chief Executive's Amendments

None.

Motions

44. Councillor Brendan Young

Ch 16-23 16.7.3 Solar

Amend second paragraph, deleting 'wherever possible' to read: 'Additionally, planning applications should always incorporate basic passive solar design principles to.

Response:

Agreed

Recommendation:

Amend the second paragraph of Section 16.7.3 Solar as follows:

Additionally, planning applications for buildings should, ~~whenever possible,~~
~~always~~ incorporate basic passive solar design principles to:

- Maximise solar gains in building through good orientation, layout, and glazing;
- Avoid heat losses through ensuring a high level of insulation and air-tightness of buildings; and
- Ensure a high degree of comfort by using controlled ventilation and day lighting.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment

45. Councillor Fintan Brett

Under 16.4 remove figures 16.13 and 16.14 as appropriate house designs.

Response:

Figures 16.13 and 16.14 are contained in Chapter 16 of the current CDP as examples of contemporary rural houses designed by award winning Irish Architects. The Rural Design Guidelines Chapter seeks to encourage imaginative and innovative design as well as more traditional type solutions.

Recommendation:

No Change

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

46. Councillor Martin Miley

16.2

that KCC Rewrite this policy of strategy to remove the words Unsustainable and environmental threat. Remove the words where exceptional circumstances requires a dwelling replace it with when an applicant satisfies the rural criteria. Be a positive addition to the rural environment; add and community

Response:

Agreed with Modifications

The motion refers to paragraphs one and two of the Rural Design Guidelines Strategy which supports the Core Strategy by stating the need to limit the development of one-offs houses to those with a genuine need to live in a rural location. The strategy for this chapter seeks to promote architecture and design which complements and reinforces the existing character of the rural landscape through the identification of guiding principles resulting in good quality design and sustainable development.

Recommendation:

Amend the first bullet point of section 16.2 as follows:

- Be a positive addition to the rural environment **and community**.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

47. Councillor Martin Miley

16.3 the site

Merit in policy would be concerned that we might just retain buildings for the sake of it when new build on existing site could be very beneficial.

Response:

The section provides key design principles in relation to selecting sites for rural housing and seeks to direct applicants in the first instance to reuse, adapt or extend existing rural structures where possible. The section further states that even when the original building has fallen derelict or been demolished, a well defined site with mature boundaries can be capable of absorbing and integrating the proposed dwelling into the rural landscape.

Recommendation:

No Change

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

48. Councillor Martin Miley

16.4.1

Remove vernacular cottages

Response:

Section 16.4.1 Kildare's Rural Houses outlines the existing rural dwelling types which contribute to the county's landscape and heritage which includes vernacular cottages. County Kildare possesses a significant range of Local Authority cottages dating from the 1890's to the 1950's. Most of these Local Authority cottages are not formally protected under the Record of Protected Structures (RPS). However they form an important element of the county's architectural heritage. The character of many of these cottages has been lost through inappropriate maintenance works, adaptation and extension.

The County is currently working to produce design guidance for works to these cottages, to provide more detailed guidance for those proposing to conserve, adapt or extend one of these cottages in a way that allows the cottage to meet contemporary needs, while ensuring that the character of the cottage and its setting are protected for the enjoyment of future generations.

The main aim of the chapter is to promote architecture and design which complements and responds to the existing character of the rural landscape of Kildare.

Log Cabins (completely finished timber buildings) are not consistent with vernacular typologies of the Kildare countryside and are not therefore generally considered appropriate, save in a suitable woodland settings.

Recommendation:

Amend

Table on P16-8

- Log Cabins (completely finished timber buildings) are not vernacular typologies of the Kildare countryside and are therefore not **generally** considered appropriate, **save in a suitable woodlands settings where other criteria in relation to the design and siting of the structure are met.**

K. Kenny advised the members that there was a need for guidelines in this area and that the guidelines stated what was considered to be traditional for County Kildare. She also stated that log cabins were not completely ruled out.

Councillor Miley stated that “vernacular” was being used to stem development. Councillor Young supported Councillor Miley. Councillor Scully stated that clarification was needed the acceptance of log cabins as they were used in other countries. Councillor Doyle **proposed** the removal of the word “woodlands” from the Chief Executive’s recommendation and this was **agreed** by the members.

Resolved: That all members present were in agreement to accept the Chief Executive’s amendment subject to Councillor Doyle’s further amendment.

49. Councillor Martin Miley

16.4.1

Remove comment about log cabins

Log Cabins (completely finished timber buildings) are not consistent with vernacular typologies of the Kildare countryside and are not therefore generally considered appropriate, save in a suitable woodland settings.

Recommendation:

Amend

Table on P16-8

Log Cabins (completely finished timber buildings) are not vernacular typologies of the Kildare countryside and are therefore not **generally** considered appropriate, **save in a suitable woodlands settings where other criteria in relation to the design and siting of the structure are met.**

Resolved: That all members present were in agreement to accept the Chief Executive’s amendment subject to Councillor Doyle’s further amendment of Motion 48.

50. Councillor Martin Miley

16.4.3

Add in ensure that House adequately services to people that are proposing to live in the community

Remove policies on Windows, doors and chimneys.

PVC windows can appear natural materials with low maintenance.

Response:

The first issued raised is not a matter for Chapter 16 Rural Design Guidelines and has been dealt with by previous motions in relation to Chapter 4 Housing. Section 16.4.3 Elevational Proportions, provides key design principles which show how to maintain a balance of proportions between the walls and openings of new rural dwellings. The proportions of windows and doors are central to the overall composition and appearance of the house.

Section 16.5.3 Windows provides key design principles in relation to the design of windows and discourages the use of PVC windows as they are considered to be less sustainable than painted and natural timber windows frames and doors which are sourced from natural sources.

Recommendation:

No Change

Resolved: That all members present were in agreement to accept the Chief Executive's amendment subject to Councillor Scully's further amendment to Motion 38.

51. Councillor Martin Miley

F 16.35

Remove

Response:

Section 16.5.4, Figure 16.35 Appropriate simple design vertical sheeted doors, shows examples of tongue and groove vertical boarded doors and paneled timber doors which are a common feature of rural architecture.

Recommendation:

No Change

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

52. Councillor Martin Miley

16.57

Use PVC with an natural appearance

Response:

uPVC windows and doors are not prohibited, but is discouraged as natural timber hardwood window frames and doors are considered to be more sustainable than uPVC as they are sourced from natural materials and this is reflected in the text.

Recommendation:

No Change

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

53. Councillor Martin Miley

16.7

Difficult to achieve this when retaining a shell of a house from the 1930s.

Response:

Section 16.7 provides key guiding design principles for sustainability and energy efficiency and seeks to ensure that new rural houses and extensions to existing houses are designed and built so that they use as little energy as possible by minimising heat loss and increasing solar gain.

Recommendation:

No Change

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

54. Councillor Suzanne Doyle

16.4.1

Amend Overall Characteristics Key Principles to remove prohibitive reference to Log Cabins

Log Cabins (completely finished timber buildings) are not consistent with vernacular typologies of the Kildare countryside and are not therefore generally considered appropriate, save in a suitable woodland settings.

Recommendation:

Amend

Table on P16-8

Log Cabins (completely finished timber buildings) are not vernacular typologies of the Kildare countryside and are therefore not **generally** considered appropriate, **save in a suitable woodlands settings where other criteria in relation to the design and siting of the structure are met.**

Resolved: That all members present were in agreement to accept the Chief Executive's amendment subject to Councillor Doyle's further amendment of Motion 48.

55. Councillor Íde Cussen & Councillor Reada Cronin

16.1 Objective of the council:

That cluster developments could encouraged whereby locals could obtain planning permission for clusters of houses for those from the locality.

Response:

Chapter 4 Housing contains the following policy which addresses the issue raised.

RH 16: To consider application for the provision of a recessed cluster form of development. The cluster shall be designed in such a way that is appropriate to the rural context and shall be set back into the landscape from the public road. Cluster shall not exceed five houses and will be subject to the normal planning, siting design and local need considerations. Where there is a likelihood of more than one applicant seeking planning permission over a period of time, the Council will engage with the landowner to provide for an appropriate site layout capable of accommodating a recessed cluster development.

The new objective RO4 in Chapter 4 seeks to carry out a study to investigate the feasibility of providing serviced sites as an alternative to housing in the rural countryside and is considered a more sustainable approach to meeting the housing needs of rural communities.

Recommendation:

No Change

Councillor Cussen stated that the Motion didn't just refer to relatives.

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

56. Councillor Mark Lynch

16.4

That it is not an explicit condition that houses must be of a so called modernistic architecture style and that this is made clear.

Response:

Agreed

Chapter 16 Rural Design Guidelines seeks to promote architecture and design which complements and reinforces the existing character of the rural landscape through the identification of guiding principles resulting in good quality design and sustainable development. The chapter seeks to encourage imaginative and innovative design in addition to more traditional type solutions, which complement their rural surroundings.

Recommendation:

No Change

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

57. Councillor Mark Lynch

16.9

Instead of "Avoid High boundary" insert "Disallow High boundary"

Response:

The issues raised in this motion are considered to be addressed in the Proposed Draft Plan. Section 16.6 Elements of Landscape provides key guiding principles in guidance in relation to boundary treatment. The chapter seeks to provide guidance for the design of rural houses - each planning application for a one-off dwelling will be judged on its merits on a case by case basis. Therefore language used such as 'avoid' is deemed more appropriate for the chapter. Section 16.6.3 Rural Gardens promotes the planting of native species. Chapter 4 also includes policies in relation to appropriate entrance and boundary treatments.

Recommendation:

No Change

K. Kenny advised the members that the general aspects of the motion were referred to in chapter 4 and chapter 16.

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

58. Councillor Mark Lynch

Chapter 13/14/15/16

That established or newly planted native tree hedgerows are seen as necessary for planning permission over the creation of concrete or wooden walls in all non structural town and village centre boundary wall building.

Response:

The issues raised in this motion are considered to be addressed in the Proposed Draft Plan. Section 16.6 Elements of Landscape provides key guiding principles in guidance in relation to boundary treatment. The chapter seeks to provide guidance for the design of rural houses - each planning application for a one-off dwelling will be judged on its merits on a case by case basis. Therefore language used such as 'avoid' is deemed appropriate for the chapter. Section 16.6.3 Rural Gardens promotes the planting of native species. Chapter 4 also includes policies in relation to appropriate entrance and boundary treatments.

Recommendation:

No Change

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

Chapter 19**59. Chief Executive's Amendments****59.1**

Insert new section 19.2.1 and renumber the rest of the section accordingly:

In general, heights should respect the local streetscape. In towns varied building heights are supported across residential, mixed use and town centre areas to support consolidation and to create a sense of place, urban legibility and visual diversity. Development proposals that include building heights that are greater than the prevailing building height in the area should be supported by a strong urban design rationale (as part of a Design Statement).

The appropriate maximum or minimum height of any building will be determined by:

- The prevailing building height in the surrounding area.
- The proximity of existing housing.
- The formation of a cohesive streetscape pattern – including height and scale of proposed development relative to width of street, or area of open space.
- The impact on any Protected Structures, Architectural Conservation Areas and / or other sensitive sites.

Tall Buildings, defined here as buildings that exceed five storeys and / or 15 metres, will only be considered at areas of strategic planning importance identified in a Local Area Plan.

Reason

In response to Motion 39 Chapter 15 and to provide clear guidance in relation to building heights.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

59.1

Amend 19.2.3 as follows:

A separation distance of 35 metres ~~should be considered~~ **will normally be required** in the case of overlooking living room windows and balconies at upper floors.

Reason

To clarify and strengthen the standard applied.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

59.2

Replace 19.2.8 Access for All with 19.2.8 Universal Access (below)

Replace 19.2.8 Access for All

~~The Council will require that the layout and design of a proposed development gives consideration to the needs of the aged, people with disabilities and people with children. In addition to the above, all developments must make provision for car parking for the disabled in accordance with the recommendations of 'Buildings for Everyone' 2002 published by the National Disability Authority and~~

19.2.8 Universal Access

The Council will require that proposed developments, in their layout and design, are accessible, understandable and usable to the greatest extent possible by all people, regardless of their age, size or disability. All developments must make provision for the disabled in accordance with the recommendations of 'Buildings for Everyone' 2002 published by the National Disability Authority and Technical Guidance Document M *Access and Use of the Building Regulations 2010*.

Reason

In the interest of social inclusion and the use of more appropriate language.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

59.3

Insert additional bullet point into section 19.4 Residential Development

- The accompanying document *Urban Design Manual Best Practice Guide (2009)*;
- *Quality Housing for Sustainable Communities, Best Practice Guidelines (2007)*;
- The *Design Manual for Urban Roads and Streets* (DTTS and DECLG 2013);

Reason

To reflect that this guidance document is a consideration in planning applications, as set out in Chapter 4.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

59.4

Insert new section on Student Accommodation after 19.5 Childcare Facilities.

19.X Student Accommodation

In considering planning applications for student accommodation Kildare County Council will have regard to the Department of Education and Science Guidelines on Residential Development for 3rd Level Students' (1999), the supplementary review document of July 2005 and any further national guidance.

The following matters will be considered on all proposals.

- The location of the site in relation to educational facilities
- The proximity of the site to existing or planned public transport corridors and cycle routes
- The potential impact on local residential and visual amenities;
- The standard of accommodation (bedrooms, bathrooms, communal rooms, open space) as set out in the above Guidelines
- The level and quality of on-site facilities, including storage facilities, waste management, cycle storage, leisure facilities, car parking and amenity;
- The architectural quality of the design and external layout, with respect to materials, scale, height and relationship to adjacent structures.
- The provision of documentary evidence of a 'qualifying lease' as defined in the Guidelines on Residential Development for 3rd Level Students to prove that the accommodation is for let to students within the academic year.
- Whether internal layouts are flexible in terms of future possible changes of uses.
- Any alternative uses for the proposed development outside of the academic year.
- The provision of documentary evidence in relation to long term management and maintenance.

In assessing a proposal for student accommodation, the planning authority will take cognisance of the amount of student accommodation which exists in the locality and will resist the over-concentration of such schemes in any one area, in the interests of sustainable development and residential amenity.

Reason

Arising from Motion 23 of the meeting of 23rd March the Chief Executive agreed to propose Development Standards for Student Accommodation in Chapter 19.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

59.5

To amend table Table 19.10 Car Parking Standards as follows:
Student accommodation :-42 per 10 bedspaces

Reason

Following review of standards relating to student accommodation arising from Motion 23 of the Council meeting of 23rd March, this standard is considered more appropriate.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

59.6

To amend third paragraph of Section 19.6.5 as follows:

To preserve the amenity and visual character of an area, and in the interests of public safety, all services including electricity, public lighting, telephone, **broadband** and television cables shall be provided underground **in appropriate ducting** in all new developments

Reason

To be consistent with changes to Chapter 7 arising from motion 187 from the meeting of 5th April.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

59.7

To amend the third paragraph of Section 19.11 Seveso Sites as follows:

In assessing proposals the Planning Authority will have regard to the technical advice of the HSA in relation to proposed development and proposed land use(s). The Planning Authority will consider the need to maintain an appropriate safe distance of such establishments from residential areas, areas of public use, and areas of particular natural sensitivity **and will also consider the need to minimize risk to strategic infrastructure**

Reason

To be consistent with changes to Chapter 5 arising from motion 17 from the meeting of 5th April.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

59.8

To amend the second bullet point on page 19.12 as follows:

Quality boundary treatments are generally required to enclose private open space. A 1.8m – 2m high wall of solid block, capped and plastered on both sides, is generally acceptable. The Council will consider alternative boundary treatments on their merits. All boundaries shall be of **high quality** solid

construction with no gaps. Post and wire or timber **post and panel** fencing is not permitted.

Concrete post **and base** with timber panel fencing will be considered for the side boundaries between rear gardens, provided a 2m length of 1.8-2m high block wall, capped and plastered, is provided for the initial 2m from the rear building line of the house.

Reason

To clarify the standard in relation to timber fencing.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

Motions

60. Councillor Brendan Young

Ch 19-8 19.2.6 Hard landscaping

Fifth paragraph, delete the word 'undue'; paragraph to read: 'The siting of street furniture should not provide obstacles for people with disabilities.'

Response:

Agreed.

Recommendation:

Remove 'undue'.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

61. Councillor Brendan Young

Ch 19-10 19.4.2 Density

Delete the word 'only' from the third sentence; sentence to read: 'Higher residential densities will be encouraged at appropriate locations'.

(Point of information: the envisaged residential development of 4083 additional units in Celbridge at a density of 50/ha as mentioned in Table 4.2 would require an area of approx. 80 hectares or 200 acres; the envisaged residential development of 2165 additional units at this density in Leixlip would require approx. 43 ha or 105 acres. Quasi suburban sprawl of this nature is environmentally unsustainable and socially undesirable.

Response:

Agreed. Comments also noted.

Recommendation:

Remove 'only'.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

62. Councillor Brendan Young

Ch 19-13 19.4.5 Apartment Developments

Amend first bullet point after Table 19.5 to read:'In a proposed apartment scheme of more than 10 units the minimum floor area should be exceeded by at least 10%.'

Delete the words 'for the majority of apartments'

Response:

While it is desirable to encourage apartment sizes which exceed minimum standards, the bullet point reflects the provisions of paragraph 3.3 and 3.7 of the Sustainable Urban Housing: Design Standards for New Apartments. These Guidelines were issued under Section 28 of the Planning and Development Act and planning authorities are required, under the Planning and Development (Amendment) Act 2015, to comply with specific policy directions contained in Section 28 Guidance.

Recommendation:

No change

Councillor Doyle asked if it would be possible to create a matrix or to insert standards. Councillor Lynch agreed with Councillor Doyle. K. Kenny advised the members that it wasn't possible to mandate such a policy and that it would be better to "encourage" such a policy.

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

63. Councillor Brendan Young

Ch 19-16 19.4.6 Public Open Space For Residential Developments

Insert additional bullet point:'Public open space should preferably be flat and should not be in the form of a mound.'

Response:

It is agreed that the form of public open space determines its usability. This is addressed in Section 19.4.6 (end page 19_15).

Recommendation :

Amend bullet point as follows:

Areas of public open space should be generally flat. While some undulation may be incorporated as a design feature, areas with high gradients, containing

swales or attenuation ponds, or otherwise impractical to function effectively as amenity/play areas, will not be acceptable as open space.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

64. Councillor Brendan Young

Ch 19-18 19.5 Childcare Facilities

Amend first bullet point to read: 'One childcare facility is required to provide for at minimum 20 places but preferably 30 places in developments of 75 houses, ...' etc.

Response:

The Proposed Draft Plan is a spatial plan and in this context seeks to support and facilitate the sustainable development of accessible early childhood care and education infrastructure in the County.

The Childcare Facilities Guidelines for Planning Authorities, 2001 set out national policy in relation to the provision of early childhood care and education infrastructure. Department Circular PL 3/16 issued on March 31st 2016 provides updated guidance for the assessment of planning applications and states that the Department is considering the need to review the current Guidelines.

Section 19.5 reflects the standards set out in the Childcare Facilities Guidelines for Planning Authorities, 2001. In new housing areas, the guidelines suggest a standard of one childcare facility with minimum of 20 childcare places per 75 dwellings (approx.), depending on the particular circumstances of each individual site. Provision is also promoted in industrial estates or employment areas, town/village centres, at educational establishments and at public transport nodes.

Government policy, regulations and market factors have a significant influence on the demand for early childhood care and education places and on the type of facility and service that providers offer. The County Childcare Committee is responsible for coordinating a strategy to promote and develop quality childcare that is affordable and accessible to all in the community. The Council will consult with the Kildare County Childcare Committee in the preparation of Local Area Plans to identify childcare needs and develop policy based on the local circumstances. The co-location of early childhood services close to schools and major employment areas is considered to be positive, as opportunities for after-school care are improved and the need for additional drop offs and collections are reduced. This coupled for the need for provision in new residential areas and at other locations such as public transport nodes can be considered in more details at LAP level, based on local circumstances. For developments outside of LAP areas it is considered that Section 19.5 satisfies the general requirements of the Guidelines while allowing the Planning Authority flexibility to consider planning applications in the context of local circumstances.

Recommendation:

No Change

Councillor Young stated that the proposed policy reinforced the shortage of childcare spaces and requested that his proposal of the use of “preferably 30 places” be included in the Draft Plan. Councillor Doyle stated that the current policy was not compatible with sustainable childcare and that unsuitable or domestic buildings should not be used. Councillor Doyle **proposed** that the Draft Plan be amended to have an objective to develop policy as a standard of excellence for the county.

K. Kenny advised the members that the issue was more appropriate to the relevant SPC and to the various Local Area Plans.

Resolved: That all members present were in agreement to accept the Chief Executive’s recommendation.

65. Councillor Brendan Young

Ch 19-35 19.10.3 Telecommunications and Supporting Infrastructure

Column 2, amend third bullet point to read: 'The location of antennae in residential areas, near schools, hospitals or residential care homes is strongly discouraged.'

Response:

Agreed with amendments. Bullet point 3 and 5 both refer to residential areas and schools. To avoid repetition and retain stronger protection at these locations, delete bullet point 3 and amend bullet point 5.

Recommendation:

Delete bullet point 3 and amend bullet point 5 as follows.

- ~~• The location of antennae in residential areas and near schools is discouraged.~~
- The location of commercial masts on State buildings will be discouraged. All masts on State buildings shall have regard to national and Council policies regarding schools and residential areas.
- Only as a last resort, will free standing masts be permitted within or in the immediate surrounds of smaller towns or villages, in a residential area or **near** beside a school, **hospital or residential care home**. If such a location should become necessary, sites already developed for utilities should be considered and masts and antennae should be designed and adapted for the specific locations. The support structure should be kept to the minimum height consistent with effective operation. ~~In residential areas or beside schools,~~ **At such locations** the support structure should be monopole or poles rather than a latticed tripod or square structure.

Councillor Young stated that not all buildings were state owned and that some major booster antennae were attached to buildings and that the policy needed to be re-examined if located close to sedentary buildings such as nursing homes or hospitals. Councillor Neville supported Councillor Young. K. Kenny advised the members that a Circular had been issued on the topic which stated that cases were to be examined on a case by case basis.

Councillor Lynch **proposed** that all masts be included rather than just those attached to buildings and this amendment was **agreed** by the members.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment subject to Councillor Lynch's further amendment..

66. Councillor Martin Miley

19.1.9 Add-on and that the bond is adequate to secure the finishing of new development.

Response:

Agreed

Recommendation:

Amend 19.1.9 as follows:

To ensure that developments undertaken by private developers are satisfactorily completed, developers will be required to give cash deposits or submit a bond from an insurance company or other financial institution acceptable to the Council for the satisfactory completion of developments and their ancillary services. In determining the method of security, previous records of applicant's compliance and construction standards will be taken into account. This bond or surety **must be adequate to secure the completion of the development and must** ~~is to~~ be submitted and in place before development is commenced.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

67. Councillor Martin Miley

19.4.3 Housing mix I feel we should cater for a number of one beds and 2 beds Housing units in all development. Not a apartment only where appropriate. Also affordable units with Each development

Response:

Section 19.4.3 requires applicants to justify the housing mix of the proposed development through the submission of a Housing Mix Statement. It is not appropriate to be overly prescriptive in the CDP as the Housing Mix Statement will need to respond to local circumstances and will be set within the context of other development standards, such as the density requirements. An assessment of housing mix will be carried out as part of the review LAPs process and will inform policy at a local level.

Recommendation:

No change

Councillor Miley stated that there was a need for a mix of units to include 1 and 2 bed units in private developments. Councillor Doyle stated that there was a need for an annual audit of available units. M. Kenny advised the members that the county Development Plan provided for general policies and that Chapter 4 dealt with this issue. He also advised the members that Local Area Plans were more appropriate to this level of detail.

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

68. Councillor Martin Miley

19.4.11

change shall to will

Response:

Section 19.4.11 states

The names of residential developments shall reflect local heritage by encouraging the use of local place names or geographical, historical, cultural names in the naming of new residential and other developments. The Council shall approve the naming of residential developments, in order to avoid confusion with regard to similar names in other locations. Developers shall provide an Irish language translation of the proposed name.

A revised wording to address motions is proposed below. The word 'shall' is used to reflect that the responsibility for meeting this requirement is primarily with the developer/applicant.

It should be noted that assigning responsibility for agreeing names is beyond the scope of the County Development Plan. The naming of estates is not a reserved function. The Council could develop policy in relation to the naming of estates, but this would need to be progressed through SPC.

Recommendation:

Replace Section 19.4.11 as follows:

Names of residential and other developments shall reflect local heritage by incorporating local place names or names of geographical, historical or cultural significance to the site location. Names of developments shall include the use of the Irish language. In order to ensure the above and to avoid confusion and duplication, the naming of developments will require the prior agreement of the Planning Authority. Proposed names shall be submitted to the Planning Authority and agreed prior to launching any advertising campaign for the development.

(See 74 and 89 also)

Councillor Doyle stated that it had been agreed, outside of the current review process, that the naming of estates would come before the relevant Municipal District members for consideration before an estate was named in order to prevent future confusion and that that policy should be included in the Development Plan. The members discussed the issue and were in agreement

with Councillor Doyle. M. Kenny advised the members that the Heritage officer and the MARIO were consulted prior to the naming of an estate.

Councillor Miley **proposed** that the naming of any new estates would be decided in consultation with the Municipal District members and this was **seconded** by Councillor Doyle and **agreed** by the members.

69. Cllr Suzanne Doyle

19.4

Amend

The Council's Taking in Charge Policy Statement' (june 2008) as amended with particular consideration for the previous record of all associated develop

Response:

This section lists documents to which the planning authority will have regard to in the assessment of applications for residential development. The Taking in Charge Policy Statement is not under review as part of the CDP process. It is intended to review this document in the next year.

Section 19.1.3 outlines that the Council may refuse permission for a development arising from past failures to comply with a previous relevant permission, therefore the motion is considered catered for elsewhere in the chapter.

Recommendation:

No change.

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

70. Councillor Suzanne Doyle

19.4.3

Add

' It is an objective of the Council to ensure an appropriate mix of house types and sizes at a reasonable number to encourage strong sustainable integrated communities.'

Take reasonable number to mean less than 100, large developments are difficult to manage and do not engender practicable sustainable volunteerism.

Response:

It is desirable to achieve a mix of house types and sizes in most developments, and to be able to respond to local circumstances. While it is noted that larger developments provide better opportunities to achieve a balanced housing mix and to address shortfalls in the supply of certain housing types it is desirable to achieve a mix of house types in all medium to large scale developments.

Recommendation:

Amend 19.4.3 as follows:

It is an objective of the Council to ensure an appropriate mix of house types and sizes **to encourage strong sustainable integrated communities.**

Councillor Doyle stated that developments over 100 units were too large to build communities and that there was a need to build smaller developments in order to create communities. Larger developments could be developed in stages. K. Kenny advised the members that Planning and Development legislation required Assessments to be undertaken in cases where the proposal was over a certain threshold and advised that the policy could be re-examined during the public consultation stage of the Draft Plan.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

71. Councillor Suzanne Doyle

Apartments:

19.4.5

The successful development of apartment living that is attractive to all sectors of our community has the capacity to deliver on a number of key objectives in our plan, not least of all in sustainable transport but also in consolidation and strengthening of our town centres and social integration of our communities. Therefore it is critical that we devise a set of policies that provide and encourage for the optimum in apartment type development.

Propose that we seek to set out policies that aim to deliver apartment living opportunities that will be attractive to most sectors of the community and accommodate downsizing through the provision of an attractive and convenient living environment for those choosing to down size.

As affordability is a key component it will be necessary to adhere to minimum standards to achieve this, however we should consider tiering the standards and require that a proportion of apartment supply be in each relevant tier. Particularly in our Towns at top of Core Strategy Hierarchy, we should include policies that encourage town centre living as an 'aspiration rather than as an only option'.

Prime town centre sites should be delivering high quality developments and to achieve this larger space should be set as a requirement. Clearly to facilitate this approach we need to embrace medium to high rise that can deliver the necessary economies of scale.

Given the difficulty in achieving private open space and the poor aesthetic that this often results in, an emphasis on public open space through delivery of courtyard style blocks with necessary scale should be encouraged as a preference, this type of design could facilitate greater scope for access to natural light for units. We need to examine what practical benefits are being achieved through the provision of private open space, are we simply box ticking or is this space being used in a beneficial manner.

Include policies that encourage the use of above shop space for residential use and in new development, seek to make use of such space mandatory and multi storey.

Given the inevitable population growth of this County beyond the timelines of this plan, we need to future proof land use objectives to be sustainable for a County such as ours on the edge of capital.

While this approach may require a cultural shift in our views around town living it could give us a development edge on other Counties in the GDA, if we embrace a bolder approach and help create the necessary critical mass that will support the development of outstanding town centres. We need to turn this into a race to the top not the bottom.

Motion

To include a range of policies and standards addressing issues above that will support the delivery of mixed high quality apartment dwellings at optimal densities.

Response:

It is considered that these matters are addressed in detail in the proposed draft CDP.

Chapter 19 sets out standards for Development Management i.e. the assessment of planning applications.

Policy for housing including apartments is contained within Chapter 4. Chapter 19 sets out more detailed standards, based on the policy content of Chapter 4 including the following:

Apartments only to be considered at appropriate locations which would include town centre locations and locations proximate to public transport.

Statement of housing mix can ensure provision of smaller units to accommodate downsizing.

The Sustainable Urban Housing: Design Standards for New Apartments prescribe standards for new apartment developments. These Guidelines were issued under Section 28 of the Planning and Development Act and planning authorities are required, under the Planning and Development (Amendment) Act 2015, to comply with the specific policy directions contained therein and not to supersede these standards.

Open space (private, semi-private and public) is a key planning consideration in all applications and there is significant guidance on this matter in the Urban Design Manual, the Guidelines on Sustainable Residential Development in Urban Areas, the Guidelines on Sustainable Urban Housing: Design Standards for New Apartments and the Quality Housing for Sustainable Communities Best Practice Guidelines, which are all referenced in the CDP.

Living over retail uses in new development is supported by chapter 19 (page 19-14 states that in the case of residential accommodation over non-residential uses, a separate access should be provided for the upper floor accommodation and proper soundproofing, ventilation and storage must be built into the design of the building) in Section 15.3.1 of Chapter 15 Urban Design and in individual LAPs and town/village plans.

Overarching density standards are contained within chapter 4 and will be further developed for individual settlements through LAPs and town/village plans.

Recommendation:

No change.

Councillor Doyle stated that there was no private open space in apartments and that there was a need to be more ambitious with regard to our policies. Councillor Lynch agreed with Councillor Doyle and requested that the policy adopted abroad be examined during the public consultation period.

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

72. Councillor Suzanne Doyle

19.6

Add

Provision of residential unit for on site janitors will be encouraged in order to mitigate management costs of apartment schemes.

Response:

The provision of communal facilities is addressed on page 19_14 column 2 bullet point 3 as follows:

Communal facilities (including those associated with the running of the scheme such as cleaners' stores, management room should be indicated at planning application stage, along with refuse arrangements that provide adequate, secure, accessible storage areas with visual screening.

However, the reservation of a residential unit for onsite management is a matter for the Developer / Management Company and is not a matter for the County Development Plan.

Recommendation:

No change

Councillor Doyle stated that she had included the motion as a suggestion. K. Kenny advised the members that the issue could be examined as part of on-site management.

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

73. Councillor Suzanne Doyle

19.4.8

Family Flat

Need to be less restrictive in this area, family flat may also have scope to provide space for live in family carers or as an added income to household.

Given the crisis of housing provision, the delivery of such accommodation should be encouraged and embraced.

Motion: to include policy that acknowledges the multiple purposes such space might achieve.

Response:

The provision of a family flat is specifically to cater for a situation where a degree of care or support to a member of the family is required, while still maintaining some degree of independence. It is not acceptable as a mechanism to provide additional income to a household. Often such an arrangement shares some elements of accommodation and amenity space, would not fully meet normal standards for residential accommodation, and would therefore be substandard as a long term residential unit in itself.

While the use of such accommodation for a carer could be considered, essentially what is otherwise proposed here is a separate living unit on an existing residential site through subdivision and/or extension. Such an application would have to be assessed on its merits having regard to the prevailing pattern of development in the area, standard of residential development resulting, and impact on residential amenities, but it could not be considered under the term 'family flat'.

Recommendation:

Amend first bullet point as follows

A temporary arrangement to accommodate an immediate family member **or a carer** within an existing dwelling unit in a semi-independent capacity shall have regard to the following requirements:

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

74. Councillor Suzanne Doyle

19.4.11

Naming of estates

Amend

'.....in the naming of new residential and other developments. The Council representative at relevant MD level shall approve the naming of residential developments

Response:

Section 19.4.11 states

The names of residential developments shall reflect local heritage by encouraging the use of local place names or geographical, historical, cultural names in the naming of new residential and other developments. The Council shall approve the naming of residential developments, in order to avoid confusion with regard to similar names in other locations. Developers shall provide an Irish language translation of the proposed name.

A revised wording to address motions is proposed below. The word 'shall' is used to reflect that the responsibility for meeting this requirement is primarily with the developer/applicant.

It should be noted that assigning responsibility for agreeing names is beyond the scope of the County Development Plan. The naming of estates is not a

reserved function. The Council could develop policy in relation to the naming of estates, but this would need to be progressed through SPC.

Recommendation:

Replace Section 19.4.11 as follows:

Names of residential developments shall reflect local heritage by incorporating local place names or names of geographical, historical or cultural significance to the site location. Names of developments shall include the use of the Irish language. In order to ensure the above and to avoid confusion and duplication, the naming of developments will require the prior agreement of the Planning Authority. Proposed names shall be submitted to the Planning Authority and agreed prior to launching any advertising campaign for the development.

(See 68 and 89 also)

Councillor Doyle stated that it had been agreed, outside of the current review process, that the naming of estates would come before the relevant Municipal District members for consideration before an estate was named in order to prevent future confusion and that that policy should be included in the Development Plan. The members discussed the issue and were in agreement with Councillor Doyle. M. Kenny advised the members that the Heritage officer and the MARIO were consulted prior to the naming of an estate.

Councillor Miley **proposed** that the naming of any new estates would be decided in consultation with the Municipal District members and this was **seconded** by Councillor Doyle and **agreed** by the members.

75. Councillor Suzanne Doyle

19.5

Provision of childcare should be dictated by maximising convenience to user, this requires a number of different options for parents, not simply crèches within estates. Ultimately, if the time spent away from parent can be minimised this should be achieved.

Need to examine the viability of what is outlined. To deliver quality childcare facilities it is necessary to do so on a sustainable scale, I don't think that housing estates of 70 units have the capacity to achieve this scale. Should we consider an optional levy that contributes to provision of childcare facilities if on site provision is not viable or suitable? Much like the statement of social infrastructure required in chap 17 VRS9. a similar policy could apply here that ensures that adequate supply exists to support proposed development? Such a levy should be of sufficient amount so as not to discourage on site provision where suitable and could be re invested in a grants scheme that encourages medium to large scale employers to provide on site child care, support provision of community childcare that will achieve integration or indeed grants to private sector to support the provision of top quality childcare facilities in areas of high density employment or in conjunction with other appropriate development such as transport hubs, schools or retirement homes.

Motion

To include policies addressing above and outline a more flexible range of controls that can achieve a range of childcare options to meet community needs. Possibly to include' that the ISP working with relevant partners such as County Childcare, will seek to develop a County wide initiative that augments

National grant schemes in supporting the provision of an range of innovative demand led childcare services throughout the County .

While the above would certainly require significant investment of resources, I think it has the capacity of returning a huge dividend in setting the County apart as a place to 'work, live and Play.' We should aspire to the same standards of excellence in the care of our children as exemplified by Mc Auley Place in the care of our elderly.

Response:

The Proposed Draft Plan is a spatial plan and in this context seeks to support and facilitate the sustainable development of accessible early childhood care and education infrastructure in the County.

The Childcare Facilities Guidelines for Planning Authorities, 2001 set out national policy in relation to the provision of early childhood care and education infrastructure. Department Circular PL 3/16 issued on March 31st 2016 provides updated guidance for the assessment of planning applications and states that the Department is considering the need to review the current Guidelines.

Section 19.5 reflects the standards set out in the Childcare Facilities Guidelines for Planning Authorities, 2001. In new housing areas, the guidelines suggest a standard of one childcare facility with minimum of 20 childcare places per 75 dwellings (approx.), depending on the particular circumstances of each individual site. Provision is also promoted in industrial estates or employment areas, town/village centres, at educational establishments and at public transport nodes.

Government policy, regulations and market factors have a significant influence on the demand for early childhood care and education places and on the type of facility and service that providers offer. The County Childcare Committee is responsible for coordinating a strategy to promote and develop quality childcare that is affordable and accessible to all in the community. The Council will consult with the Kildare County Childcare Committee in the preparation of Local Area Plans to identify childcare needs and develop policy based on the local circumstances. The co-location of early childhood services close to schools and major employment areas is considered to be positive, as opportunities for after-school care are improved and the need for additional drop offs and collections are reduced. This coupled for the need for provision in new residential areas and at other locations such as public transport nodes can be considered in more details at LAP level, based on local circumstances. For developments outside of LAP areas it is considered that Section 19.5 satisfies the general requirements of the Guidelines while allowing the Planning Authority flexibility to consider planning applications in the context of local circumstances.

The development of initiatives for the provision of early childhood care and education services is not a matter for the County Development Plan.

Recommendation:

No Change

Councillor Doyle stated that the current policy was not sustainable and that there was a need to zone specifically for this. Councillor McLoughlin Healy stated that there was less mobility within the state than here-to-fore, that people were remaining in the same dwellings for a longer period of time dwellings and that dwellings needed to allow for this. Councillor Pender agreed with other councillors. Councillor Young asked why policy couldn't state "preferably 30".

K. Kenny advised the members that National Guidelines had been in place since 2001 which must be adhered to. The County Development Plan stated general policy and that the detail required by the members was more appropriate to the Local Area Plans and to the relevant SPC. The Chief Executive advised the members that there was also a need to involve the County Childcare Committee.

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

76. Councillor Suzanne Doyle

19.10

Car parking standards

Can we get some information on what informs the standards required.

Would query the requirements outlined for Nursing Home, Lounge Bar, Church as excessive. Equally Primary school allocation is probably too low.

Response:

The quantum of car parking provision for development generally is a matter for individual planning authorities. The parking standards have been reviewed having regard to the current development plan, the standards of adjacent/comparable local authorities, and review of a selection planning permissions processed by KCC. No national guidance on parking standards has been published but in general there is a move towards encouraging alternative uses to the car and a recognition that parking is often inefficient use of valuable land. There is also a move towards the use of *maximum* parking standards, which gives scope for a planning authority to accept lower rates of on-site parking having regard to the specifics of the development proposal and the context of the site, if appropriate.

In relation to standards considered excessive, it should be noted that the standards are maximum standards and lower standards may be accepted or required at application stage, depending on the nature of the site. Primary schools have high demands for short stay parking at drop-off/pick up stages during the day and it is considered an inefficient use of land to provide permanent spaces to cater for these movements.

Recommendation:

No change

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

77. Councillor Suzanne Doyle

5% of car parking spaces in non residential developments should be set aside for disabled parking, I wonder should we reduce this % as the scale rises? Should check on what % of cars Nationally have disabled stickers or is it possible to give a figure on % of population with mobility disability?

Response:

Parking standards for the disabled are set out in the Building Regulations as follows:

For buildings (including apartment buildings), at least 5% of the total number of spaces should be designated car parking spaces, with a minimum provision of at least one such space.

Recommendation:

No change

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

78. Councillor Suzanne Doyle

Need to include a policy for provision of outdoor smoking areas to be provided in places of work for employees of over x, these should be sheltered and located away from entrances and places where they might have a negative impact on public.

Response:

This is a design matter for individual buildings and provision for same can be assessed on a case by case basis at Development Management stage in consultation with the HSE.

Recommendation:

No change

M. Kenny undertook to examine the issue under Development Management.

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

79. Councillor Suzanne Doyle

19.8.5

Last para

Amend

' In order to facilitate the sustainable development of the extractive industry, the County Council will require the lodgement of a financial bond to ensure the.....payment of an adequate contribution that will ensure the upgrading or repairing of the local road network,

Response:

The proposed amendment would read as follows:

In order to facilitate the sustainable development of the extractive industry, the County Council will require the lodgement of a financial bond to ensure the satisfactory reinstatement of the site following the completion of extraction and the payment of an **adequate** contribution towards the upgrading or repairing the local road network.

Recommendation:

Amend text as above

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

80. Councillor Suzanne Doyle

19.9.1

Add

All proposals for waste disposal facilities will be subject to planning process and no such facilities will be deemed eligible for exempted development status.

Response:

This is not a matter for the County Development Plan. Exemption Development Categories are set out in the Planning and Development Regulations and are not a matter for the County Development Plan.

Recommendation:

No change

Councillor Doyle requested that the policy on this issue be made more robust. K. Kenny advised the members that the Environment section would be consulted.

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

81. Councillor Suzanne Doyle

19.9.2

Add

Provision of a CCTV monitoring system to facilitate the orderly use of site.

Response:

Agreed.

Recommendation:

Amend text as follows:

Bring bank facilities will generally be required in conjunction with significant new commercial developments or extensions to same, and in conjunction with large scale residential and mixed use developments.

Bring bank facilities should include receptacles for glass, cans and textiles **and where practicable receptacles for paper, cardboard, plastics, batteries, light bulbs and certain waste oils.**

All applications for bring bank facilities will be assessed on a case by case basis having regard to the following:

- Proximity to residential areas
- An area of at least 10m by 4m in size
- Truck access and clearance heights
- A hard standing area **and safe pedestrian walkway**
- A vehicle set down area only with no permanent parking provision
- Suitable lighting **and CCTV monitoring.**
- Noise mitigation, screening and/or landscaping as considered necessary by the council

(see also 87 and 90)

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

82. Councillor Mark Stafford

Ch19.4.3 Housing Mix refers

That the reference to thresholds in respect of in Table 19.3 is cumulative and will take into account phasing and any subsequent applications for increased units/density.

Response:

While a number of applications are received within a landholding that fall below the threshold for a Housing Mix Statement, but cumulatively would fall above it is agreed that a statement should be submitted.

The Housing Mix Statement will be required to reference previous applications in the area, and phasing, when demonstrating the mix of existing/permitted housing in the area.

Recommendation:

Amend Table 19.3 as follows:

Insert additional paragraph under Table 19.3 as follows:

A Housing Mix Statement will be required for applications that fall below the thresholds set out in Table 19.3, where the number of units permitted under previous applications on the landholding when taken in conjunction with the number proposed in the subject application would cumulatively meet or exceed the threshold.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

83. Councillor Mark Stafford

Ch19.4.4 Dwelling Design/Layout/Boundary Treatment refers

That gaps between boundary treatments of adjoining developments will not be permitted and particular attention should be paid to ditches.

Response:

Section 19.2.5 sets out broad requirements for the integration of natural boundaries and features, including ditches, into developments.

In relation to boundary treatments of adjoining developments, additional text is recommended as below:

Recommendation:

Insert text as follows

New developments should take full account of the characteristics of the natural and built environment of the site, the views and vistas to and from the site, and the surrounding areas. The detailed requirements set out in Section 19.2.5 Soft Landscaping in relation to the retention of trees and hedgerows, and their incorporation into proposed public and private open space and boundaries, shall apply. **Particular attention shall be given to boundaries with adjoining developments to ensure that natural boundaries are incorporated as an integral part of the design and that gaps between boundaries are avoided.**

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

84. Councillor Mark Stafford

19.4.5 Apartment Developments refers

That an appropriate statement be included that "apartments will not generally be considered as part of a conventional housing estate development" be included in the first paragraph.

Response:

Apartments are a recognised housing type that will have a key role to play in meeting future housing needs in the County. As household size decreases and the demand for 1 and 2 person household's increases, as is forecast, there will be a need to make provision for a broad range of housing types. Apartments will also have a key role in meeting increased density standards and in providing high quality urban design solutions, particularly within urban areas and close to public transport nodes.

The Housing Mix Statements submitted with planning applicants will address the housing mix within the context of local housing needs. Section 19.4.5 states that apartment schemes will only be considered at appropriate locations, at a suitable scale and extent; if a location is acceptable in principle other planning

considerations will determine whether apartments can be considered as part of the development proposal.

Recommendation:

No change

Councillor Stafford stated that mixed developments required town houses and small bungalows in addition to apartments. Councillor Doyle agreed with Councillor Stafford. The members discussed the issue and the fact that not all dwellers required apartments or 3 and 4 bedroom dwellings. K. Kenny advised the members that there was a limit to what could be included in policy

It was **proposed** by Councillor Stafford, **seconded** by Councillor Doyle and **agreed** that the text of the first paragraph of 19.4.5 be amended to include reference to the fact that such developments would be located primarily at town centre locations and close to public transport.

85. Councillor Mark Stafford

19.4.6 Public Open Spaces for Residential Development refers

That any financial contribution levied in lieu of a shortfall of public space be ring fenced for the residents of the development in question or those adjoining.

Response:

This is not a matter for the County Development Plan. This issue raised in this motion is noted and can be considered in the review of the Development Contributions Scheme.

Recommendation:

No change

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

86. Councillor Mark Stafford

19.6.4 Access Requirements refers

That the third paragraph is amended to read "The provision of sheep/cattle grids in new developments adjacent to the Curragh will be mandatory or at the Councils discretion a contribution equal to the cost of providing same shall be paid to the Council". The purpose of this amendment is to provide for the provision of sheep/cattle grids for a settlement rather than an individual development if appropriate.

Response:

There is no provision in the Development Contributions Scheme for contributions towards sheep/cattle grids and as such this could not be secured as part of planning permission.

This motion is relevant to Motion 123 of April 11th meeting, and Motion 216 of 5th April meeting. It was agreed to amend AT 16 as follows

Reword objective as follows:

AT 16: To provide gateway speed deterrent, signage **and to examine the provision of cattle grids if warranted** at the following locations:

- On approach from Newbridge (R416)
- On approach from Kilcullen (R416)
- **On approach from the Curragh L2032**
- **On approach to all settlements on the Curragh**

It is therefore considered that this issue is adequately addressed.

Recommendation:

No change

Councillor Stafford stated that cattle grids should be located on approaches to settlements rather than to estates. K. Kenny referred the members to motions which had been discussed at previous meetings and stated that the provision of grids was not part of the current Development Contributions Scheme.

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

87. Councillor Mark Stafford

19.9.3 Bring Banks and Recycling facilities refers

That the first line of the second paragraph be replaced with "Bring bank facilities should include receptacles for glass, cans and textiles and where practicable receptacles for paper, cardboard, plastics, batteries, light bulbs and certain waste oils"

Response:

Agreed.

Recommendation:

Amend text as follows:

Bring bank facilities will generally be required in conjunction with significant new commercial developments or extensions to same, and in conjunction with large scale residential and mixed use developments.

Bring bank facilities should include receptacles for glass, cans and textiles **and where practicable receptacles for paper, cardboard, plastics, batteries, light bulbs and certain waste oils.**

All applications for bring bank facilities will be assessed on a case by case basis having regard to the following:

- Proximity to residential areas
- An area of at least 10m by 4m in size
- Truck access and clearance heights
- A hard standing area **and safe pedestrian walkway**
- A vehicle set down area only with no permanent parking provision
- Suitable lighting **and CCTV monitoring.**

- Noise mitigation, screening and/or landscaping as considered necessary by the council

(see also 81 and 90)

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

88. Councillor Mark Stafford

19.13.6 Outdoor Advertising Structures refers

To provide that advertising signage for a residential development will be removed when the last unit has been sold or within 5 years of the date of the final grant of planning permission whichever is the sooner.

Response:

Section 19.13.5 sets out that the intended duration of any proposed signage will be considered at planning application stage. In this regard there is already provision in this section to limit duration of signage or require its removal.

It is not considered necessary to reference this particular type of signage here as advertising for new residential developments is generally erected without planning permission, under the provisions of the exempted development regulations, which stipulates limits in size and duration. If the signage is not in accordance with the regulations it may be pursued through enforcement action.

Recommendation:

No change.

Councillor Stafford stated that development related signage had been left in place for too long a period after completion of estates and its removal should be a condition of planning permission.

M. Kenny undertook to examine the issue under Development Management.

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

89. Councillor Íde Cussen & Councillor Reada Cronin

19.4.11 – Naming of Developments

Developers shall provide an Irish language translation of the proposed name.

??

Suggested wording "that Kildare County Council has a policy of naming a set percentage of new developments in the Irish language.

Response:

Section 19.4.11 states

The names of residential developments shall reflect local heritage by encouraging the use of local place names or geographical, historical, cultural names in the naming of new residential and other developments. The Council shall approve the naming of residential developments, in order to avoid confusion with regard to similar names in other locations. Developers shall provide an Irish language translation of the proposed name.

A revised wording to address motions is proposed below. The word 'shall' is used to reflect that the responsibility for meeting this requirement is primarily with the developer/applicant.

It should be noted that assigning responsibility for agreeing names is beyond the scope of the County Development Plan. The naming of estates is not a reserved function. The Council could develop policy in relation to the naming of estates, but this would need to be progressed through SPC.

Recommendation:

Replace Section 19.4.11 as follows:

Names of residential developments shall reflect local heritage by incorporating local place names or names of geographical, historical or cultural significance to the site location. Names of developments shall include the use of the Irish language. In order to ensure the above and to avoid confusion and duplication, the naming of developments will require the prior agreement of the Planning Authority. Proposed names shall be submitted to the Planning Authority and agreed prior to launching any advertising campaign for the development.

(See 68 and 74 also)

Councillor Doyle stated that it had been agreed, outside of the current review process, that the naming of estates would come before the relevant Municipal District members for consideration before an estate was named in order to prevent future confusion and that that policy should be included in the Development Plan. The members discussed the issue and were in agreement with Councillor Doyle. M. Kenny advised the members that the Heritage officer and the MARIO were consulted prior to the naming of an estate.

Councillor Miley **proposed** that the naming of any new estates would be decided in consultation with the Municipal District members and this was **seconded** by Councillor Doyle and **agreed** by the members.

90. Councillor Íde Cussen & Councillor Reada Cronin

19.9.3 – Bring Banks and Recycling Facilities

Bring bank facilities should have CCTV installed to prevent dumping at these facilities.

Bring bank facilities should have a walk-way provided for pedestrians to safely walk to them within the site location.

Response:

Agreed.

Recommendation:

Amend text as follows:

Bring bank facilities will generally be required in conjunction with significant new commercial developments or extensions to same, and in conjunction with large scale residential and mixed use developments.

Bring bank facilities should include receptacles for glass, cans and textiles **and where practicable receptacles for paper, cardboard, plastics, batteries, light bulbs and certain waste oils.**

All applications for bring bank facilities will be assessed on a case by case basis having regard to the following:

- Proximity to residential areas
- An area of at least 10m by 4m in size
- Truck access and clearance heights
- A hard standing area **and safe pedestrian walkway**
- A vehicle set down area only with no permanent parking provision
- Suitable lighting **and CCTV monitoring.**
- Noise mitigation, screening and/or landscaping as considered necessary by the council

(see also 81 and 87)

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

91. Councillor Íde Cussen & Councillor Reada Cronin

19.10.3

Telecommunications and Supporting Infrastructure

To prohibit the development of residential housing in close proximity to existing Pylons.

Response:

The issues raised could be better addressed at LAP town/village plan stage, through the inclusion of an appropriate development buffer for new residential development on lands in the vicinity of Pylons.

(Note: section 19.10.3 does not refer to electricity pylons – it refers to telecommunications infrastructure).

Recommendation:

No change.

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

92. Councillor Íde Cussen & Councillor Reada Cronin

To work with the Electricity Network suppliers to suitably and securely fence off pylons which currently exist within housing estates in Kildare

Response:

This is not a matter for the County Development Plan.

Recommendation:

No change

Councillor Cussen asked how the issue could be addressed regarding future developments. M. Kenny undertook to raise the issue with the E.S.B.

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

93. Councillor Íde Cussen & Councillor Reada Cronin

19.12.5 Petrol Filling Stations/Rest Areas Service Stations

Petrol filling stations must ensure that traffic signage within and at entrance/exit to their stations are kept as per road traffic governance.

Response:

This is not a matter for the County Development Plan.

Recommendation:

No change

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

94. Councillor Íde Cussen & Councillor Reada Cronin

19.12.15

Petrol filling stations must prohibit the gathering of car enthusiasts in their forecourts

Response:

This is not a matter for the County Development Plan.

Recommendation:

No change

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

95. Councillor Thomas Redmond

Chapter 19

19.1.19 Bonds

To digitise all bonds and report yearly on status on bonds.

Response:

This is not a matter for the County Development Plan.

Recommendation:

No change

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

96. Councillor Thomas Redmond

19.2.3 Overlooking

Planning permissions will not be given for buildings overlooking school playgrounds without being at least 80 Metres away

Response:

It appears this submission is aimed at child safety. It is considered that such a standard would be overly prescriptive and possibly unworkable in certain urban locations. It is considered that a broader statement could be included and the required separation distance determined on a site by site basis.

Recommendation:

Insert additional paragraph in 19.2.3 as follows:

Adequate separation distances will be required for buildings overlooking school playgrounds or other sensitive uses. These will be determined at planning application stage. Innovative design solutions to avoid undue overlooking will be encouraged.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

97. Councillor Thomas Redmond

19.4.6

Public Space for residential development.

Council should put a maximum allowed public space if it's to be part of the residents responsibility to cut lawns Public areas should have bins .

Response:

Public open space is an integral part of the design of a residential development providing for residential amenity, visual amenity and a place for recreation and community interaction. The qualitative and quantitative standards in the Plan are based on national policy and guidance. While open space can be designed to minimise maintenance requirements, the specifics of estate management is not a matter for the County Development Plan.

The provision of bins is an operational matter for the Environmental Section and is not a matter for the CDP.

Recommendation:

No change.

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

98. Councillor Thomas Redmond

19.4.9

Public parking should allow 2 cars pass on the road between houses.

Response:

The design of roads and streets needs to be considered on a case by case basis according to their functions. The Design Manual for Urban Roads and Streets, published in 2013, is a significant step forward in achieving safe and attractive street design. It aims to achieve a better balance between all modes of transport and control traffic speed through design. It is considered the most appropriate standard for guiding the assessment of new roads and parking in residential areas.

Recommendation:

No change

Councillor Cronin stated that the width of estate roads needed to allow for Emergency vehicles.

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

99. Councillor Thomas Redmond

19.6.5

That Kildare county council pilot a plan of PAYG public lighting

Response:

This is not a matter for the County Development Plan.

Recommendation:

No change

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

100. Incomplete and reconciliation motions

Chief Executive's Amendments

Meeting of 23rd March 2016

100.1 Insert the following text at the end of Section 1.1.

The Plan includes specific policies and objectives in each chapter. These are specific approaches / actions which the Council will endeavour to realise to ensure that policies are implemented, and that all development proposals are consistent with the proper planning and sustainable development of the county.

In the interest of clarity, any reference to a policy and objective in the text of this Plan shall be construed as an “objective” of this Plan for the purposes of the Planning and Development Act 2000, (as amended) and the Planning and Development Regulations 2001, (as amended).

Reason:

To provide additional clarity in relation to the status of policies and objectives in the Plan.

Resolved: That all members present were in agreement to accept the Chief Executive’s amendment.

Motion 25 Councillor Mark Stafford (Chapter 4)

To delete Objective HCO 4 and replace with "to require the submission of design statements with applications over 10 residential units". Such an amendment will be more in keeping with policy HC1 and HD1 as well as policy MDO 2.

Response:

Agreed. A number of corrections are also included in the amended policies and objectives below.

Recommendation:

Amend Chapter 4 Section 4.3 as follows:

Resolved: That all members present were in agreement to accept the Chief Executive’s amendment.

Meeting of 5th April 2016

Motion 30 Councillor Martin Miley (Chapter 5)

5.17 Tourist attractions in County Kildare
in light of the very positive picture of the Dragon boat racing on the front page of chapter 5. we work with all watersports organisations in Athy to accommodate them with facilities

Response

This is considered to be a matter for the forthcoming Athy Local Area Plan.

Recommendation

No Change

Resolved: That all members present were in agreement to accept the Chief Executive’s recommendation.

Motion 39 Councillor Brendan Young (chapter 5)

Chapter 5, ECD 42 that after the words '- is fully protected' insert “without restricting the public rights of way through the parklands”,

Response

Agreed that this motion would be more appropriately considered under Chapter 14. Cllr resubmitted motion –motion 25 above.

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

Motion 40, Councillor Martin Miley (chapter 5)

ECD 41

Add additional Policy

To promote amenities to cultivate rural sporting activities that will benefit the Local community and support local economies

Response

The promotion of all types of sporting activities (including rural) is considered to be adequately addressed in the Proposed Draft Development Plan. The Council acknowledges the very important roles that open space, sporting and social clubs play in enhancing the social and recreational life of Kildare's communities. The Council will continue to liaise with sporting organisations in urban and rural areas and support and facilitate the improvement of sporting and recreational facilities throughout the County.

Section 14.12.4 Recreation and Amenity, contains the follows policies which address the issue raised:

RA 5: To seek improvement in the range, quality and capacity of sporting and recreational facilities through initiatives in partnership with community groups and sporting organisations and to cater for all age-groups and abilities.

RA 6: To encourage the clustering of sport and community facilities and to encourage them to be multi-functional and not used exclusively by any one group.

RA 7: To consider the future needs of all sporting facilities i.e. capacity, access, community facilities, in the provision of new or in the expansion of existing sporting facilities.

Recommendation

No Change

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

Motion 91 Sinn Féin (chapter 6)

Objectives: Walking and Cycling

It is an objective of the Council to:

Provide horse trekking routes in Kildare.

Response

Agreed

Recommendation

- (i) Insert new policy EQ 8 into Chapter 10 Rural Development, Section 10.5.4 Equine Industry as follows:

EQ 8: To promote and encourage the development of activities that relate to the equine industry in the county such as riding schools, pony trekking and the development of bridle paths.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

Motion 135 Sinn Féin (chapter 6)

Chapter 6-27

6.11.6 Stramillan Aerodrome

This paragraph mentions Dublin Gliding Club, however it is not yet operational. Dublin Gliding Club is based at Gowran Grange Airfield, Punchestown, Naas, Co Kildare and might need its own heading and a 2.7k development curtailment radius in this area.

The Dublin Gliding Club is the only gliding club in the state. It operates out of Gowran Grange Airstrip, just south of Punchestown racetrack and has done for nearly forty years. There are approximately 3,000 aircraft movements there per annum (gliders and powered aircraft), and the club trains student pilots and tourists to fly gliders.

The field needs protection from encroaching development and tall obstacles similar to the other airfields in Kildare. It is not currently envisaged that the club is moving to Stramillan Aerodrome. The intention is to stay at Gowran Grange for the foreseeable future.

Response

Having reviewed this section of the proposed draft CDP it is considered appropriate to amend Section 6.11.6 to address the currently unlicensed airfields at Stramillan and Gowran.

Recommendation

Insert new Section 6.11.6 as follows:

6.11.6 Airfields

There are two airfields located wholly in County Kildare at Gowran Grange, Punchestown and Stramillan, Monasterevin that are currently unlicensed.

It is the policy of the Council:

SA1: To consult with the Irish Aviation Authority in relation to proposed developments in these airfields and in the vicinity of these airfields.

Amend Map 6.1 to identify the location of the Map 6.6 from the Proposed Draft Plan and insert the Gowran Grange and Stramillan airfields. Omit Map 6.6.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

Motion 181 Sinn Féin (chapter 8)

8.14 Only as a last resort should free standing masts be located in residential areas or close to schools/hospitals.

It's not mentioned but before last resort, mobile phone cell "masts" should be encouraged to be placed on tall buildings and painted to blend in with that building, similar to the masts on two of the once Bewley's hotel at junction of N7 and Belgard Road. (They are barely noticeable)

Response:

This is generally provided for on page 19_36 second last bullet point:

The possibilities offered by some commercial or retail areas should be explored whether as rooftop locations or by way of locating "disguised" masts. The use of tall buildings or other existing structures is preferable to the construction of an independent antennae support structure.

Recommendation:

Amend text as set out below

The use of existing structures is preferable to the construction of an independent antennae support structure. The possibilities offered by some commercial or retail areas should be explored in terms of potential locations for "disguised" masts. Tall buildings and rooftops, where antennae can be designed and finished to blend in with surroundings, should be considered.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

Motion 191 Councillor Mark Dalton (chapter 9)

That Edmund Rice Sq. and Emily Sq. be added to the indicative core retail area for Athy.

Response

The Core Retail Area is the part of a town centre which is primarily devoted to shopping. It is distinct from the Town Centre Zoning which covers a wider area and contains a multiplicity of uses. Core Retail Areas are areas which achieve the highest rentals, best yields, are highest in demand from retailers and are where pedestrian flows are greatest. Although Emily Square is important in the dynamics of Athy Town Centre, it does not fulfil the criteria for inclusion in the designated Core Retail Area.

However, Edmund Rice Square, in view of its location adjacent to Pettit's SuperValu – the major convenience store in the town, has the potential to better enhance its offer and profile. At present, it is recognised that in this respect it is not fulfilling this role and potential. To direct and achieve this, which would serve to help secure consolidation of retail activity in the heart of the town centre, it is proposed that the area – including the Pettits' SuperValu lands – be designated as being both within the Core Retail Area and additionally as a Town Centre Expansion Area – a principle founded in the Council's approach in both Maynooth and Kildare Town.

Recommendation

The designated Core Retail Area of Athy Town Centre be expanded to include Edmund Rice Square and the adjoining Pettits' SuperValu lands and, additionally, the area be designated as the Town Centre Retail Expansion Area. Consistent with this, the following are proposed:

- i. The Core Retail Area map in the Draft Plan is revised to reflect the above; and
- ii. The following additional policy is incorporated in the proposed draft CDP at R23.

R X: To support and implement appropriate development of lands for the future expansion of Athy Town Centre and specifically those facilitated by the expansion of the Core Retail Area and the designation of those lands as the Town Centre Retail Expansion Area in the forthcoming Athy LAP.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

Motion 204 Cllr Lynch (chapter 9)

That village or town centre shop front facades should be kept over generic shop front facades.

Response:

It is considered that this motion is adequately provided for by the proposed draft CDP.

Section 19.13.1 acknowledges that shop fronts are one of the most important elements in determining the character, quality and image of retail streets in County Kildare. This section sets out that the Council will aim to achieve a balance between protecting traditional and original shop fronts and encouraging good contemporary shop fronts. The latter must generally be designed to traditional principles of scale, proportion and detailing. The use of standardised brand names, logos, corporate designs as part of shop front fascia advertising, where it conflicts with the existing streetscape, is not permissible. Further protection for such architectural elements would exist in ACAs and structures on the RPS.

Recommendation:

No change

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

Motion 205 (chapter 9)

That green hedges and trees should be paced over the new build of concrete walls or wooden posts within town and village centres to help the character of an area and prevent hard, unsightly surfaces.

Response:

It is considered that this motion is adequately provided for by the proposed draft CDP. Assessment of planning applications for retail development shall be required to have regard to the 'Retail Design Manual' published by the Department of the Environment, Community and Local Government in 2012 which requires developments to incorporate landscape as an integral part of scheme design.

Recommendation:

Insert new bullet point in Section 19.12.1:

- The extent to which the public realm interventions associated with new retail development in town and village centres contributes to and enhances the character of the area. Landscape features should form an integral part of the design, with a range of hard and soft landscaping features. The extent of exposed concrete should be minimised.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

Motion 218 Councillor Suzanne Doyle (chapter 18)

Athgarvan

That we add AT 38:

To seek to secure lands to West of School, currently being used by local GAA sports club, for continued use as a community and recreational facility for Athgarvan from the Dept. of Defence.

Response

The open space and amenity zoning acknowledges the existing sporting and recreational use of the land. The acquisition of lands is not a matter for the CDP and is a matter for the parties concerned i.e. school authorities, the GAA and the Department of Defence.

Recommendation

No Change

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

Motion 223 Councillor Mark Lynch (Chapter 18)

Athgarvan

18.2 Map and details

That the Curragh plains, PNHA, is removed from F "Open space and Amenity" as it is not council or private land and is part of the Curragh plains.

Response

The open space and amenity zoning acknowledges the existing sporting and recreational use of the land

Recommendation

No Change

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

Sinn Féin

ECD

To move to a cyclical model for maintaining and upgrading Kildare Co Co social housing stock.

Response:

This is not a matter for the County Development Plan.

Recommendation:

No Change

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

Meeting of 11th April 2016

Motion 25 Fine Gael (chapter 4)

That RH13 be deleted from the development plan.

Response

This motion seeks to delete the following policy in relation to piecemeal and haphazard development:

RH 13: To control the level of piecemeal and haphazard development of rural areas close to urban centres and settlement having regard to potential impacts on:

- (i) The orderly and efficient developments of newly developing areas on the edges of towns and villages;
- (ii) The future provision of infrastructure such as roads and electricity lines; and

- (iii) The potential to undermine the viability of urban public transport due to low density development.

The aim of this policy is to prevent urban sprawl outwards from urban towns, villages and settlements and maintain the distinction in character between the urban and rural areas, to maintain a gap between settlements and to allow for the orderly expansion of settlements in the future. While any new development on the outskirts of towns, villages and settlements will need to be carefully considered the policy does not preclude dwellings for those who can demonstrate that they comply with the rural housing policy of the plan.

It is considered that the proposed amendment to delete this policy would significantly undermine the overarching aim of this policy and would serve to weaken the position of the Council in achieving a clear separation between towns, villages and settlements and the consolidation of urban areas where there is existing and planning physical and social infrastructure.

Recommendation

No change

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

Fine Gael (chapter 4)

That RH14 reads as follows.

To preserve and protect the open character of transitional lands outside of settlements in order to prevent linear sprawl near towns, villages and settlements and to maintain a clear demarcation and distinction between urban areas and the countryside. **This policy will not affect applicants who comply with the schedule of local need.**

Response

This motion seeks to delete the following policy in relation to piecemeal and haphazard development:

RH 13: To control the level of piecemeal and haphazard development of rural areas close to urban centres and settlement having regard to potential impacts on:

- (i) The orderly and efficient developments of newly developing areas on the edges of towns and villages;
- (ii) The future provision of infrastructure such as roads and electricity lines; and
- (iii) The potential to undermine the viability of urban public transport due to low density development.

The aim of this policy is to prevent urban sprawl outwards from urban towns, villages and settlements and maintain the distinction in character between the urban and rural areas, to maintain a gap between settlements and to allow for the orderly expansion of settlements in the future. While any new development on the outskirts of towns, villages and settlements will need to be carefully

considered the policy does not preclude dwellings for those who can demonstrate that they comply with the rural housing policy of the plan.

It is considered that the proposed amendment to delete this policy would significantly undermine the overarching aim of this policy and would serve to weaken the position of the Council in achieving a clear separation between towns, villages and settlements and the consolidation of urban areas where there is existing and planning physical and social infrastructure.

Recommendation

No change

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

Motion 37 Councillor Martin Miley (chapter 4)

4.13.4 RH22 RH23

Very restrictive need to preserve our heritage some of these buildings in very poor repair and would restrict the overall development of employment and farming generation. Policy should reflect saving what is worth saving and not for the sake of it.

Response

This motion seeks to amend the following policies:

RH 22: To protect the vernacular building stock in the rural areas of the county.

RH 23: To promote the re-use and sensitive restoration of existing dwellings, particularly those of traditional vernacular architecture. Regard should be had to Kildare County Council's "*Reusing Farm Buildings – A Kildare Perspective*", (2006) and any other design guidelines issued during the period of the Plan.

Section 4.13.4 addresses the restoration/refurbishment of the existing housing stock including vernacular structures. Vernacular is a term used to describe something that is common to a specific area or place. Vernacular structures found in Kildare such as farmhouses, outbuildings, cottage and their surroundings are integral to the appearance and enrichment of the cultural landscape of the county. Vernacular buildings make a significant contribution to the landscape character and visual amenity of Kildare and it is important that such buildings are protected from destruction and decay.

The Vernacular structures of Kildare have seen a marked decline in recent years. This policy seeks to ensure that rather than continuing to lose the built heritage of Kildare a defining feature of the rural landscape, the Council provide guidance in the area of vernacular structures and seeks to promote and enable the retention and appropriate refurbishment of buildings within the county.

Each application which includes works to a vernacular structure is assessed on a case by case basis having regard to the condition, nature and setting of the structure. There is an emphasis on protecting such structures and encourage their sensitive and appropriate refurbishment while having regard to Kildare County Council's "Reusing Farm Buildings – A Kildare Perspective", (2006).

It is strongly recommended that Policies RH 22, RH 23 and RH 24 should remain in Chapter 4.

Recommendation

No change

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

Motion 38 Councillor Mark Lynch (chapter 4)

4.28 (vii) refers. That the 25% maximum floor increase is removed and no % listed, other than what is suitable to location site.

Response

This motion seeks to amend the following policy by removing the 25% maximum floor increase and refer to what is suitable to site location as follows:

RH 25: To accept the replacement of a dwelling other than a vernacular dwelling in circumstances where such a dwelling house is habitable, subject to the following:

vii) In cases where an applicant/occupant wishes to replace an existing habitable dwelling on the same footprint and of the same or similar floor area ~~(with an allowance of up to 25% increase of floor area for modern living requirements)~~ there will be no requirement to comply with local need criteria identified in this plan.

This policy is included to allow for the reuse of existing residential properties where the existing dwelling is unsuitable for reuse, subject to a range of safeguards. Policy RH 25 (vii) relates to persons who seek permission to replace a dwelling in the rural area but who do not comply with Local Need Criteria.

Having reviewed the motion and policy RH 25 (vii), it is considered acceptable to amend it in accordance with the motion.

Recommendation

Revise Policy RH 25 (vii) as follows:

RH 25: To accept the replacement of a dwelling other than a vernacular dwelling in circumstances where such a dwelling house is habitable, subject to the following:

(vii) In cases where an applicant/occupant wishes to replace an existing habitable dwelling on the same footprint and of the same or similar floor area

there will be no requirement to comply with local need criteria identified in this plan.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

Motion 39 Fine Gael (chapter 4)

That RH 25 reads as follows

RH 25: To accept the replacement of a dwelling other than a vernacular dwelling in circumstances where such a dwelling house is habitable, subject to the following:

- (i) The structure must last have been used as a dwelling and the internal and external walls and roof must be intact.
- (ii) A report from a suitably qualified competent person shall be submitted to verify that the dwelling is habitable but that replacement of the dwelling is the most sustainable option.
- (iii) The design of the proposed replacement house shall be of a high standard and its scale and character appropriate to the site and to existing development in the vicinity and to the rural area.
- (iv) Normally a condition to demolish the existing dwelling will be included in any grant of permission.

Response

This motion seeks to amend the following policy by removing the following:

RH 25: To accept the replacement of a dwelling other than a vernacular dwelling in circumstances where such a dwelling house is habitable, subject to the following: (iii) Documentary evidence of the most recent date of occupation should be submitted with the application; (vi) To require applicants to comply with local need criteria identified in Table 4.5 of the Plan. Normal planning considerations will be taken into account in the assessment of planning applications for replacement dwellings; (vii) In cases where an applicant/occupant wishes to replace an existing habitable dwelling on the same footprint and of the same or similar floor area-(with an allowance of up to 25% increase of floor area for modern living requirements) there will be no requirement to comply with local need criteria identified in this plan.

This policy is included to allow for the replacement of residential properties where the existing dwelling is unsuitable for reuse, subject to a range of safeguards. It is considered appropriate to omit the reference to 25% as set out in Motion 38 above. However, criteria in relation to the most recent date of occupation and compliance with rural housing policy where the established residential use is intensified or relocated within the holding, are considered

important to ensure that there is not abuse of this policy and that the integrity of the rural areas is preserved.

Recommendation

See Motion 38 above.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

Motion 40 Fine Gael (chapter 4)

That RH26 reads as follows.

To facilitate the sensitive replacement of a structurally unsound derelict dwelling as an alternative to the construction of a one off dwelling elsewhere in the countryside. Documentary evidence in the form of a structural survey and photographs shall be submitted to accompany the application. The proposed applicant shall comply with local need criteria identified in the Plan and shall be subject to an occupancy condition.

Response:

The motion seeks to omit the following sentence:

"The scale of the replacement dwelling shall have regard to the scale of the existing dwelling to be replaced and site size".

This policy is included to allow for the reuse of established residential sites where the existing dwelling is derelict, subject to a range of safeguards. It is considered that the reuse of an established site with planting, access etc. as an alternative to a new site would reduce the impact of new development on the rural area. The proposed applicant is required to comply with local need criteria and shall be subject to occupancy condition. It is therefore considered reasonable that dwelling design is assessed based on the general criteria set out in the Plan. Given that many replacement sites are smaller than new sites, it is considered important that the scale of the dwelling is proportionate to the overall scale of the site.

Recommendation:

That RH26 reads as follows.

To facilitate the sensitive replacement of a structurally unsound derelict dwelling (3) as an alternative to the construction of a one off dwelling elsewhere in the countryside. The scale of the replacement dwelling shall have regard to the ~~scale of the existing dwelling to be replaced and site size~~. Documentary evidence in the form of a structural survey and photographs shall be submitted to accompany the application. The proposed applicant shall comply with local need criteria identified in the Plan and shall be subject to an occupancy condition.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

Motion 65 Sinn Féin (chapter 10)

10.7.4

Add to this: Following the closure of the extractive industry. To ensure that a viable and ecologically friendly plan is in place following the exhaustion of our bog lands in Kildare from mill peat harvesting.

Response

The motion raised has been previously responded to at the meeting on the 11th April 2016 - Chapter 10 Rural Development, Motion 65 Sinn Féin.

The CE's Recommendation was accepted

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

Motion 109 Councillor Martin Miley (chapter 17)

17 Ballitore

That we zone an acre of land around the meeting house for community and education

Response:

The Meeting House occupies a small site with limited curtilage, immediately west of the local road L8036. Lands to the north and west are subject to zoning objective c – new residential. There is a live permission for 51 dwellings on the adjacent lands to the north and west (Ref. 04/2589 granted on 17/10/2007, duration of permission extended under Ref. 12/335 to 17/10/2017). The vehicular access is from a local road just north of the Meeting House site. This permission provides for a small open space to the rear of the meeting house. The lands immediately to the south contain a private residence, Ballitore House, which is a Protected Structure (B36-28). Given the current zoning and planning history it is not considered appropriate to amend the zoning objective of the lands to the west and north.

The Meeting House is a Protected Structure located outside the Ballitore ACA as set out in Chapter 12, and outside the boundary of the village plan. As its current use is of cultural and social significance to the village, it is proposed to amend the village plan to include it within the site boundary. It is also proposed to add an objective to support its use and to better protect its character in any future planning applications.

Recommendation:

- Include site of meeting house within village boundary and zone Community and Educational
- Insert Heritage Objective after HE 1 as follows:
HE X: **To protect and improve the setting of the Meeting House and support its continued social and community use.**

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

Motion 115 Councillor Martin Miley (chapter 17)

17 Crookstown;
that we rezone land to facilitate car parking

Response

It is unclear from the motion why there is a need for a public car park in the small village of Crookstown. The Council has no plans to provide such a facility.

When the draft plan goes on public display, there will be an opportunity for interested parties to make submissions in relation to the matter e.g. in relation to need, location etc. These submissions can be considered and brought to Council at Material Alterations stage.

Recommendation

No Change

Resolved: That all members present were in agreement to accept the Chief Executive's recommendation.

Motion 119 Councillor Mark Wall (chapter 17)

Kildangan
Add AR 2 page 17 -62
To facilitate the provision of a public Car Park with the assistance of the local land owner at land in front of the Church and School in the Village, improving safety at all locations.

Response

Agreed. The Council is progressing plans for a Car Park in Kildangan.

Recommendation

Insert Policy
To facilitate the provision of a public Car Park in front of the Church and School in Kildangan.

Resolved: That all members present were in agreement to accept the Chief Executive's amendment.

It was **further resolved** on the proposal of Cllr. Miley, seconded by Cllr. Keatley, that the Draft Kildare County Development Plan 2017-2023 submitted to the members on the 1st March, 2016 pursuant to Section 11 of the Planning & Development Acts 2000-2015, incorporating the amendments proposed and agreed by the members of Kildare County Council at their

meetings on 23rd March, 5th April, 11th April and 20th April 2016 be put on public display.

The Mayor thanked all the members for their participation at all the meetings and the Chief Executive and his staff for their work in the preparation of the proposed Draft Plan. The Mayor also wished Alan Cunniffe well in his future career and thanked him for all his work to date.

The meeting concluded.