



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

RE: SUBMISSIONS TO DRAFT LOCAL AREA PLAN FOR CALLAN

DATE: 14TH JANUARY, 2019

Dear Councillor,

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

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

Yours sincerely,


Colette Byrne,
Chief Executive

**Chief Executive's Report
Submissions to Draft Callan Local Area Plan 2018**



January 2019



Kilkenny County Council

Colette Byrne,
Chief Executive

Sean McKeown,
Director of Services

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1. Introduction

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

The purpose of the report is to:

1. report on the written submissions/observations received in relation to the Draft LAP during the public consultation period.
2. set out the Chief Executive's response to the issues raised in the submissions/observations and;
3. make recommendations to the Elected Members on the issues arising from the consultation process.

This report is being furnished to the Elected Members of Kilkenny County Council in accordance with Section 20(3)(c) of the Planning and Development Act 2000 - 2018, for their consideration.

1.1 Details of Public Display

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

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

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

- Planning Office, Kilkenny County Council, County Hall, John Street, Kilkenny
- Callan Area Office
- Callan Library

Submissions could be made from the Thursday 8th of November 2018 - 20th of December 2018 by:

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

2. Submissions Received

In total, 16 submissions were received to the Draft Local Area Plan, as set out below¹.

Ref.	Name
CD-1	Seamus Ryan
CD-2	Denis Lawlor
CD-3	Orlaith Treacy
CD-4	Michael Power
CD-5	Michael Funchion
CD-6	Ciaran Byrne
CD-7	Department of Housing, Planning and Local Government
CD-8	Colin Aherne
CD-9	Michael McCormack
CD-10	Dr. Jim Ryan
CD-11	Philip Funchion
CD-12	The Department of Culture, Heritage and the Gaeltacht
CD-13	Irish Water
CD-14	Bolton Homes Limited
CD-15	Patrick Lydon
CD-16	Rosie Lynch

¹ The full text of the submissions received are available to view at the following link: <https://consult.kilkenny.ie/en/node/2529/submissions>

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3. Summary of Issues Raised, Chief Executive's Response and Recommendations.

In the recommendations, the deletion of text is indicated with a ~~strikethrough~~ and the addition of text is indicated in Italics.

3.1 Submissions

Ref	Name	Summary
CD-1	Seamus Ryan	<ol style="list-style-type: none"> The submission welcomed the content of the Environmental Report but requested that the exact locations of these invasive plants, e.g., Japanese Knotweed, Himalayan Balsam etc. be identified. It states that the maps in the Environmental Report do not accurately show where invasive species actually exist within the town eg. Garda Station on Green Street.
<p>Response: Clearer identification of invasive species locations throughout the County is an ongoing project and is currently being addressed by the Council. It is however recommended that policies be included to firstly compile a Green Infrastructure Strategy and secondly to ensure that awareness of invasive species and control of same forms part of the green infrastructure strategy when this is prepared.</p>		
<p>Recommendation: Revise Green Infrastructure Objective to state that <i>'It is an objective of Kilkenny County Council to develop a Green Infrastructure Strategy for the town, linked to its urban regeneration'</i>. An additional natural heritage and biodiversity objective will also be included: <i>NHB6: It is an objective of Kilkenny County Council to promote best practice in the control of invasive species, to raise awareness in relation to invasive species and to ensure that proposed projects do not lead to the spread of invasive species.</i></p>		

Ref	Name	Summary
CD-2	Denis Lawlor	<ol style="list-style-type: none"> An area which is currently designated as the amenity space for Clonkil has been earmarked as a potential development infill space in West St/ Chapel Lane infill area. Area 5 on page 32 and paragraph 10.6.5 of the Chapter is supposed to relate to this space but refers to Bolton Woods and is a duplication of the previous paragraph. 10.6.5 This is being perceived as generic approach to the space. The proposal to provide a pedestrian link from the Clonkil Estate and the Aldi store is of concern. The route

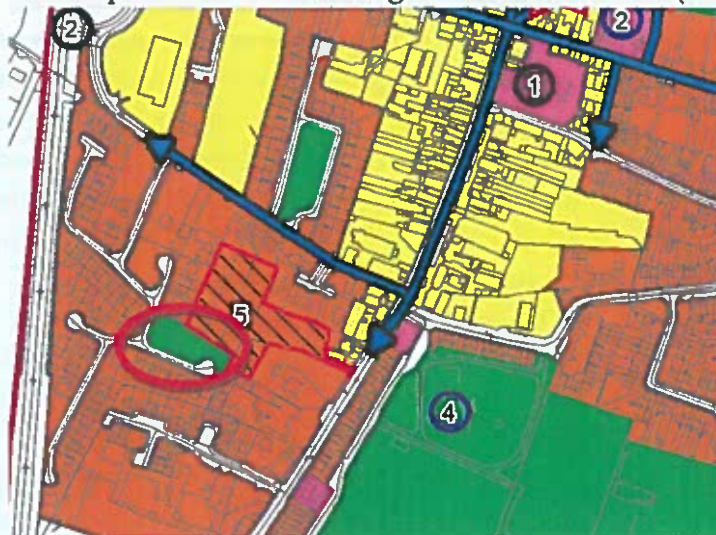
from Aldi to Clonmel road should be improved as a priority.

Response:

1. The existing Clonkil Open space was inadvertently included in the Masterplan area and will be omitted.
2. Noted. Paragraph 10.6.5 to be amended.
3. There is a pinch point along Chapel lane between Aldi and the Clonmel road which will be difficult to resolve due to a lack of space for a footpath. The proposal for a pedestrian link through the masterplan lands was not intended as an alternative to the Chapel lane link, to improve permeability within the town and provide a safer pedestrian alternative to the Clonmel road for the residents of Clonkil. It is an objective indicated on the map to improve this exiting pedestrian link and in time to address the pinch point. This will be clarified by way of a specific written objective (TSDO10).

Recommendation:

1. It is recommended that the Clonkil open space be omitted from the Masterplan area and zoning reflected as below (red circle).



2. Amend paragraph 10.6.5 to read:
"West Street Clonmel Road -/ Chapel Lane Infill Area
A masterplan approach is required for the area to the rear of Bolton Woods houses fronting onto Chapel Lane. Should a development proposal arise, the purpose of this designation is to prevent incremental development and maintain high standards of residential amenity in the surrounding area. This masterplan will focus on achieving high quality infill residential development. Masterplan proposals must be submitted and agreed with Kilkenny County Council in advance of any applications. The proposed design should:
 - *Identify linkages with development in the surrounding area with particular regard to the need to deliver improved pedestrian connections with Clonmel Road;*
 - *identify linkages with development in the surrounding area with particular regard to the need to deliver improved pedestrian connections with Chapel Lane and the Clonmel Road;*

- Identify measures to achieve zero or low carbon development, through the integration of renewable energy proposals and energy efficient design; and
 - Maintain high standards of residential amenity of surrounding areas."
3. TCO11: Provide improved ~~better~~ pedestrian connections along Chapel Lane, *notwithstanding the restrictive width along parts of the lane. which is the main pedestrian route linking Aldi and Green Street. and;*
Also see submission CD-6.

Ref	Name	Summary
CD-3	Orlaith Treacy	<ol style="list-style-type: none"> 1. States that the Callan Community Network does not run the Droichead Family Resource Centre but manage the Friary Complex. 2. Expresses concern regarding missing information on the extent of arts organisations in the town, namely 3 theatre companies; Moneyshine Theatre, Asylum Productions and Equinox Theatre and three arts organisations; KCAT, Workhouse Union and Trasna Productions. Suggests that Callan Youth group is managed by Foroige, not Ossory Youth. 3. Wishes the Ballytobin Primary School and Kilkenny Steiner School to be added to section 6.1.1 4. Wishes a youth space be considered within the development of open spaces in the town 5. Would like to see development and support provided for the various arts organisation in the town
<p>Response:</p> <ol style="list-style-type: none"> 1. Noted, text to be amended. 2. Noted, text to be amended. 3. Noted, text to be amended. 4. Noted, text to be amended. 5. Noted, text to be amended. 		
<p>Recommendation:</p> <ol style="list-style-type: none"> 1. Amend paragraph 5 of section 6.1 as follows: "Community organisations are also well established in Callan with the Callan Community Network established in 1999 as a voluntary group. The core aim of this group is in the betterment and advancement of Callan and they run the Droichead family resource centre." 2. Amend paragraphs 6 and 7 of section 6.1 as follows: "There are three a number of arts organisations in Callan; KCAT, Workhouse Union and Trasna Productions. The KCAT (Kilkenny Collective for Arts Talent) Art 		

Centre, an inclusive and participatory arts centre that works together with Equinox Theatre Company, combining artists with learning disabilities and other disadvantages with professional arts practitioners. 3 theatre companies in the town are Moneyshine Theatre, Asylum Productions and Equinox Theatre and;"

"Callan has two youth groups under the Ossory Youth organisation including Callan Youth Project and Callan Street Art. Callan Youth group is managed by Foroige."

3. Amend paragraph 3 of section 6.1 as follows:
"The town is served by has a mixed number of primary schools of which some are outside the town. Schools serving the town are including Bunscoil McCauley Rise, Ballytobin Primary School and Kilkenny Steiner School as well as two secondary schools; St Bridget's College and Edmund Rice College, located in the north part of town." Table 6.1.1 will be updated also.
4. Propose revision to Green Infrastructure Objective GI1 to state that 'It is an objective of Kilkenny County Council to develop a Green Infrastructure Strategy for the town, linked to its urban regeneration'. *The strategy will identify a youth space on existing open space within the town.*
5. Insert a revision to Arts, Culture & the Creative Economy Objectives by inclusion of ACCE5.

ACCE5: It is an objective of Kilkenny County Council to support the development of the various arts organisations in the town.

Ref	Name	Summary
CD-4	Michael Power	This submission is from the Secretary of CANDIDA which is an industrial development group for the Callan. It raises concerns in relation to the amended zoning at Bolton, which had been zoned as Industrial in the previous LAP but had been amended to agricultural in the Draft LAP and proposes zoning be changed back to Industrial.
Response:		
1. Noted, CANDIDA has indicated their intention to recommence the development of the Industrial area and it is proposed that the zoning be amended to accommodate same.		
Recommendation:		
1. Amend zoning map to change the 3.7 ha CANDIDA lands' zoning back to "Industrial" as seen in un-hatched blue and circled below:		



Ref	Name	Summary
CD-5	Michael Funchion	<p>1. The submission states that under the Draft Plan, about 3.9 hectares of land currently zoned Phase 2 and about 4.3 hectares of land currently zoned industrial would all be re-zoned agricultural.</p> <p>2. The submission makes the following observation on the proposed zoning changes. It states that although the Draft Plan has eliminated the zoning category of Phase 2, the submission requests that there is the potential of these lands for development in the future is indicated in some way.</p> <p>3. Under the Draft Plan, about 3.7 hectares Candida for industrial development would be rezoned from industrial to agricultural and virtually all of it would be left outside the plan boundary. Since Candida bought their land for industrial development, the submission also considers it to be counterproductive to rezone their land as agricultural.</p> <div data-bbox="491 1585 877 1966" style="text-align: center;"> </div>

Response:

1. The sites referred to above still remain within the LAP Development Boundary. These lands could however not be prioritised for residential zoning under this plan. It should however be noted that the zoning objective 'agricultural' does acknowledge development potential, but restricts inappropriate development
2. As above
3. As per response to CD-4

Recommendation:

1. No change
2. No change
3. Amend zoning as per CD-4

Ref	Name	Summary
CD-6	Ciaran Byrne	<ol style="list-style-type: none"> 1. This submission is by the chairman of the Clonkil Residents Association on behalf of the residents of the Clonkil Estate. The submission states that with reference to the Masterplan Area 5, the amenity lands of the Clonkil estate are referenced as potential development sites, which would dramatically reduce the open space currently available to all families who currently live in the Clonkil estate 2. The submission notes that section 1.6.5 of the Draft LAP refers to this Masterplan Area, but the document incorrectly references the area "to the rear of Bolton Wood". Assuming this is simply a paperwork error, it leads to the inference that a generic approach was taken during this draft. 3. It is also noted that a pedestrian pathway/link is proposed from the Clonmel road through to the Masterplan Area 5. This may give rise to a significantly larger number of pedestrians transiting the Clonkil estate to reach Aldi/West Street. Also proposes that traffic risk may be alleviated by making a section of Chapel Lane one-way only.

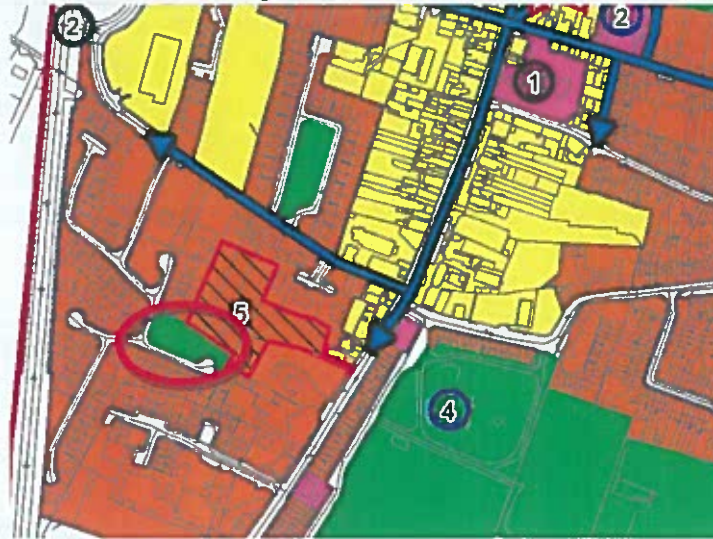
Response:

1. The existing Clonkil Open space was inadvertently included in the Masterplan area. Omit the Clonkil open space from the proposed masterplan area. (Also see recommendation 1 on submission ref. CD-2 above)
2. Wording to be amended re area 5 on page 32.
3. The proposal to provide a pedestrian link form the Clonkil Estate and Chapel lane was proposed to increase permeability more generally. Also see CD-2 above.

Recommendation:

1. It is recommended that the Clonkil open space be omitted from the

Masterplan area and zoning reflected as below (red circle) as per CD-2.



2. Amend paragraph 10.6.5 to read:
 - “~~West Street Clonmel Road -/ Chapel Lane Infill Area~~
 - A masterplan approach is required for the area to the rear of ~~Bolton Woods houses fronting onto Chapel Lane.~~
 - TCO11: Provide improved ~~better~~ pedestrian connections along Chapel Lane, ~~notwithstanding the restrictive width along parts of the lane. which is the main pedestrian route linking Aldi and Green Street. and;~~
3. TCO11: Provide improved ~~better~~ pedestrian connections along Chapel Lane, ~~notwithstanding the restrictive width along parts of the lane. which is the main pedestrian route linking Aldi and Green Street. and;~~

Ref	Name	Summary
CD-7	Department of Housing, Planning and Local Government	<p><u>Observation on behalf of the Minister for Housing and Urban Development</u></p> <ol style="list-style-type: none"> 1. The Department would like to commend Kilkenny County Council for producing a well thought out, balanced planning strategy for the future development of Callan town. It is noted and welcomed that a reduction in the amount of residential zoning is being accommodated in this plan to ensure that an appropriate core strategy is in place and that the Council are containing future development in a sequential manner whilst at the same time ensuring that land zoned can be activated for housing. 2. The observation notes that the Draft Plan included a number of useful elements in relation to evidence based methodologies. 3. The Department notes that the Plan allows for the vacant site levy to be applied on lands designated as existing residential, new residential, low density

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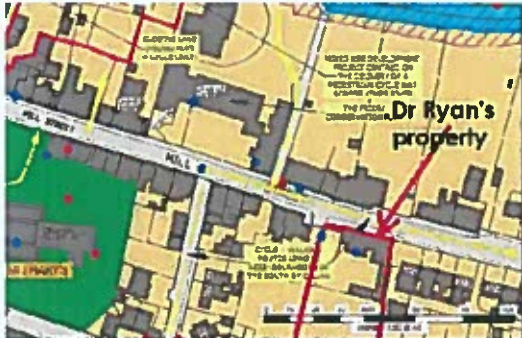

		residential, general business and industrial. The Department urges the Council to identify specific sites for inclusion on a vacant site register.
Response: Comments of the Department are welcomed and noted. 1. Noted. 2. Noted. 3. Noted. Vacant site have been identified for Callan and the statutory process as regards same is running its course. Sites will not be identified in the LAP as the VSL is reviewed annually and the LAP on a 6 yearly basis.		
Recommendation: 1. No change. 2. No change 3. No change		

Ref	Name	Summary
CD-8	Colin Aherne	1. The submission refers to item 10.6.5 in the Callan Draft Local Area Plan (2019-2025) and note the need to identify linkages with development in the surrounding area, with particular regard to the need to deliver improved pedestrian connections with Chapel lane and Clonmel Road. This submission strongly objects to any proposal that would include developing new link access from either Chapel Lane or the Clonmel road, that would exit or enter anywhere in the Clonkil Housing Estate. This is unnecessary and with the development of Aldi, would lead to a huge increase in footfall through Clonkil Estate which is already to capacity.
Response: 1. Objective to be interested to improve pedestrian access from Aldi to the Clonmel Rd.		
Recommendation: 1. Amend paragraph 10.6.5 to read as per recommendation 3 of CD-2 and CD-6.		

Ref	Name	Summary
CD-9	Transport Infrastructure Ireland (TII)	1. It is requested that the Draft Local Area Plan make reference to the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities and reflects the provisions of section 11.7.3 of the County Development Plan in that regard. 2. In relation to section 9.4 transport objectives TSD02 and TSD03 which relate to the existing national road network in the draft plan area, the TII refers to the

		<p>100kph speed limit which applies to the national road in the location concerned. The TII recommends that such transport objectives should be developed complementary to safeguarding the strategic function of the national road network.</p> <p>3. In relation to specific development objectives, the TII recommends that planning applications for significant development proposals are accompanied by Traffic and Transport Assessments and by road safety audits which are assessed in association with their cumulative impact with neighbouring developments on the road network. The submission refers to the updated Traffic and Transport Assessment Guidelines (2014) that could be referenced in the Local Area Plan as appropriate guidance.</p>
<p>Response:</p> <ol style="list-style-type: none"> 1. Section 11.7.3 of the County Development Plan refers to Access to National Roads and will be referenced and additional text will be included in section 9.4 of the plan. 2. In relation to transport objectives TSD02 and TSD03, it is acknowledged that these objectives should be developed complementary to safeguarding the strategic function of the national road network, having regard to the safety of all road users and subject to consultation with and the agreement of the authority. 3. In relation to planning applications, include an objective To require all significant developments to be accompanied by Traffic and Transport Assessments (TTA) and Road Safety Audit (RSA) 		
<p>Recommendation:</p> <ol style="list-style-type: none"> 1. Reference Section 11.7.3 of the Kilkenny County Development plan as regards National policy in relation to access to national roads is set out in the Spatial Planning and National Roads Guidelines and insert the following additional text into section 9.4 ; <i>"Future development with the potential to impact on national roads must be considered in the context of the policy provisions in relation to access to national roads which is set by the Spatial Planning and National Roads Guidelines and as per Section 11.7.3 of the Kilkenny County Development Plan 2014-2020.</i> It is recommended that the following objectives be added; <ul style="list-style-type: none"> o "TSDO2: Safety improvements on the National Road at the junction of the N76 and R699 are required to address general safety issues and sight lines in particular <i>in consultation with the TII.</i> o "TSDO3: Improve Pedestrian crossing facilities on the N76 at the R695 and L1020 junctions <i>in consultation with the TII.</i>" 2. Insert the following objective; <i>TSDO11: To require all significant developments to be accompanied by Traffic and Transport Assessments (TTA) and Road Safety Audit (RSA) to be assessed in</i> 		

association with their cumulative impact with neighbouring developments on the road network. Regard should be had to the thresholds advised in the TII Traffic and Transport Assessment Guidelines (2014) and sub threshold TAA requirements for proposals affecting National Roads.

Ref	Name	Summary
CD-10	Dr. Jim Ryan	<p>1. The submission notes that the Draft LAP is correct in not listing the property in the written list of Protected Structures. However, the Bridge Street Masterplan map contained in the Draft LAP is incorrect and has a blue marker in the centre of the site signifying the property is a Protected Structure</p> <p>2. The Planning Authority is requested to: 1. Remove the blue marker from the centre of Dr Ryan's property on the Bridge Street Masterplan map, and 2. Reposition the blue marker at the northwest corner of his property onto the adjoining property, which is the correct location of the Protected Structure.</p> 
<p>Response:</p> <ol style="list-style-type: none"> 1. Noted 2. The blue markers are geo-referenced incorrect and will be removed from the map. 		
<p>Recommendation:</p> <ol style="list-style-type: none"> 1. It is recommended that all protected structures data (blue marker) is removed from the Bridge Street Masterplan. 		

Ref	Name	Summary
CD-11	Philip Funchion	<ol style="list-style-type: none"> 1. The submission supports more sustainable transport modes such as walking, cycling and public transport, but states that there is currently no Public Transport as the only bus that serves Callan now is a private operator. The submission is supportive of including an objective to restore our Bus Eireann services to Callan. 2. This submission requests that the Improvement and Restoration of the King's River should be identified as one of the key issues for the town. The submission requests that the issue be identified in the list in Section 3.1. 3. The submission suggests that the Westcourt Business Park should be given priority attention if the town is to attract additional employment and requests that the necessary actions to allow the Council to allow this Estate to be taken in charge be completed as a matter of urgency. 4. In reference to Section 6.1.5 Housing and Community Objectives and HC 3 in particular, the submission suggest that in relation to the development of housing in the countryside the policy should be based on objective standards.
<p>Response:</p> <ol style="list-style-type: none"> 1. Noted. Although the council has no function in the provision of transport services, the plan supports sustainable transportation initiatives. 2. Noted. The restoration of the Kings river remains a priority for the Council and this will be reflected in the plan. 3. Noted, The Westcourt Industrial Estate is private estate and hence will remain the responsibility of its owners. Kilkenny County Council is aware of infrastructural issues in the estate. Amend objective EO5. 4. Noted, the policy for Agricultural zoned land is aimed at safeguarding strategic future development reserve land within the LAP boundary from uncoordinated or haphazard development. Housing provision is restricted to long standing residents and landowners and their families which is considered reasonable. 		
<p>Recommendation:</p> <ol style="list-style-type: none"> 1. Noted and no change proposed 2. Noted and the following amendment to text in Section 3.1 will be included. The additional bullet reading '<i>Improvement and Restoration of the King's River</i>' will be inserted. 3. The following amendment to EO5 to be included: To encourage work with the owners of the Westcourt Industrial Estate to ensure the continued improvement of road infrastructure at the Westcourt Industrial Estate to a level that is sufficient to allow the taking in charge of roads and associated infrastructure. encourage work with the owners of the Westcourt Industrial Estate to ensure the continued improvement of road infrastructure at the Westcourt Industrial Estate to a level that is sufficient to allow the taking in charge of roads and associated infrastructure. 		

4. No change

Ref	Name	Summary
CD-12	Department of Culture, Heritage and the Gaeltacht	<p>The AA screening report and Natura Impact Report</p> <ol style="list-style-type: none"> 1. Page 21 states that the outcome of a review of the status of Freshwater Pearl Mussel (<i>Margaritifera margaritifera</i>) as a qualifying interest will determine conservation objectives. In the interim, the most recently published conservation objectives for this species may be referenced (NPWS a or b). 2. NHB5: Callan River Project, removal of sediment deposits and associated vegetation that has developed within the river channel in recent years. Objective NHB5 is likely to have significant effects on the River Barrow and River Nore SAC Site Code 2162 and the River Nore SPA Site Code 004233 and therefore will require Appropriate Assessment. Objective NHB5 should stipulate that the implementation of this project will be subject to the outcome of Appropriate Assessment. 3. It is also suggested that Objective NHB5 includes sediment analysis and other investigations to determine the source and cause of the sediment build-up in the river. 4. The Department considers that the proposed mitigation measures in relation to Objective NHB5 in the AA screening report and Natura Impact Report are insufficient to avoid adverse effects on the integrity of the River Barrow and River Nore SAC and River Nore SPA and suggests that a key mitigation measure should be that this project is subject to Appropriate Assessment. In relation to other LAP objectives, where it is considered that AA of the projects arising from the objectives will be required, this should be stated explicitly under the mitigation measures heading. 5. Invasive non-native plant and animal species can represent a major threat to local biodiversity, particularly along river corridors. It is suggested that the Natural Heritage and Biodiversity - Objectives includes an objective to avoid the spread of alien invasive species, to promote best practice in the control of invasive species, to raise awareness in relation to invasive species and to ensure that proposed projects do not lead to the spread of invasive species.

Response:

1. Noted, amendment to the Appropriate Assessment Screening Report and Natura Impact Report to be carried out. Conservation objectives were reviewed as suggested however the attributes and targets are site specific and overall were not considered to be applicable in this case.
2. Additional objectives will be added to Section 1.4 to emphasise that the process is hierarchical and projects arising from the local area plan will be subject to AA as required:
3. Hydraulic modelling was carried out for the stretch of river concerned for the purpose of the proposed works which was the basis for the recommendation to remove silt build up rather than altering the river channel to include a low flow channel as was first proposed. Informal consultation by project proponents took place with NPWS (District Conservation Officer). A planning application and associated AA will be submitted to KCC in due course and the Department will be consulted formally at that stage.
4. Noted, additional objectives to be included.
5. Noted, additional objective to be included.

Recommendation:

1. To complete the following amendment to paragraph 1.46 of the Appropriate Assessment Screening Report and Natura Impact Report
*'..... the outcome of this review will determine whether a site-specific conservation objective is set for this species. The current condition, which informs the 'integrity' of a qualifying freshwater pearl mussel population can be considered to consist of the condition of the species' habitat and the condition of the population itself.'*²
Environmental objectives and targets as outlined in the European Communities (Freshwater Pearl Mussel) Regulations 2009 (S.I. 296 of 2009), as amended by the European Union Environmental Objectives (Freshwater Pearl Mussel) (Amendment) Regulations 2018 (S.I. No. 355/2018) may also be referenced.
2. Objective 1A and 1B inserted under Section 1.4 will ensure that all projects that require AA will be subject to same. Insert objectives 1A and 1B as follows into Section 1.4

Objectives:

- 1A** *To implement the provisions of Articles 6(3) and 6(4) of the EU Habitats Directive.*
- 1B** *To ensure that any plan or project within the functional area of the Planning Authority is subject to appropriate assessment in accordance with the Guidance Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities, 2009³ and is assessed in accordance with*

² Taken from information on AA and Freshwater Pearl Mussel available on the NPWS website at: <https://www.npws.ie/research-projects/animal-species/invertebrates/freshwater-pearl-mussel/appropriate-assessment-and>

³ *ibid*

Article 6 of the Habitats Directive in order to avoid adverse impacts on the integrity and conservation objectives of the site.

3. In relation to the Callan River project, no change is proposed.
4. It is recommended that the following Natural Heritage and Biodiversity Objective is included in the Draft Plan;

“NHB6: It is an objective of Kilkenny County Council to avoid the spread of alien invasive species, to promote good practice in the control of invasive species and to raise awareness in relation to invasive species present within the LAP area and thereby preventing the spread of invasive species.”

Ref	Name	Summary
CD-13	Irish Water	<ol style="list-style-type: none"> 1. The submission refers to text in section 9.1 of the Draft Callan LAP: Water Services and requests that text be added 2. A Menu of appropriate Objectives/Policies for Water Services in development plans was also attached to the submission. It is proposed that these objectives be appended to the Plan as Appendix 3 and that a policy be included.

Response:

1. Noted, Text changes to the Draft LAP to be amended as per Irish Water's submission.
2. Insert objective to have regard to the suite of objectives as requested by Irish Water and to be attached as Appendix 3.

Recommendation:

1. The following amendments to section 9.1 of the Draft Callan LAP: Water Services is proposed. *‘Irish Water’s 2020-2024 Investment Plan has been submitted to the Commission for Regulation of Utilities (RCU); further details can be found on the CRU website at www.cru.ie.*

The following amendments to section 9.1 of the Draft Callan LAP: Waste Water Treatment is proposed. *‘The existing treatment plant in Callan has a design capacity for population of 4000pe and all the majority of properties within the town are connected to the WWTP via the wastewater network serving the town. However it’s The network is a combined system with mixed storm and foul water which can be problematic when flood events occur. The town also has a proliferation of pumping stations. The Callan network has been included on the national stormwater overflow (SWO) survey and assessment programme, which has commenced and will take 2-3 years to complete. A strategic assessment of the towns existing network of pumping stations is required and †The requirement for additional stations should be limited where possible. Within Irish Water’s Draft Investment Plan a provisional and draft list of projects and programmes is provided. The projects and programmes listed are expected to be commenced,*

~~progressed or completed during the 2020-2024 period. Callan WWTP is included under this list and Table 15 provides an extract from the supplementary capacity register. However, in relation to headroom (PE), the register states that the available capacity is not confirmed until environmental and asset assessments are completed. In terms of additional comments in relation to the Callan WWTP, it also states that more stringent Emission Limit Values are required from 2020.~~

The following amendments to section 9.1 of the Draft Callan LAP: Water Supply is proposed. The supply of water for Callan is met from a local spring source supplemented by a borehole supply. The spring capacity is approximately 30-35 cu/hr which is then topped up from the borehole supply. Demand is currently running at 45-48 cu/hr and whilst this capacity is being met at the moment, the capacity of the borehole is unknown. ~~This renders the overall water supply infrastructure functional but tenuous in respect of future development. There is sufficient pressure in the network at present. The key issue is the maintenance of sufficient head at the water tower and pipe restrictions within the network. While capacity for further development is limited at present, further studies/surveys can be completed over the medium term to confirm the capacity of the sources, in order to determine how much new development can be accommodated; and if investment is needed it shall be in line with the relevant Irish Water policies.~~

The following amendments to section 9.1 of the Draft Callan LAP: Infrastructure - Development Objectives is proposed. 'IN3: It is an objective of Kilkenny County Council to align future development with capacity at the Callan Waste Water Treatment Plant to ensure that *any* improvements *needed* are sufficient to meet standards required to avoid significant adverse effects on the River Nore and River Barrow SAC.'

The following amendments to Section 5.1.2 of the Draft Strategic Environmental Assessment is proposed. ~~Reduction in water quality (this will depend on the provision of additional waste water treatment facilities);~~ *Irish Water has advised that the available capacity of the Callan WWTP to cater for future development is currently under review and subject to environmental asset surveys.*

Noted, the following bullet point is proposed to the text in relation to the Mill Street Potential Redevelopment Area in Chapter 10 (section 10.6.2) *Consult with key stakeholders including Irish Water to ensure that there is no conflict with nearby above or below ground assets. (it is recommended that a footnote is included to read as follows: The masterplan area is located in close proximity to the following above or below ground assets which belong to Irish Water. They include the wastewater pumping station at Clodeen Lane and Irish Water water mains and sewer pipes. It is also noted that there is both a wastewater rising main and a watermain crossing the King's River in close proximity to the Clodeen Lane pump station and hence close to the proposed pedestrian and cycle bridge.)*

2. It is proposed that the suite of appropriate Objectives/Policies for Water Services as recommended by Irish Water be appended to the Plan as Appendix 3 and that the following objective be inserted:
“IN6: To have regard to the suit of Irish Water objectives for development as set out in Appendix 3 in assessing applications for all new developments within this Local Area Plan.”

Ref	Name	Summary
CD-14	Bolton Homes Limited	<ol style="list-style-type: none"> 1. The submission outlined the planning history (Ref: P00/1213 as amended by P06/405) of the lands at Bolton Woods. The submission refers to a revised layout. In the Draft Plan the site which is the subject of this submission is to be retained within the town boundary, but the zoning is proposed to change from “New Residential” zoning to “Low Density Residential” zoning. It is estimated the site has the capacity for 20 low density serviced house sites. Part of the site is also to be the subject of a Masterplan which requires integration with the existing housing to the west. “ 2. The submission seeks “New Residential” zoning on his landholding at Bolton Woods, rather than “Low Density Residential” zoning for serviced sites.

Response:

1. Noted
2. In accordance with the proportional population statistics set out in the County Development Plan for Callan and the NPF for towns of its scale, Callan has capacity for 117 additional housing units over the period of the plan. Extant permissions however already allow for 157 units, which represents a significant overprovision for housing units in accordance with the NPF’s implementation roadmap.

Callan’s ratio of jobs to workers is almost on par standing at 0.923. The provision of housing over and above the local demand may in fact lead to a situation where workers from neighbouring towns and villages will be attracted to the town to the detriment of those settlements, potentially eroding their economic base and leading to unsustainable commuting patterns.

The site’s planning permission expired in January 2016 and from photographic evidence no new works are evident on site since 2008. The proposed revised scheme mentioned in the submission did not form part of any planning process with the Council. Due to the absence of planning permission for the site and its location on the town’s periphery, the site was not prioritised for residential zoning and as such the only housing allocation that the site could be given was in

accordance with the Objective 18b of the NPF, allowing for "new homes in small towns and villages". Such allocation is additional to the town's allocation under the NPF implementation roadmap. Should the Low Density Residential zoning be removed/moved elsewhere, the site's zoning will revert to "agricultural".

The site will be subject to a Masterplan which should resolve the issues around existing infrastructure in conjunction with making recommendation for future development in accordance with the zoning. Due to the length of time the existing infrastructure has been in place and exposed to the elements, it is likely that a structural audit would be required to establish the structural integrity of the existing infrastructure.

The implementation of housing provisions for the LAP area will be the subject of active and continuous monitoring.

Recommendation:

1. Noted
2. No change recommended.

Ref	Name	Summary
CD-15	Patrick Lydon	<ol style="list-style-type: none"> 1. In relation to Pedestrian and Motor safety in crossing the Callan By-pass, the submission highlights the possibility of promoting the Moat Fields Nature and Heritage Trail as an appropriate pedestrian access to the Westcourt Industrial Estate and especially the Callan Bacon site. This would require a new and additional spur off the Trail and into the Industrial Estate. 2. In relation to the Zone of Development in the area of Prologue and the Callan Workhouse the submission refers to the strong potential to develop this area as a Hub for Arts, Culture and Creative Economy developments. The whole zone fits well into a European model of Smart Villages and would make an appropriate pilot for innovative integrated sites of future rural development with an emphasis on the Creative Economy. 3. In relation to improved pedestrian access and footpath on Chapel Lane, the submission strongly supports improvements for pedestrians moving along Chapel Lane and suggests the possibility of a one way system to make this a safer and more enjoyable access. 4. In relation to access to the Kings River from Clodeen Lane and the Mill Lane Car Park, the submission is supportive

		<p>of the proposal to open the flood prevention gates on both sides of the river, and to enhance access to the banks of the river.</p>
<p>Response:</p> <ol style="list-style-type: none"> 1. Suggest amendment to wording of Open Space - Special Development Objective (SDO- OS2) 2. Suggest the inclusion of an additional Arts, Culture & the Creative Economy Objective, ACCE5. 3. Town Centre/ Retail Objectives of the draft Local area Plan refer to the issue of pedestrian connectivity and safety on Chapel Lane. The following objective has been included to reflect this; TCO11: Provide improved better pedestrian connections along Chapel Lane, notwithstanding the restrictive width along parts of the lane. which is the main pedestrian route linking Aldi and Green Street. and; 4. Noted. Significant provision is made throughout the LAP for access to the river, including the Motte field, the Abbey, pedestrian bridges and parallel walkways. It is an objective to, at this particular point between Clodeen lane and the KCats carpark, create a pedestrian link across the Kings River. 		
<p>Recommendation:</p> <ol style="list-style-type: none"> 1. Amend wording of SDO- OS2: <i>“SDO- OS2 To develop the Motte Field as part of the Green infrastructure Strategy for the town with all stakeholders and to incorporate an appropriate pedestrian access to the Westcourt Industrial Estate and the Callan Bacon site as part of the Moat Fields Nature and Heritage Trail. “</i> 2. Include an additional Arts, Culture & the Creative Economy Objective, ACCE5; <i>“ACCE5 It is an objective of Kilkenny County Council to support the development of Callan Workhouse as a civic and cultural cluster”.</i> 3. No change proposed 4. Noted, no change proposed 		

Ref	Name	Summary
CD-16	Rosie Lynch	<p>Chapter topic: 6.1 Community Facilities / 8.2.1 Arts, Culture & the Creative Economy / 8.2.3 Arts, Culture & the Creative Economy Objectives</p> <ol style="list-style-type: none"> 1. Public and community engagement work on the future of the Bridge Street Upper has been significant over the past five years, and it would be essential that the outcomes of this research, creative input and community participation is recognised, referenced and carried through in the LAP. 2. There are a number of suggested amendments to text in the following sections 6.1 Community Facilities 8.2.1 Arts, Culture & the Creative Economy 3. The following amendments to Arts, Culture & the

		<p>Creative Economy Objectives have been suggested.</p> <p>ACCE4: It is an objective of Kilkenny County Council to support the further development of existing cultural facilities and activities in Callan and to investigate the feasibility of providing additional cultural facilities in the town.</p> <p>ACCE5: It is an objective of Kilkenny County Council to support the development of Callan Workhouse as a civic and cultural cluster.</p> <p>The following attachments were included in the submission:</p> <p>A general overview of The Bridge Street Project (2015)</p> <p>The outcomes of Studio Weave's narrative and design led engagement and process (2014 - 16).</p>
<p>Response:</p> <ol style="list-style-type: none"> 1. Noted, a general overview of the Bridge Street Project (2015) will be provided, together with a summary of the outcomes of Studio Weave's narrative and design led engagement and process (2014 - 16). 2. It is recommended that the proposed amendments Arts, Culture & the Creative Economy section be made. 		
<p>Recommendation:</p> <ol style="list-style-type: none"> 1. Amend section 8.2.2 to provide a general overview of the Bridge Street Project (2015), together with a summary of the outcomes of Studio Weave's narrative and design led engagement and process (2014 - 16). Also amend heading 2.4 to read 'Local Plans and Policies - Achievements in town centre renewal and community engagement'. Include a short summary overview in this section also. 2. It is recommended that the proposed amendments Arts, Culture & the Creative Economy section be accommodated. <p>Text to be inserted as paragraph 2 and 3 of section 8.2.2.</p> <p><i>"The network of arts organisations and collectives in the town include KCAT Arts Centre, Equinox Theatre Company, Workhouse Union, Abhainn Rí Festival, Fennelly's of Callan, Monkeyshine Theatre, Asylum Productions, Tony O'Malley Residency and Trasna Productions. Over 30 people are employed on a full-time or part-time basis in the arts in Callan, with a considerable number of self-employed artists and creative practitioners working in the town too.</i></p> <p><i>KCAT is a multi-disciplinary Arts Centre dedicated to the fostering and nurturing of creative ambition and professional development in the arts. Over 100 participants per week take part in an aspect of KCAT's artistic activities. With support from this LAP and other policy and funding opportunities, Callan could be further developed as an excellent place to make, support and foster artistic production and engagement. The vibrancy of the arts activities in Callan also holds additional tourism potential."</i></p> <p>The following text will be deleted.</p>		

~~"The strong arts community in Callan includes several theatre groups and facilitates the organization of the annual festival Abhainn Rí Festival of Participation and Inclusion since 2010, holding a series of events for a week each year aiming to bring people together. The vibrancy of the arts activities in Callan also holds additional tourism potential."~~

Text to be inserted as paragraph 6:

"Callan's artistic network has developed a particularly strong practice in participatory design and civic engagement, providing a solid basis for a community and arts-led regeneration approach to improving the town centre, particularly around Bridge Street. Public and community engagement work on the future of the Bridge Street Upper has been significant over the past five years and should be further developed and built on through the LAP. 'The Bridge Street Project' was an interdisciplinary collaboration between theatre-makers, architecture practitioners, residents and business owners of Bridge Street, and the wider community of Callan. Together with Callan's unique townscape and history, these creative initiatives form part of an important cultural asset base in the town. A similar approach has happened in the existing 'civic cluster' at Callan Workhouse and should be further developed and built on through the LAP. "

Text to be deleted:

~~"In Callan, there are also a number of very active arts and community groups which provide a strong basis for a community and arts led regeneration approach to improving the town centre, particularly around Bridge Street. Together with Callan's unique townscape and history these groups form part of an important cultural asset base in the town. They include an existing 'civic cluster' at Callan Workhouse."~~

3. It is recommended that the proposed amendments Arts, Culture & the Creative Economy Objectives be accommodated and two objectives be added;
"ACCE4: It is an objective of Kilkenny County Council to support the further development of existing cultural facilities and activities in Callan and to investigate the feasibility of providing additional cultural facilities in the town."
"ACCE5: It is an objective of Kilkenny County Council to support the development of Callan Workhouse as a civic and cultural cluster. "

4. Matters Arising

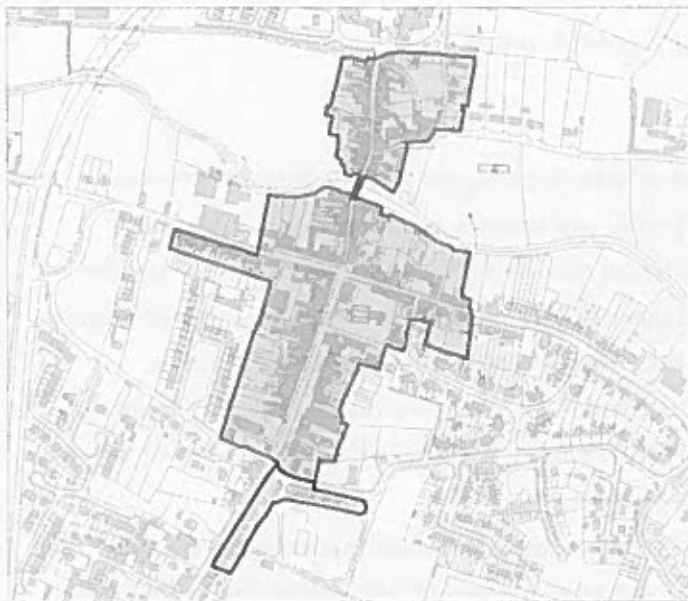
Following on from internal discussions and consultations the following 10 amendments below are recommended:

1	<p>West Street and Mill Street Mixed Use Development Area</p> <p>10.6.1 and 10.6.2</p>	<ol style="list-style-type: none"> 1. Include reference to "relevant design professionals" in sections 10.6.1 and 10.6.2. 2. It is proposed to remove the objective for condition survey for protected structures as part of the West Street Masterplan Area. 3. Include an additional Objective for the West Street Masterplan below which will enable assessment of protected structures, confined to this area
<p>Recommendation:</p> <ol style="list-style-type: none"> 1. It is recommended that Sections 10.6.1 and 10.6.2 be amended as follows; This masterplan, should be completed by a multidisciplinary team that includes the relevant professionals e.g architect, <i>conservation professional</i> as well as 2. That the following wording be removed from Section 10.6.1 and 10.6.2: "Conservation proposals for protected structures within the Masterplan area should be identified on the basis of condition survey;" 3. Include the following objective be added to Section 10.6.1; <ul style="list-style-type: none"> - <i>To review the protected structures within the Masterplan area, such a review will focus on the absence or continual presence of the building's special interest. This review will allow an opportunity to assess and evaluate their importance , and their significance to the wider urban context.</i> 		
2	<p>Architectural Reference</p>	<p>That Government Policy on Architecture 2009-2015 be referenced as follows.</p>
<p>Recommendation:</p> <p><i>Section 2.3.11 Government Policy on Architecture 2009-2015'</i> <i>The Policy recognises the place of architecture in society as an expression of cultural, aesthetic, and social values, both past and present, and the challenges and expectations of the future in shaping a sustainable quality environment.</i></p>		
3	<p>Architectural Conservation</p>	<p>Extension of Conservation Area</p> <ol style="list-style-type: none"> 1. Following internal discussion it was decided to

<p>Area</p>	<p>recommend the extension of the Callan Architectural Conservation Area to include the northern section of Clonmel Road, and Green Street Lower to better protect the architectural heritage and character along these streets.</p> <p>2. Insert an objective in Section 7.1.4 relating to the Callan the following to objective BNH2 which states: To protect and enhance the historic landscape and character of Callan, <i>by having regard for scale, height, fenestration, roofs and facades during assessment of development will enable such architectural details and context to be maintained and strengthened.</i></p> <p>3. Revise the Statement of Character for the ACA accordingly.</p>
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Recommendation:

1. It is recommended that the extent of architectural conservation area in Callan be amended as below to include both sections of the Clonmel Rd and Green lane. See red line for proposed extension as below.



2. *Insert objective as follows;*
BHDM 8 : Assessment for new developments in the ACA should have regard to scale, height, fenestration, roofs and facades, which will enable such architectural details and context to be maintained and strengthened.
3. Revise the "Statement of Character" for the ACA by adding the following under Section 7.1.3 of the draft LAP

- *At the turn of the 19th century, the town again extended, with the construction of single storey dwellings on Green Lane Lower and Clonmel Road, these contained small rear yards that backed on to the Fair Green. These buildings are different from the mixed use two storey Georgian buildings of the town core, and represent small scale residential expansion of the town. The architectural and social importance of these single storey terraced houses in the wider urban context is understated by their subtlety of form and urban finish.*

4	SFRA	
<p>Recommendation: Text to be amended as set out below.</p> <p>Section 6.1.6 HC- SDO 1: A site-specific Flood Risk Assessment (to include drainage infrastructure), appropriate to the type and scale of the proposed development and a site specific justification test if required must be submitted at planning application stage in line with the DoEHLG Guidelines "The Planning System and Flood Risk Management", November 2009. Residential use is excluded from Flood Zones A and B.</p> <p>Section 9.2 Flooding Flooding is a natural phenomenon and where there is no risk to human life and property it is beneficial as it provides fertile sediments for farmland, maintains valuable wildlife habitats and reduces flood risk elsewhere in the catchment. The floodplain, the flat or nearly flat land adjacent to a stream or river that experiences occasional or periodic flooding, plays a key role in this process and acts as a temporary store for flood waters and facilitates their conveyance and flood levels downstream. A number of human activities tend to restrict the capacity of rivers to accommodate large storm flows. These include:</p> <ul style="list-style-type: none"> ☐ Greenfield Development: Paving over previously permeable areas for roads, housing, car parks, etc. can significantly restrict the potential infiltration rate of the area covered. This activity might have a minor or negligible impact in large river basins (due to flood peak timing and proportion of area developed), but could substantially increase runoff in small river basins (i.e. by more than 100%). ☐ Changes in Land Use or Land Use Practices: Changes in the vegetation cover, the way in which land is used, or measures which impact negatively on natural flood retention areas (wetlands), can have impacts on both interception and infiltration. <p><i>A Strategic Flood Risk Assessment was carried out as part of this LAP and is attached as</i></p>		

Appendix 1 to the Strategic Environmental Assessment. This SFRA was an iterative process, and informed the making of this Plan. Recommendations were outlined in the SFRA and have been incorporated into the text where appropriate.

Flooding – Development Management Objectives

FDM3: Where flood risk may be an issue for any proposed development, including pluvial flood risk, a flood risk assessment (*including an assessment of drainage infrastructure*) shall be carried out that is appropriate to the scale and nature of the development and the risks arising. This shall be undertaken in accordance with the Flood Risk Assessment Guidelines. Proposals for mitigation and management of flood risk will only be considered where avoidance is not possible and where development can be clearly justified with the Guidelines' Justification Test.

FDM5: *A site specific flood risk assessment should be completed for development in areas liable to surface water flooding, as identified in the SFRA.*

Appendix 1 Land Use Zones

Agriculture

Note: Residential uses are subject to the provisions set out in Section 6.1.5: Housing on Lands Zoned for Agriculture. ~~Residential, or caravan park, development within the flood zones (as identified in the Strategic Flood Risk Assessment of this LAP or other superceding document) will not be permissible. Extensions and expansions of existing uses will be considered on their own merits.~~

Insert new text under zoning for "Agriculture", "Community Facilities", "Open Space" and "Residential"

Flood Risk:

All proposed development within this zone which falls within flood zone A or B shall be subject to a site specific flood risk assessment. No highly vulnerable uses (as set out in the Flood Risk Management Guidelines) other than extensions to existing structures and uses, will be permitted within Flood Zone A or B. Less vulnerable uses will also not be allowed within Flood Zone A other than extensions to existing structures and uses as set out in the Flood Risk Management guidelines.

5	AA	It is recommended that reference to buffer zones adjacent to the Kings River be removed and that any development that has the potential to impact on the Conservation Objectives of the SAC be subject to full Appropriate Assessment in accordance with the Habitats Directive.
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Recommendation:

1. Text to be amended as highlighted below

Amend Section 1.4;

~~"...In summary the mitigation proposed include measures to ensure that sites will be developed in a manner that is sensitive to the natural and built heritage of Callan LAP area; that there will be no development of sites within the river buffer zone (ca. 20 m from each riverbank); that wastewater, drainage and drinking water infrastructure must be in place prior to development and that all contractors working on sites will be expected to provide site specific method statements detailing measures to prevent any impacts of the River Barrow and River Nore SAC 002162 and River Nore SPA 004233. These mitigation measures will apply for the lifetime of the plan (including any extension period).~~

It is considered that if the proposed zoning, ~~including the 20 m buffer zone on either side of the river,~~ is strictly adhered to in-combination with the proper implementation of the proposed mitigation measures; Callan Local Area Plan 2019 - 2025 is not likely to result in adverse effects on the integrity of either the River Barrow and River Nore SAC nor Insert Objective !A and AB as follows in Section 1.4: the River Nore SPA.

Amend Section 7.2.2 as below;

NHB1: In seeking to protect and enhance the natural environment, Kilkenny County Council will seek to;

- Protect natural heritage sites designated in National and European legislation, specifically the River Barrow and Rivers Nore SAC;
- ~~— Provide for an appropriate riverside buffer of circa 20m that protects the integrity of the SAC and assists in the management of flood risk;~~

Also see point 2 under CD-12 above.

6	Delete zoning objective	Delete "SAC green links/Biodiversity/conservation" as a zoning objective from Appendix 1 and move objective for same on the zoning map to a separate section below the zoning objective.
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Recommendation:

Delete the following from Appendix 1:

~~Special Area of Conservation (SAC) Green Links/Biodiversity/Conservation~~

~~Objective: To reserve riverfront within the SAC for green links / biodiversity /conservation purposes and to accommodate limited links across the river~~

~~Permissible Uses: Biodiversity projects and works associated with the conservation and management of the River Nore/River Barrow Special Area of Conservation~~

Open for Consideration: Links to span the SAC such as bridges

7.	General:	Amend the zoning map as follows:
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Recommendation:

1. In light of the potential move of the Callan library, the library site be zoned "existing residential". The "Existing Residential" zoning will not impact on the functioning of the current library.



2. Amend the zoning at Clashacollare (Friary Walk) to accurately reflect the outline of live planning permission 10/458 as per the blue circle below; The draft document had a freeform line which was not accurately representative of the existing permission.



3. Amend the zoning at Clashacollare to reflect the full extent of the "existing residential" zoning. The land is centrally located to an existing residential area within Clashacollare and hence should be considered as such.



4. Amend the zoning at Bolton Woods to reflect the full extent of the "existing residential" zoning. The land was developed for residential use and permission granted for a Crèche at Roselawn and as such should retain its "Existing Residential" zoning.



5. Next Steps

The members shall consider the Chief Executive's Report, and following this consideration the Local Area Plan shall be deemed to be made or amended as the case may be, unless the planning authority by resolution, decides to make or amend the plan otherwise than as recommended in the Manager's Report, or decides not to make or amend the Plan.

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

An Environmental Report and a Screening report for Appropriate Assessment accompanies the Draft LAP.

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

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

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

5. Summary of Recommendations of the Chief Executive

In total 16 submissions were received on the Draft Callan LAP from a range of consultees including Government Departments and the general public.

The report has assessed all submissions in detail and several of the submissions assessed resulted in recommendations for alterations to the published draft.

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



Colette Byrne,
Chief Executive

Appendix 3: A Menu of appropriate Objectives/Policies for Water Services in development plans

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

General Policies in relation to Water Services

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

1.

Water Supply

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

2.

3. Wastewater Services

- k) To ensure that the Local Authority provides adequate storm water infrastructure in order to accommodate the planned levels of growth within the plan area and to ensure that appropriate flood management measures are implemented to protect property and infrastructure;
- l) To require all new development to provide a separate foul and surface water drainage

system and to incorporate sustainable urban drainage systems;

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

