



inCarlow

**CHIEF EXECUTIVE'S
REPORT ON PROPOSED
AMENDMENTS TO DRAFT
CARLOW COUNTY
DEVELOPMENT PLAN
2022-2028**



**MATERIAL ALTERATIONS
- CONSULTATION STAGE
APRIL 2022**

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**Chief Executive's Report on Proposed Amendments to Draft Plan Consultation Volume I –
Issues Raised and Chief Executive's Response & Recommendations**

Part 1: Introduction

1.1 Purpose of the Chief Executive's Report

This Report is submitted to the Members of Carlow County Council for their consideration as part of the process for the preparation of the County Development Plan 2022-2028. This Chief Executive's Report forms part of the statutory procedure for the preparation of a County Development Plan, as required by Section 12(8) of the Planning and Development Act, 2000 (as amended) and sets out to:

- i) List the persons or bodies who made submissions or observations under this section i.e. during the public consultation period of the Proposed Amendments to the Draft County Development Plan 2022 - 2028 and the Draft Environmental Report and Natura Impact Report,
- ii) Summarise the recommendations, submissions and observations made by the Office of the Planning Regulator, and
- iii) The submissions and observations made by any other persons in relation to the proposed amendments
- iv) Give the response of the Chief Executive to the issues raised, taking account of any directions of the Members of the authority, the proper planning and sustainable development of the area, the statutory obligations of any Local Authority in the area and any relevant policies or objectives in the area and any relevant policies or objectives of the Government or of any Minister of the Government

At the Special Council meetings held on 3rd February 2022 as per Section 12 (6) the Elected Members amended the Draft Plan.

As per Section 12 (7) the proposed amendments and the associated environmental reports and determinations were placed on display from

23rd February to the 23rd March 2022. Submissions were invited in relation to the proposed amendments to the Draft Plan. 35 no. submissions were received during the consultation period as follows:

- 11no. from prescribed bodies,
- 18no. from the public in relation to the River Barrow / Blueway,
- 2no. on site zonings (other than those referenced by the prescribed bodies),
- 3no. on energy and
- 1no. relating to a protected structure.

1.2 Structure of the Report

The report is divided into e two volumes. Volume 1 contains three parts:

Part 1: Introduction

Part 2: Summary of submissions of OPR and Regional Assembly and Chief Executive's Response and Recommendation

Part 3: Summary of submissions by other persons and Chief Executive's Response and Recommendation

Where the report references an amendment in the body of the Chief Executive's response the proposed amendment is shown as per the amendment document that was on display i.e. addition(s) of text to the Plan are set out in green type, deletions to the text are shown in red print with a strikethrough. Where the Chief Executive makes a recommendation for a further minor modification this is shown in the recommendation section with additions to text or changes set out in blue type.

Volume 2 provides a response and recommendation to the issues raised in the Environmental Appendices.

1.3 Public Consultation

The initiatives and measures undertaken by the Council to engage with the citizens of the County and promote more inclusive public participation included:

- A detailed public notice was placed in the Irish Independent and Carlow Nationalist on 22nd February 2022 advising of the consultation period, where the Draft Plan could be accessed and inviting submissions on the amendments to the Draft Plan up to and including the closing date of 23rd March 2022.
- The proposed Material Alterations, the associated SEA Environmental Report (including SEA Screening of Proposed Material Alterations and information on the likely significant effects on the environment of implementing relevant alterations) and the AA Natura Impact Report (including AA Screening of Proposed Material Alterations), SEA and AA Determinations, were on public display for the duration of the consultation period at the Planning Office Carlow Town and the public libraries at Carlow, Tullow, Muine Bheag and Borris.
- The Proposed Amendments to the Draft Plan the associated SEA Environmental Report and the AA Natura Impact Report (including AA Screening of Proposed Material Alterations), SEA and AA Determinations were available to view or download from the Council's website, www.carlowconsult.ie.
- Advertising and promotion of engagement on the Councils social media platforms.

1.4 Role of the Office of the Planning Regulator (OPR)

In accordance with Sections 31AM and 31AO of the Act, the OPR has responsibility for independently assessing all Development Plans with a view to ensuring that the plan provides for the proper planning and sustainable development of the area concerned.

Matters Assessed and Evaluated under Section 31 (AM) include:

- (a) matters generally within the scope of Section 10 and, in particular, subsection (2)(n) of that section in relation to climate change;
- (b) consistency with the Development Plan and the National Planning Framework and regional spatial and economic strategies;
- (c) relevant guidelines for planning authorities made under Section 28, including the consistency of Development Plans with any specific planning policy requirements specified in those guidelines;
- (d) policy directives issued under Section 29;
- (e) such other legislative and policy matters as the Minister may communicate to the Office in writing, the effect of which shall be published on the website of the Office.

The submission of the OPR is addressed in Section 2.1 of this report.

1.5 Consideration of Amendments and Making of the Development Plan

Members have a period of 6 weeks from the date of receipt to consider the Chief Executive's Report. The responses and recommendations set out relate to issues raised on the proposed

amendments. The report recommends having considered the submissions made that the Draft Plan:

- be made with 43 of the Proposed Amendments as displayed;
- be made with 17 no. of the proposed Material Amendments as displayed subject to a modification of a minor nature;
- be made without 4 of the proposed Material Amendments as displayed.

It is recommended that the remaining Proposed Material Amendments be made as displayed in the Material Alterations Report (Vol 1 and 2).

Following consideration of the Proposed Amendments to the Draft Development Plan and the Chief Executive's Report, the Members shall, by resolution, having considered the proposed amendments and the Chief Executive's Report, make the Plan with or without the proposed amendments, except that where they decide to accept the proposed amendment, they may do so subject to any modifications to the amendment as they consider appropriate subject to:

Section 12(10) (c) of the Planning and Development Act 2000 (as amended):

A further modification to the alteration –

- (i) may be made where it is minor in nature and therefore not likely to have significant effects on the environment or adversely affect the integrity of a European site,
- (ii) shall not be made where it relates to –
 - (I) an increase in the area of land zoned for any purpose, or
 - (II) an addition to or deletion from the record of Protected Structures”.

The Development Plan shall have effect 6 weeks from the day that the Plan is made.

In making the Development Plan under subsection (6) or (10), the members shall be restricted to considering the proper planning and sustainable development of the area to which the Development Plan relates, the statutory obligations of any local authority in the area and any relevant policies or objectives for the time being of the Government or any Minister of the Government.

1.6 Notification of OPR Post Adoption

Section 31 (AM) 6 sets out that the Planning Authority shall notify the Office within 5 working days of the making of a Development Plan and send a copy of the written statement and maps as duly made and where the Planning Authority:

- (a) decides not to comply with any recommendations made in the relevant report of the Office, or
- (b) otherwise make the plan in such a manner as to be inconsistent with any recommendation made by the Office, then the Chief Executive shall inform the Office accordingly in writing, which notice shall state reasons for the decision of the Planning Authority.

Section 31(AM) 7 sets out that the OPR shall consider whether or not the Development Plan as made is, in the Office's opinion, consistent with any recommendations made by the Office.

Section 31 (AM) (8) sets out that where the Office is of the opinion that —

- (a) the Development Plan has not been made in a manner consistent with the recommendations of the Office,

(b) that the decision of the Planning Authority concerned results in the making of a Development Plan in a manner that fails to set out an overall strategy for the proper planning and sustainable development of the area concerned, and

(c) as a consequence of paragraphs (a) and (b) , the use by the Minister of his or her functions to issue a direction under Section 31 would be merited, then the Office shall issue, no later than 4 weeks after the Development Plan or the variation to the Development Plan is made, a notice to the Minister containing —

- recommendations that the Minister exercise his or her function to take such steps as to rectify the matter in a manner that, in the opinion of the Office, will ensure that the Development Plan, or the Development Plan as varied by the Planning Authority, sets out an overall strategy for proper planning and sustainable development, and
- a proposed draft of a direction.

Section 31(AN) sets out the process which the Minister must follow in relation to any recommendation from the OPR to issue a direction under Section 31. Where the Minister does not agree with the Office, then the Minister shall —(i) prepare a statement in writing of his or her reasons for not agreeing, and (ii) cause that statement to be laid before each House of the Oireachtas.

Section 31 (3) and (4) sets out that before issuing a direction the Minister shall issue a notice informing the Planning Authority of the intention to issue a direction, a draft of which shall be contained in the notice to the Planning Authority to take certain measures specified in the notice in order to ensure that the plan is in compliance with the requirements of the Act

and, in the case of a plan, sets out an overall strategy for the proper planning and sustainable development of the area.

Any parts of the plan that by virtue of the issuing of the notice under this subsection shall be taken not to have come into effect.

Not later than 2 weeks after receipt of the notice issued by the Minister the Planning Authority shall publish notice of the draft direction in at least one newspaper circulating in the area of the Development Plan or Local Area Plan, as the case may be, which shall state —

(a) the reasons for the draft direction,

(b) that a copy of the draft direction may be inspected at such place or places as are specified in the notice during such period as may be so stated (being a period of not more than 2 weeks), and

(c) that written submissions or observations in respect of the draft direction may be made to the Planning Authority during such period and shall be taken into consideration by the Office of the Planning Regulator before it makes a recommendation to the Minister on the matter.

Following that period, the Chief Executive has 4 weeks to prepare a report on any submissions or observations received which shall be furnished to the Elected Members of the Planning Authority, the Office of the Planning Regulator and the Minister. The report shall make recommendations in relation to the best way to give effect to the draft direction.

The Elected Members of the Planning Authority —

(a) may make a submission to the Office of the Planning Regulator at any time up to the expiry of the display period of the draft Direction

(b) where so submitted, shall send a copy of it to the Minister.

The OPR then consider the report of the Chief Executive, together with any submission made under and recommend to the Minister that he or she issue the direction with or without minor amendments.

Part 2: Summary of Submission by The Office of the Planning Regulator and The Regional Assembly and the Chief Executive's Responses and Recommendations

| Key Issue | Chief Executive's Opinion & Recommendation |
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| 2.1 Office of the Planning Regulator | |
| <p>The OPR considered the draft plan to be generally consistent with policies in the NPF, the RSES, but recommended specific changes to ensure consistency, particularly in relation to compact growth and aligning residential zoning with infrastructure capacity. It further recommended that the draft Plan be amended in accordance with the requirements of Section 28 guidelines, including The Planning System and Flood Risk Management Guidelines for Planning Authorities, The Development Plan Guidelines, Draft for Consultation and the Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities and with the provisions of the Act.</p> <p>Submission notes that the Planning Authority has scope to make a further modification to a material alteration subject to limitations as set out in Section 12(10)(c)(i) and (ii) (Refer Section 1.1).</p> <p>The submission requests the Planning Authority to implement or address recommendations to ensure consistency with relevant policy and legislative provisions, action an observation and give full consideration to the advice contained in a submission.</p> <p>The OPR commends the positive approach in responding to the recommendations and observations made by the OPR on the Draft Plan. In particular the OPR;</p> <ul style="list-style-type: none"> - Welcomes updates to the core strategy table and related amendments to density standards. Minor inconsistencies concerning density are however highlighted. - Commends the planning authority for approach to addressing flood risk management issues. Outstanding concerns remain regarding a single site outlined below. - Generally, accepts the CE reasoning for not implementing recommendation No. 2 of the submission to the Draft Plan (i.e. query on zonings on Brownshill Rd, Rathvilly, Leighlinbridge, Hacketstown and boundaries of three smaller serviced villages). | <p>The positive comments of the OPR in relation to the Draft Plan are noted and welcome. The three specific recommendations are addressed hereunder, together with two no. observations regarding density standards and Traveller accommodation mapping.</p> |

| Key Issue | Chief Executive's Opinion & Recommendation |
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| 2.1 Office of the Planning Regulator | |
| <p>In a small number of cases the office is of the view that the amendments are not consistent with national or regional policy objectives, section 28 guidelines and the Core Strategy of the Draft Plan. Three Recommendations are outlined under five themes:</p> <p>1. Core Strategy Regarding the core strategy table, the submission notes the residual provision applied which equates to 'additional provision' under the Development Plan, Guidelines for Planning Authorities, Consultation Draft. It references Section 4.4.3 of the Guidelines which state that there is no automatic presumption of additional provision, land or sites in any development plan, and that the identification and quantification of such sites must be justified in terms of compatibility with the Core Strategy, the compact growth of settlement within the hierarchy, infrastructure capacity and sequential development. While accepting additional provision for the higher order settlements (Carlow, Tullow and Muine Bheag) it is stated that there is no clear justification for additional provision for the other smaller settlements and that there is a risk that the level of zoned land would mean that these smaller settlements grow in a disproportionate manner, resulting in less compact and more car dependent pattern of development. Furthermore, it notes that the lands subject to additional provision have not been identified. The foregoing, it anticipates will be addressed through the PA response to Recommendation 1 below.</p> <p>2. Zoning for Residential Use The OPR notes the extensive material amendments proposed to land use zoning objectives, including changes to the extent of lands zoned 'new residential' in the settlements. It further acknowledges that many relate to additional provision which have not been justified. Notes that the proposed area of new residential lands is not based on the housing allocation in the core strategy and therefore inconsistent with the Draft Dev Plan Guidelines, which promote a transparent and evidence-based approach to the core strategy and zoning for residential uses. It is further stated that it</p> | <p>The submission of the OPR regarding the allocation of additional provision as outlined in the Core Strategy is noted. The allocation of additional provision to the higher order settlements of Carlow, Tullow and Muine Bheag are accepted, with concerns expressed regarding allocation of additional provision to lower order settlements.</p> <p>The Planning Authority notes the content of Section 4.4.3 of the Draft Guidelines which outlines considerations to inform the allocation of additional provision. Each site identified as additional provision has been assessed with reference to the criteria identified in the Draft Development Plan Guidelines.</p> |

| Key Issue | Chief Executive's Opinion & Recommendation |
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| <p>2.1 Office of the Planning Regulator</p> | |
| <p>would also undermine the implementation of compact growth NPO3c and RPO10: would conflict with the restrictions on growth to <30% to 2040 for non-designated settlements under NPO9: would not constitute proportionate growth of rural towns/ villages contrary to NPO18a and would conflict with the implementation of sustainable settlement strategies objective under Section 10(2)(n) of the Act.</p> | |
| <p><i>Recommendation no. 1 – Residential Land Use Zoning Objectives</i></p> <p>In light of the above the Planning Authority is required to make the plan without the following amendments:</p> <p><u>Ballon Amendment no. 124 (c.2ha):</u></p> <ul style="list-style-type: none"> - It is stated that the new residential zoning is not required in order to provide for the core strategy housing supply target of 82 units over the plan period which would be inconsistent with the objective for compact growth (NPO3 and RPO10) and sequential zoning having regard to more centrally zoned sites. No justification has likewise been provided for the strategic reserve which it is stated is not consistent with the draft DPG. | <p>The Planning Authority notes the content of Section 4.4.3 of the Draft Guidelines which outlines consideration to inform the allocation of additional provision. The site Amendment No. 124 has been reviewed with reference to the criteria identified (see Table 1 hereunder). Having regard to the considerations contained in Table 1 together with the recommendation of the OPR, it is considered that the level of additional provision (32%) together with the location of more appropriately sited land sequentially proximate to the village centre that the Material Amendment No. 124 not be adopted.</p> <p>Chief Executive's Recommendation Not to Adopt Ballon Zoning Proposed Amendment No. 124</p> |

Amendment No 124. Ballon- Table 1 (Assessment of criteria for Additional Provision)

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| <p>a) The extent of any Additional Provision must be comprehensively identified, quantified and explained in the core strategy and shall not exceed 20-25% of the required quantum of zoned land and sites in settlements in any planning authority area as a whole, for any six-year plan period;</p> | <p>As part of the Material Amendments 2ha with a maximum of 20 no. units has been identified as residual /additional provision with the remaining area identified as Strategic Reserve. This new residential zoning constitutes a 32% increase on the core strategy figure and is significantly in excess of the permissible 20-25%.</p> |
| <p>b) Housing supply and population targets for the relevant six-year development plan period, and the location and level of servicing of lands already zoned for development, in accordance with 4.4.1 and 4.4.2 of the Guidelines;</p> | <p>The Core Strategy identifies a housing unit target of 3,107 units. Of this figure c.82% has been allocated to zoned serviced / serviceable land.</p> |
| <p>c) The need to ensure a minimum of 30% of all new residential development in settlements outside cities and 50% in cities and their suburbs, must comprise brownfield or infill development within the boundary/built footprint of the existing built-up area;</p> | <p>All lands identified for residential development in Ballon are located within the established CSO settlement boundary.</p> |
| <p>d) Any parts of strategic and sustainable development sites that will be phased and built out over a longer period than the six-year development plan may be included over and above as Additional Provision lands (per section 4.4.4 of the guidelines);</p> | <p>N/A</p> |
| <p>e) Additional Provision must not comprise land and sites that are not serviced or serviceable within the six-year plan period (save for the exception of strategic and sustainable development sites in section 4.4.4);</p> | <p>The lands are serviced/serviceable by water and wastewater with footpaths and public lighting in place along the frontage of the site.</p> |
| <p>f) The location of zoned lands and sites within the settlement must be consistent with sequential development patterns, town centre first principles, proximity to services and facilities and the need to reduce carbon emissions;</p> | <p>The site is located to the west of Ballon Village approx. 500m from the village centre, immediately adjoining The Oaks housing development. It is accessed from a local road (the L3035) with frontage of the site partly within the 50km/hr. speed limit zone. While the site is relatively proximate to the village centre, is serviced/ serviceable and has footpaths and public lighting extending to the site, it is acknowledged that there are other sites located more proximate to the village centre and accordingly, would not be fully consistent with sequential development patterns.</p> |

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| g) Additional Provision must be phased in a clear sequence of priority to facilitate development management decisions and development monitoring by the planning authority and An Bord Pleanála | Phasing of land in conjunction with additional provision has not been identified as part of the Material Amendment. It is considered however that the content of Chapter 12 Urban Design and Placemaking focuses on the primacy of Town and Village Centres and notes <i>that urban expansion may be necessary in certain circumstances, however, it is critical that this does not undermine the town and village centre functions, services and activities....The primary objective is to ensure that any expansion is strategic and does not detract from the primacy of the established urban centres, including their main streets, but rather reinforces their function, service provision and activities.</i> It is considered that the foregoing will ensure sequential development towns and villages within the county. |
| h) Additional Provision must be compatible with the core strategy regarding the proportion of projected housing demand to be met on unzoned land in rural areas. | c.18% of the overall housing unit allocation is located in unzoned areas. The allocation of 82% to zoned serviceable land is appropriate in the context of the future sustainable development of the County. |

Summary: Having regard to the foregoing considerations together with the recommendation of the OPR, it is considered that the level of additional provision (32%) together with the location of more appropriately sited land sequentially proximate to the village centre that the Material Amendment No. 124 not be adopted.

| Key Issue | Chief Executive's Opinion & Recommendation |
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| <p>Borris Amendment no 129 (0.8ha) and 130 (0.5ha):</p> <ul style="list-style-type: none"> - It is noted that the new residential zonings are located beyond the strategic reserve land to the south and land already zoned new residential in the draft plan and are inconsistent with the requirements for sequential zoning and compact growth. It is stated that the new residential zoning is not required in order to provide for the core strategy housing supply target of 62 units. It further notes that the SEA ER states that there is no planning justification for Amendment no. 129. No justification has likewise been provided for the strategic reserve to the north of amendment no. 129 which it is stated is not consistent with the Draft Development Plan Guidelines. | <p>The Planning Authority notes the content of Section 4.4.3 of the Draft Guidelines which outlines considerations to inform the allocation of additional provision. The site has been reviewed with reference to the criteria identified (see Table 2 and 3)</p> <p><u>Borris Zoning Amendment no. 129:</u> Having regard to the considerations outlined in Table 2 hereunder together with the recommendation of the OPR, it is considered that the location of the site outside of the built footprint of the town within an area characterised by enterprise and employment zoning, together with the requirement for infrastructural upgrade works to Bog Lane, the unsustainable travel patterns that would arise due to substandard connection to the town centre, that development of the site for residential purposes would be contrary to the proper planning and sustainable development of the area and would give rise to incompatible adjoining land uses. Accordingly, it is recommended that the proposed Material Amendment 129 not be adopted, and the lands revert to Enterprise and Employment as per the Draft Plan.</p> |

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| | <p>Borris Amendment no. 130: Having regard to the considerations outlined in Table 3 hereunder, it is considered that the limited scale of development proposed (2 no. units), the constraints to sequential development due to the location of Borris House to the south of the Main Street and given the constrained access arrangements to the strategic reserve backlands to the north of the Main Street which would require upgrade to facilitate significant development, it is considered that the proposed zoning for limited residential (2no. units) subject to upgrade in access arrangements etc would be acceptable and in accordance with the proper planning and sustainable development of the area. It is recommended that the proposed amendment be adopted.</p> <p>Chief Executive’s Recommendation</p> <ul style="list-style-type: none"> (i) Not to Adopt Borris Zoning Amendment no. 129 (ii) No change. Adopt Borris Amendment no. 130. |
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| Amendment No 129. Borris- Table 2 (Assessment of criteria for Additional Provision) | |
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| a) The extent of any Additional Provision must be comprehensively identified, quantified and explained in the core strategy and shall not exceed 20-25% of the required quantum of zoned land and sites in settlements in any planning authority area as a whole, for any six-year plan period; | As part of the Material Amendments for Borris No’s 129, 130 and 131 an additional 22. no. units have been identified as residual /additional provision with the remaining area associated with Amendment no. 129 identified as Strategic Reserve. Cumulatively this new residential zoning constitutes a 35% increase on the core strategy figure and is significantly in excess of the permissible 20-25%. |
| b) Housing supply and population targets for the relevant six-year development plan period, and the location and level of servicing of lands already zoned for development, in accordance with 4.4.1 and 4.4.2 of the Guidelines; | The Core Strategy identifies a housing unit target of 3,107 units. Of this figure c.82% has been allocated to zoned serviced / serviceable land. |
| c) The need to ensure a minimum of 30% of all new residential development in settlements outside cities and 50% in cities and their suburbs, must comprise brownfield or infill development within the boundary/built footprint of the existing built-up area; | 73% of all lands identified for residential development in Borris are located within the established CSO settlement boundary. However, the lands the subject of this amendment are located outside the CSO boundary for the settlement of Borris. |
| d) Any parts of strategic and sustainable development sites that will be phased and built out over a longer period than the six-year development plan may be included over and above as Additional Provision lands (per section 4.4.4 of the guidelines); | N/A |
| e) Additional Provision must not comprise land and sites that are not serviced or serviceable within the six-year plan period (save for the | The lands are serviced/serviceable by water and wastewater. Bog Lane is a narrow partially surfaced lane, upgraded road widening works would be required to facilitate development. |

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| exception of strategic and sustainable development sites in section 4.4.4); | |
| f) <i>The location of zoned lands and sites within the settlement must be consistent with sequential development patterns, town centre first principles, proximity to services and facilities and the need to reduce carbon emissions;</i> | <p>The site is located to the north west of the settlement approx. 500m from the established town centre. Access to the site from Bog Lane to the south east to the town centre is partially unsurfaced and therefore substandard. Vehicular access to the site would therefore extend from an upgraded portion of the lane to the Regional Road R705 which is narrow and would likely require widening to facilitate the development. Access arrangements from the R705 would result in a disconnect between a residential development and the core of the settlement and would give rise to unsustainable travel patterns to access services within the town.</p> <p>Under the Draft Plan the site was identified for enterprise and employment purposes and is bounded by enterprise and employment zoned lands to the north, east and west. It is considered that the proposed zoning of the site for residential purposes would give rise to incompatible adjoining land uses. Located to the south of the site are lands identified as strategic reserve. These lands would also require upgraded accesses arrangements to facilitate residential development over the period of this Plan.</p> |
| g) <i>Additional Provision must be phased in a clear sequence of priority to facilitate development management decisions and development monitoring by the planning authority and An Bord Pleanála</i> | <p>Phasing of land in conjunction with additional provision has not been identified as part of the Material Amendment. It is considered however that the content of Chapter 12 Urban Design and Placemaking focuses on the primacy of Town and Village Centres and notes <i>that urban expansion may be necessary in certain circumstances, however, it is critical that this does not undermine the town and village centre functions, services and activities...The primary objective is to ensure that any expansion is strategic and does not detract from the primacy of the established urban centres, including their main streets, but rather reinforces their function, service provision and activities.</i> It is considered that the foregoing will ensure sequential development towns and villages within the county.</p> |
| h) <i>Additional Provision must be compatible with the core strategy regarding the proportion of projected housing demand to be met on unzoned land in rural areas.</i> | <p>c.18% of the overall housing unit allocation is located in unzoned areas. The allocation of 82% to zoned serviceable land is appropriate in the context of the future sustainable development of the County.</p> |

Summary: Having regard to the foregoing considerations together with the recommendation of the OPR, it is considered that the location of the site outside of the built footprint of the town within an area characterised by enterprise and employment zoning, together with the requirement for infrastructural upgrade works to Bog Lane, the unsustainable travel patterns that would arise due to substandard connection to the town centre, that development of the site for residential purposes would be contrary to the proper planning and sustainable development of the area and would give rise to incompatible adjoining land uses. Accordingly, it is recommended that the proposed Material Amendment 129 not be adopted, and the lands revert to Enterprise and Employment as per the Draft Plan.

Amendment No 130. Borris- Table 3 (Assessment of criteria for Additional Provision)

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| <p>a) The extent of any Additional Provision must be comprehensively identified, quantified and explained in the core strategy and shall not exceed 20-25% of the required quantum of zoned land and sites in settlements in any planning authority area as a whole, for any six-year plan period;</p> | <p>As part of the Material Amendments for Borris No's 129, 130 and 131 an additional 22. no. units have been identified as residual /additional provision with the remaining area associated with Amendment no. 129 identified as Strategic Reserve. Cumulatively this new residential zoning constitutes a 35% increase on the core strategy figure and significantly in excess of the permissible 20-25%. Individually this site would constitute 3% increase on the core strategy figure for Borris.</p> |
| <p>b) Housing supply and population targets for the relevant six-year development plan period, and the location and level of servicing of lands already zoned for development, in accordance with 4.4.1 and 4.4.2 of the Guidelines;</p> | <p>The Core Strategy identifies a housing unit target of 3,107 units. Of this figure c.82% has been allocated to zoned serviced / serviceable land.</p> |
| <p>c) The need to ensure a minimum of 30% of all new residential development in settlements outside cities and 50% in cities and their suburbs, must comprise brownfield or infill development within the boundary/built footprint of the existing built-up area;</p> | <p>73% of all lands identified for residential development in Borris are located within the established CSO settlement boundary. However, the lands the subject of this amendment are located outside the CSO boundary for the settlement of Borris.</p> |
| <p>d) Any parts of strategic and sustainable development sites that will be phased and built out over a longer period than the six-year development plan may be included over and above as Additional Provision lands (per section 4.4.4 of the guidelines);</p> | <p>N/A</p> |
| <p>e) Additional Provision must not comprise land and sites that are not serviced or serviceable within the six-year plan period (save for the exception of strategic and sustainable development sites in section 4.4.4);</p> | <p>The lands are serviced/serviceable by water and wastewater. Bog Lane is a narrow partially surfaced lane, upgraded roads works for short distance of c. 40m would be required to facilitate development.</p> |
| <p>f) <i>The location of zoned lands and sites within the settlement must be consistent with sequential development patterns, town centre first principles, proximity to services and facilities and the need to reduce carbon emissions;</i></p> | <p>The site is located to the north west of the settlement approx. 300 m from the established town centre. Under the Draft Plan the site was identified for strategic reserve. Located to the east are further strategic reserve lands which sequentially are located in closer proximity to the town centre. However, the distance from the town centre is not deemed significant.</p> |

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| <p><i>g) Additional Provision must be phased in a clear sequence of priority to facilitate development management decisions and development monitoring by the planning authority and An Bord Pleanála</i></p> | <p>Phasing of land in conjunction with additional provision has not been identified as part of the Material Amendment. It is considered however that the content of Chapter 12 Urban Design and Placemaking focuses on the primacy of Town and Village Centres and notes <i>that urban expansion may be necessary in certain circumstances, however, it is critical that this does not undermine the town and village centre functions, services and activities....The primary objective is to ensure that any expansion is strategic and does not detract from the primacy of the established urban centres, including their main streets, but rather reinforces their function, service provision and activities.</i> It is considered that the foregoing will ensure sequential development towns and villages within the county.</p> |
| <p><i>h) Additional Provision must be compatible with the core strategy regarding the proportion of projected housing demand to be met on unzoned land in rural areas.</i></p> | <p>c.18% of the overall housing unit allocation is located in unzoned areas. The allocation of 82% to zoned serviceable land is appropriate in the context of the future sustainable development of the County.</p> |

Summary: Having regard to the foregoing considerations together, it is considered that the limited scale of development proposed (2 no. units), the constraints to sequential development due to the location of Borris House to the south of the Main Street and given the constrained access arrangements to the backlands to the north of the Main Street which would require upgrade to facilitate significant development, it is considered that the proposed zoning for limited residential (2no. units) subject to upgrade in access arrangements as provided for in the amendment would be acceptable and in accordance with the proper planning and sustainable development of the area. It is recommended that the proposed amendment be adopted.

| Key Issue | Chief Executive's Opinion & Recommendation |
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| <p><u>Borris Amendment no 131 (1.1ha):</u></p> <ul style="list-style-type: none"> - Notwithstanding the justification provided in the CE report regarding the location of the proposed new residential zoning in the vicinity of the school it notes that the zoning necessitates an extension to the settlement boundary which is stated is already extensive relative to the size of the small rural town, further into the open countryside. Accordingly, it is submitted that the zoning is therefore, inconsistent with the requirements for sequential zoning and compact growth. Having regard to the extent of land proposed to be zoned, it is submitted that the zoning is not required to provide the core strategy housing supply target of 62 houses. | <p>The Planning Authority notes the content of Section 4.4.3 of the Draft Guidelines which outlines consideration to inform the allocation of additional provision. The site has been reviewed with reference to the criteria identified (see Table 4). Having regard to the considerations outlined in Table 4, it is considered that given the current constraints to development of zoned backland strategic reserve lands, the location of the site opposite the Secondary School and the Borris Viaduct, and the fact that the site is serviceable, it is considered that the zoning of the site for 10 no. units would be acceptable and in accordance with the proper planning and sustainable development of the area. The site would also provide an alternative to one-off housing in the rural countryside. The no. of</p> |

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| | <p>units proposed (10 no.) in conjunction with Amendment no. 130 (2 no.) would result in an additional provision of 19% for Borris.</p> <p>Chief Executive’s Recommendation No change. Adopt Borris Zoning Proposed Amendment no. 131.</p> |
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| Amendment No 131. Borris- Table 4 (Assessment of criteria for Additional Provision) | |
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| <p>a) The extent of any Additional Provision must be comprehensively identified, quantified and explained in the core strategy and shall not exceed 20-25% of the required quantum of zoned land and sites in settlements in any planning authority area as a whole, for any six-year plan period;</p> | <p>As part of the Material Amendments for Borris No’s 129, 130 and 131 an additional 22. no. units have been identified as residual /additional provision with the remaining area associated with Amendment no. 129 identified as Strategic Reserve. Cumulatively this new residential zoning constitutes a 35% increase on the core strategy figure and significantly in excess of the permissible 20-25%. Individually this site would constitute 16% increase on the core strategy figure for Borris.</p> |
| <p>b) Housing supply and population targets for the relevant six-year development plan period, and the location and level of servicing of lands already zoned for development, in accordance with 4.4.1 and 4.4.2 of the Guidelines;</p> | <p>The Core Strategy identifies a housing unit target of 3,107 units. Of this figure c.82% has been allocated to zoned serviced / serviceable land.</p> |
| <p>c) The need to ensure a minimum of 30% of all new residential development in settlements outside cities and 50% in cities and their suburbs, must comprise brownfield or infill development within the boundary/built footprint of the existing built-up area;</p> | <p>73% of all lands identified for residential development in Borris are located within the established CSO settlement boundary. A portion of the lands the subject of this amendment is located within the CSO boundary for the settlement of Borris.</p> |
| <p>d) Any parts of strategic and sustainable development sites that will be phased and built out over a longer period than the six-year development plan may be included over and above as Additional Provision lands (per section 4.4.4 of the guidelines);</p> | <p>N/A</p> |
| <p>e) Additional Provision must not comprise land and sites that are not serviced or serviceable within the six-year plan period (save for the exception of strategic and sustainable development sites in section 4.4.4);</p> | <p>The lands are serviced/serviceable by water and wastewater. Adequate road infrastructure is in place to service the proposed zoning.</p> |

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| <p><i>f) The location of zoned lands and sites within the settlement must be consistent with sequential development patterns, town centre first principles, proximity to services and facilities and the need to reduce carbon emissions;</i></p> | <p>The site is located to the south east of the settlement approx. 300 m from the edge of the established town centre and opposite the Secondary School. The site is also located in the immediate vicinity of Borris Viaduct recreational walking route.</p> <p>It is important to note that the future development of Borris is significantly constrained by a number of key considerations:</p> <ul style="list-style-type: none"> - Borris House is sited to the south of Main Street and is an important tourist amenity within the county. The curtilage and attendant grounds of the House are protected. - Development to the north of main street which includes some lands identified as strategic reserve comprise backland areas with access constraints to the main street. Strategic development of these backlands will require detailed consideration to ensure sustainable access arrangements and travel patterns can be established to support significant development of this area. This is recognised in policy BO P15 which "<i>seeks to facilitate new access points/ road infrastructure as appropriate to backland areas along the main street in order to improve accessibility and permeability to strategic backlands within the town</i>". It is considered that significant development of these strategic reserve backlands will be premature in the immediate short term and require detailed consideration regarding access as outlined above. |
| <p><i>g) Additional Provision must be phased in a clear sequence of priority to facilitate development management decisions and development monitoring by the planning authority and An Bord Pleanála</i></p> | <p>Phasing of land in conjunction with additional provision has not been identified as part of the Material Amendment. It is considered however that the content of Chapter 12 Urban Design and Placemaking focuses on the primacy of Town and Village Centres and notes <i>that urban expansion may be necessary in certain circumstances, however, it is critical that this does not undermine the town and village centre functions, services and activities....The primary objective is to ensure that any expansion is strategic and does not detract from the primacy of the established urban centres, including their main streets, but rather reinforces their function, service provision and activities</i>. It is considered that the foregoing will ensure sequential development towns and villages within the county.</p> |
| <p><i>h) Additional Provision must be compatible with the core strategy regarding the proportion of projected housing demand to be met on unzoned land in rural areas.</i></p> | <p>c.18% of the overall housing unit allocation is located in unzoned areas. The allocation of 82% to zoned serviceable land is appropriate in the context of the future sustainable development of the County.</p> |

Summary: Having regard to the foregoing considerations, it is considered that given the current constraints to development of zoned strategic reserve lands, the location of the site opposite the Secondary School and the proximity to Borris Viaduct, and the fact that the site is serviceable, it is considered that the zoning of the site for 10 no. units would be acceptable and in accordance with the proper planning and sustainable development of the area. The site would also provide an alternative to one-off housing in the rural countryside. The no. of units proposed (10 no.) in conjunction with Amendment no. 130 (2 no.) would result in an additional provision of 19% for Borris.

| Key Issue | Chief Executive's Opinion & Recommendation |
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| <p><u>Hacketstown Amendment no 134 (1.9ha):</u> It is stated that the new residential zoning is not required in order to provide for the core strategy housing supply target of 56 units over the plan period.</p> | <p>The Planning Authority notes the content of Section 4.4.3 of the Draft Guidelines which outlines consideration to inform the allocation of additional provision. The site has been reviewed with reference to the criteria identified (see Table 5). While it is acknowledged that zoning to accommodate the core strategy figure has been provided for Hacketstown, it is the view of the Planning Authority that some consideration to additional provision would be appropriate in the context of Hacketstown for the following reasons:</p> <ul style="list-style-type: none"> - Hacketstown has experienced significant population decline over an extended period (16% decline between 1991-2016); - It has experienced significant economic decline with the closure of a number of businesses in the town; - Its designation as a disadvantaged area under the deprivation indices; - The immediate rural environs are designated as RHP zone 2 where compliance with rural housing policy provision is not required, in such circumstances low density high quality housing would provide an appropriate alternative to one off rural housing providing for a more sustainable and viable settlement; and - Sequentially the lands are appropriate for development, are adequately serviced and proximate and central to the settlement. <p>On the basis of the foregoing it is recommended that the Amendment be adopted subject to a minor modification reducing the number of units permissible to 13 with a maximum zoned residential area of 1.5ha, to ensure compliance with the provisions of the Draft Development Plan Guidelines.</p> <p>Chief Executive's Recommendation Adopt the Hacketstown Zoning Proposed Amendment no. 134 subject to Minor Modification Reducing the number of units permissible to 13 with a maximum zoned residential area of 1.5ha, to ensure compliance with the provisions of the Draft Development Plan Guidelines.</p> |

Amendment No 134. Hacketstown – Table 5 (Assessment of criteria for Additional Provision)

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| <p>a) The extent of any Additional Provision must be comprehensively identified, quantified and explained in the core strategy and shall not exceed 20-25% of the required quantum of zoned land and sites in settlements in any planning authority area as a whole, for any six-year plan period;</p> | <p>As part of the Material Amendment no. 134 an additional 20. no. units have been identified as residual /additional provision. This new residential zoning constitutes a 35% increase on the core strategy figure and significantly in excess of the permissible 20-25%.</p> |
| <p>b) Housing supply and population targets for the relevant six-year development plan period, and the location and level of servicing of lands already zoned for development, in accordance with 4.4.1 and 4.4.2 of the Guidelines;</p> | <p>The Core Strategy identifies a housing unit target of 3,107 units. Of this figure c.82% has been allocated to zoned serviced / serviceable land.</p> |
| <p>c) The need to ensure a minimum of 30% of all new residential development in settlements outside cities and 50% in cities and their suburbs, must comprise brownfield or infill development within the boundary/built footprint of the existing built-up area;</p> | <p>47% of all lands identified for residential development in Hacketstown are located within the established CSO settlement boundary. The lands the subject of this amendment are located outside the CSO boundary for the settlement of Hacketstown.</p> |
| <p>d) Any parts of strategic and sustainable development sites that will be phased and built out over a longer period than the six-year development plan may be included over and above as Additional Provision lands (per section 4.4.4 of the guidelines);</p> | <p>N/A</p> |
| <p>e) Additional Provision must not comprise land and sites that are not serviced or serviceable within the six-year plan period (save for the exception of strategic and sustainable development sites in section 4.4.4);</p> | <p>The lands are serviced/serviceable by water and wastewater. A footpath and public lighting extends along the west of Eagle Hill Road bounding the site.</p> |
| <p><i>f) The location of zoned lands and sites within the settlement must be consistent with sequential development patterns, town centre first principles, proximity to services and facilities and the need to reduce carbon emissions;</i></p> | <p>The site is located central to the overall settlement c. 150m from the town centre. It is bounded by existing established development to the north, west and east. Sequentially it constitutes appropriate development extending from the town core.</p> |

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| <p><i>g) Additional Provision must be phased in a clear sequence of priority to facilitate development management decisions and development monitoring by the planning authority and An Bord Pleanála</i></p> | <p>Phasing of land in conjunction with additional provision has not been identified as part of the Material Amendment. It is considered however that the content of Chapter 12 Urban Design and Placemaking focuses on the primacy of Town and Village Centres and notes <i>that urban expansion may be necessary in certain circumstances, however, it is critical that this does not undermine the town and village centre functions, services and activities....The primary objective is to ensure that any expansion is strategic and does not detract from the primacy of the established urban centres, including their main streets, but rather reinforces their function, service provision and activities.</i> It is considered that the foregoing will ensure sequential development towns and villages within the county.</p> |
| <p><i>h) Additional Provision must be compatible with the core strategy regarding the proportion of projected housing demand to be met on unzoned land in rural areas.</i></p> | <p>c.18% of the overall housing unit allocation is located in unzoned areas. The allocation of 82% to zoned serviceable land is appropriate in the context of the future sustainable development of the County.</p> |

Summary: While it is acknowledged that the core strategy figure for Hacketstown has been provided, it is the view of the Planning Authority that some consideration to additional provision would be appropriate in the context of Hacketstown for the following reasons:

- Hacketstown has experienced significant population decline over an extended period (16% decline between 1991-2016)
- It has experienced significant economic decline with the closure of a number of businesses in the town
- Its designation as a disadvantaged area under the deprivation indices
- The immediate rural environs are designated as RHP zone 2 where compliance with rural housing policy provision is not required, in such circumstances low density high quality housing would provide an appropriate alternative to one off rural housing providing for a more sustainable and viable settlement.
- Sequentially the lands are appropriate for development, are adequately serviced and proximate and central to the settlement.

On the basis of the foregoing it is recommended that the Amendment be subject to a minor modification reducing the number of units permissible to 13 with a maximum zoned residential area of 1.5ha, to ensure compliance with the provisions of the Draft Development Plan Guidelines.

| Key Issue | Chief Executive's Opinion & Recommendation |
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| <p>Recommendation no. 2 –Land Use Zoning Objectives Submission notes that certain amendments are linked to ensure no over provision of residential zonings occur. While this approach is accepted it notes that it will be necessary to make the plan with all relevant amendments so that an excess of zoned land does not arise.</p> <p>The Office recommends that the Plan is either made with all relevant amendments:</p> <p><u>Carrickduff Amendment no. 138 and Amendment 139</u> <u>Rathoe Amendment no. 146 and Amendment 147</u></p> <p>or revert to the draft Plan.</p> | <p>Agreed. The intent of the linked amendments is to ensure no overprovision of residential zoning occurs as indicated in the submission of the OPR. The linked amendments are recommended to be made in full to ensure no over provision of residential is made for Carrickduff and Rathoe which would be contrary to the Core Strategy as provided in Chapter 2</p> <p>Chief Executive's Recommendation No change. Adopt all Proposed Amendments:</p> <p><u>Carrickduff Amendment no. 138 and Amendment 139</u></p> <p><u>Rathoe Amendment no. 146 and Amendment 147</u></p> |
| <p>3. Industrial Land Use Zoning – Flood Risk Management</p> <p>Recommendation no. 3 –Industrial Land Use Zoning and Flood Risk Management Submission notes that the proposed Amendment no. 112 to zone lands associated with an existing employment facility in the rural countryside.2.5km to the north of Carlow on lands located within Flood Zone A and B has not passed the Plan-Making Justification Test carried out by the Planning Authority. The Amendment is therefore noted as contrary to the Flood Risk Management Guidelines and inconsistent with NPO57 to avoid inappropriate development in areas at risk of flooding. It further notes the recommendation of the OPW not to zone lands for vulnerable uses in flood risk areas that have not passed the Justification Test. It further notes that the SFRA recommends that the Plan be made without the subject amendment.</p> <p><u>Amendment 112: New Acre Industrial Zoning:</u> the Planning Authority is required to make the Plan without the Amendment.</p> | <p>Agreed. The site is located in a rural area over 2.5km from the development boundary of Carlow Town Environs zoned area within an unserved location. It accommodates an established business operating on site. The site is located partially within flood zone A and B and immediately adjoining a Special Area of Conservation. The site has not passed the justification test for zoning on the basis of the Flood Risk Management Guidelines. The submission of the OPR, OPW and the Department of Housing Local Government and Heritage all advise against the zoning of the site, referencing failure to pass the justification test and potential loss of floodplain resulting in inter alia indirect negative water quality effects. The SEA also recommends not to adopt where non-compliant with the Flood Risk Management Guidelines. Irish Water have also raised concern regarding the application of the sequential test for zoning for this site.</p> <p>Sufficient provision exists in the Plan under Policy RE P3 as contained in Chapter 14 to facilitate further development on this site as maybe deemed appropriate:</p> <p><i>Facilitate where deemed appropriate an extension of an existing established authorised rural based enterprise in the rural area provided that the scale and form of the enterprise is compatible with the character of the area, that there is capacity available in the local</i></p> |

| | <p><i>infrastructure to accommodate the expansion and that the development complies with other relevant objectives of this Plan, including normal planning and environmental criteria.</i></p> <p>Chief Executive’s Recommendation Not to Adopt Proposed Amendment no. 112.</p> | | | | | | | | | | | | | | | |
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| <p>4. Residential Density Standards</p> <p>Recommends a minor modification to density standards for edge of centre location to Carlow, Tullow and Muine Bheag to facilitate higher than 30units per hectare which will improve the ability of the local authority to achieve 30% compact growth within the built-up area and facilitate implementation of objectives for sustainable settlement and transport strategies for urban areas thereby contributing to the mitigation of climate change.</p> | <p>It is considered that a minor modification can be made to Amendment no. 13 indicating that in excess of 30ha may be considered on appropriate sites in Carlow, Tullow and Muine Bheag subject to high quality design and layout.</p> <p>Chief Executive’s Recommendation Adopt Proposed Amendment no. 13 subject to Minor Amendment to edge of centre sites for Carlow Town, Tullow and Muine Bheag:</p> <table border="1" data-bbox="1146 644 1771 1003"> <thead> <tr> <th></th> <th>Town / Village Centre</th> <th>Edge of Centre</th> </tr> </thead> <tbody> <tr> <td>Carlow Town</td> <td>>35ha</td> <td>25-30*ha</td> </tr> <tr> <td>Tullow Muine Bheag</td> <td>>30ha</td> <td>20-30*ha</td> </tr> <tr> <td>Smaller Towns</td> <td>25-30ha</td> <td>20-25ha**</td> </tr> <tr> <td>Villages</td> <td>20-25ha</td> <td>10-20ha</td> </tr> </tbody> </table> <p>* Densities in excess of 30ha may be considered on appropriate edge of centre sites in Carlow, Tullow and Muine Bheag subject to high quality design and layout ** Lower density residential development and serviced sites will be facilitated on appropriate sites within smaller towns and villages within the rural area in compliance with the programme for ‘new homes in small towns and villages’ NPO 18(b) .</p> | | Town / Village Centre | Edge of Centre | Carlow Town | >35ha | 25-30*ha | Tullow Muine Bheag | >30ha | 20-30*ha | Smaller Towns | 25-30ha | 20-25ha** | Villages | 20-25ha | 10-20ha |
| | Town / Village Centre | Edge of Centre | | | | | | | | | | | | | | |
| Carlow Town | >35ha | 25-30*ha | | | | | | | | | | | | | | |
| Tullow Muine Bheag | >30ha | 20-30*ha | | | | | | | | | | | | | | |
| Smaller Towns | 25-30ha | 20-25ha** | | | | | | | | | | | | | | |
| Villages | 20-25ha | 10-20ha | | | | | | | | | | | | | | |
| <p>5. Traveller Accommodation</p> <p>Notes that the Scale of the Map in Amendment no. 14 is insufficient to enable the lands to be readily identifiable and does not appear to identify particular areas for the provision of future Traveller Accommodation, to reflect the Council’s Traveller Accommodation Plan. The Office recommends a minor modification to the amendment by including the location of the sites on land use zoning maps where feasible. Notes the importance of reflecting existing facilities or future facilities</p> | <p>Agreed. A revised map will be prepared for the Final CDP clearly identifying the location of existing traveller accommodation. One site is located within the land use zoning map for Carlow Town and will be identified on same. Any future sites identified as part of the Council’s Traveller Accommodation Plan will be included in any forthcoming LAPs as appropriate.</p> | | | | | | | | | | | | | | | |

aligning with the Carlow County Council Traveller Accommodation Programme (TAP) 2019-2024 and estimates of housing demand for the Traveller populations.

Chief Executive's Recommendation

Adopt Proposed Amendment No. 14 subject to Minor Amendment to include improved mapping of Traveller Accommodation sites.

| Key Issue | Chief Executive's Opinion & Recommendation |
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| 2.2 Southern Regional Assembly | |
| Section 2.2.1 General Comments | |
| <p>The Regional Assembly note and welcome the following Amendments, specific comments in relation to Amendment no. 8, 42, 56 and Chapter 15 are addressed in the following section:</p> <p><u>Chapter 1 Introduction & Context</u> Amendments 1 to 4 are noted and welcomed as relating to Strategic Themes and Objective on the circular economy, biodiversity, ecosystem services and sustainable tourism, and the inclusion of additional text to refer to the SEA Directive and transposing regulations.</p> <p><u>Chapter 2 Core Strategy & Settlement Strategy</u> Amendments 5, 6, 7, 9, 10, and 11 are noted and welcomed, as relating to green infrastructure in Carlow Town, policies to support sustainable development, transport and mobility in the District Towns of Tullow and Muine Bheag.</p> <p><u>Chapter 3 Housing</u></p> <ul style="list-style-type: none"> ▪ For Amendment 12 it is noted that additional analysis pursuant to the Affordable Housing Act 2021 has resulted in amendments to the Housing Strategy and policy HS P5. ▪ Amendment 13 is noted and welcomed as relating to Policy DN P5 Density. ▪ Amendments 14 to 20 are noted in respect of Section 3.16 of the Plan relating to Traveller Accommodation and Rural Housing Provision. <p><u>Chapter 4 Enterprise and Employment</u></p> <ul style="list-style-type: none"> ▪ Amendments 21 to 24 are noted and welcomed as relating to Section 4.0 Enterprise and Employment, additional text on economic resilience, bidding | Noted |

| Key Issue | Chief Executive's Opinion & Recommendation |
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| 2.2 Southern Regional Assembly | |
| <p>capacity, potential opportunities for the Waterford-Kilkenny-Carlow-Dublin M9/Rail Network, education and skills and lifelong learning.</p> <ul style="list-style-type: none"> ▪ Additional content on retail policy noted for Amendments 25 and 26 relating to bulky goods retail floorspace. <p><u>Chapter 5 Sustainable Travel and Transport</u></p> <ul style="list-style-type: none"> ▪ Amendments to Chapter 5 are noted and welcome in terms of (inter alia) strengthening sustainable travel and transport objectives. <p><u>Chapter 6 Infrastructure and Environmental Services</u></p> <ul style="list-style-type: none"> ▪ Additional policy content for water, flood risk and other environmental issues is noted for Amendments 39 to 50. ▪ Amendment 44 is noted and welcomed supporting RSES Policy on Smart City and Smart Region. <p><u>Chapter 7 Climate Action & Energy</u> Additional policy content noted and acknowledged in relation to renewable energy, and in relation to Amendment 56 for SuDS in Chapter 6.</p> <p><u>Chapter 8 Community Development</u> Additional policy content noted and acknowledged to strengthen policy on children and young people, people with disabilities, education facilities and arts and cultural facilities, including amendment 61 which highlights the positive contribution that arts and culture can make to the public realm, including urban development, regeneration, and placemaking</p> <p><u>Chapter 9 Landscape & Green Infrastructure</u> Notes that there is only minor amendments to the chapter and that there is already a strong set of policies included in relation to Landscape and Green Infrastructure.</p> | |

| Key Issue | Chief Executive's Opinion & Recommendation |
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| 2.2 Southern Regional Assembly | |
| <p><u>Chapter 10 Natural & Built Heritage</u> Notes and acknowledges additional policy content to strengthen policy on natural heritage, biodiversity and protection of Natura 2000 sites. Also note that proposed amendments provide for strengthened policy content on non-designated areas, habitats and species at section 10.5, geological heritage, invasive alien species, and the references to RSES RPOs 126 – Biodiversity and RPO 128 - All Ireland Pollinator Plan are noted and welcomed.</p> <p><u>Chapter 11 Tourism and Recreation</u> Notes and welcomes additional content to strengthen policy on tourism, culture and arts and recreation and sporting facilities including the additional support for implementation of Regional Tourism Strategies in Amendment 91.</p> <p><u>Chapter 12 Urban Design & Placemaking</u> Notes that there are no amendments to the chapter.</p> <p><u>Chapter 13 Rural Design Guide</u> In relation to Amendments to Chapter 13, notes and welcomes strengthened policy content to support biodiversity and protect watercourses in landscaping and boundary treatments.</p> <p><u>Chapter 14 Rural Development</u> Notes and acknowledges additional policy content on intensive agricultural installations.</p> <p><u>Chapter 16 Development Management Standards</u> (i) Notes the additional requirements in relation to car parking, EV Charging points and other minor changes.</p> | |

| Key Issue | Chief Executive's Opinion & Recommendation |
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| 2.2 Southern Regional Assembly | |
| (ii) Notes and welcomes the new section – section 16.16.19 in the chapter on Implementation and Monitoring, the links to RSES acknowledged in the Strategic Objectives for the Plan and the focus on funding sources for implementation and also section 16.19. 5, which addresses requirements for Environmental Monitoring. | |
| Section 2.2.2 Core Strategy and Settlement Strategy | |
| <p><u>Chapter 2 Core Strategy & Settlement Strategy</u></p> <p>Amendment 8 provides for further population allocations away from Carlow Town, which is a Key Town and important in underpinning the RSES. The SRA consider that Amendment 8 fails to respond to their previous observation on the Draft Plan (October 2021) and note the following in this regard: 1.0 <i>The Regional Assembly consider that clarity is required to demonstrate how proposed Amendment no. 8 (the Core Strategy Table) would be consistent with the RSES including RPO 3, RPO 11 and, in particular, the Guiding Principles under Section 3.3 - A Tailored Approach for determining appropriate levels of growth in the Core Strategy.</i></p> | <p>The reduction in unit allocation to Carlow Town from the Draft Plan is 22 no. units, representing a reduction in Unit allocation from 1352 (43.5% of the County allocation) to 1330 (42.8%). The majority of these units (i.e. 19 no.) have been reallocated to Ballinabrannagh following the grant of funding under the Small-Town Growth Programme from Irish Water. This funding has been announced in the interim since the publication of the Draft Plan. The reallocation from Carlow Town is considered minimal in the context of the overall allocation to Carlow Town but is appropriate to ensure the sustainable development of Ballinabrannagh in accordance with other settlements at the same level in the hierarchy. It will further support investment in strategic infrastructure in Ballinabrannagh which is required to ensure environmental protection and the proper planning and sustainable development of the County. Amendment no. 8 illustrates percentage allocation of the Housing Target to the various settlements ranging from 42.8% to Carlow, 13% to Tullow, 10% to Muinebheag with a sliding scale of allocation to Small Towns, Larger Serviced Villages, Smaller Serviced Villages followed by the rural area. These allocations have been informed by the Guiding Principles under Section 3.3 of the RSES and are deemed appropriate for the future sustainable development of Carlow Town and all settlements throughout the County.</p> <p>Chief Executive's Recommendation No change. Adopt Proposed Amendment No. 8 relating to Carlow Town.</p> |

| Key Issue | Chief Executive's Opinion & Recommendation |
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| <p>2.2 Southern Regional Assembly</p> | |
| <p>Section 2.2.3 Sustainable Urban Drainage Systems</p> | |
| <p><u>Chapter 6 Infrastructure and Environmental Services</u> Clarity is required on the SuDS requirements as relating to Amendment 42 for Policy SW P6 <i>SW P6: Require all new developments to provide a separate foul and surface water drainage system and to incorporate sustainable urban drainage systems where appropriate in new development and the public realm.</i></p> <p>and Amendment 56 for Section 7.13.6: <i>In recognition of the importance of SuDS, and to reduce the potential impact of existing and predicted flood risks and to improve biodiversity and amenity value, the Council has is preparing a new SuDS policy/guidance document which will be adopted during the lifetime of this Plan. It is an objective of the Council to require all development (including extensions to existing development) proposals to incorporate SuDS measures. (Refer also to Chapter 6).</i></p> <p>This relates to the use of the wording 'where appropriate' in Policy SW P6 and 'all development' in Section 7.13.6.</p> | <p>The need for correlation between Amendment no. 42 and 56 is noted and accepted. It is considered that reference "to where viable" should be included in both policies.</p> <p>Chief Executive's Recommendation Adopt Proposed Amendment no. 42 subject to Minor Amendment (in blue) to Policy SWP6: <i>SW P6: Require all new developments to provide a separate foul and surface water drainage system and to incorporate sustainable urban drainage systems where appropriate / viable in new development and the public realm.</i></p> <p>Adopt Proposed Amendment no. 56 subject to Minor Amendment (in blue) for Section 7.13.6: <i>In recognition of the importance of SuDS, and to reduce the potential impact of existing and predicted flood risks and to improve biodiversity and amenity value, the Council has is preparing a new SuDS policy/guidance document which will be adopted during the lifetime of this Plan. It is an objective of the Council to require all development where viable (including extensions to existing development) proposals to incorporate SuDS measures. (Refer also to Chapter 6).</i></p> |
| <p>Section 2.2.4 Town and Village Plans / Settlement Boundaries</p> | |
| <p><u>Chapter 15 Town and Village Plans / Settlement Boundaries</u></p> <ul style="list-style-type: none"> (i) Note and acknowledge strengthened policy content in relation to flood risk management for Carlow Town and other settlements. (ii) For proposed amendments which provide for a change of zoning in Carlow Town, it is noted that these are relatively small site-specific zoning changes which in some cases will provide for additional residential infill zoning within the built-up area of the Town. | <ul style="list-style-type: none"> (i) Noted (ii) Noted <p>Chief Executive's Recommendation No change to Proposed Amendment Nos 108, 110 and 111.</p> |

| Key Issue | Chief Executive's Opinion & Recommendation |
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| 2.2 Southern Regional Assembly | |
| <p>(iii) In relation to proposed amendments which provide for a change of zoning in Sections 15.3 – Small Towns, Section 15.4 – Larger Serviced Villages and Section 15.5 Smaller serviced villages, it is noted that there is a pattern of proposed re-zonings from unzoned or agricultural land to 'new residential lands' and 'strategic reserve' but the rationale for some of the additional zonings is not clear and concerns expressed in the SEA Screening at Appendix IV are noted. In relation to Amendment 129 (Residential and Strategic Reserve off Pound Lane- Borris) it is noted that the SEA states 'Do not adopt as part of Draft Plan'. It is stated in this regard that:</p> <p><i>There is concern that some of the re-zonings proposed to settlements in Chapter 15 are not consistent with the Guiding Principles on Settlement Typology at section 3.3 of the RSES, RPO 3 – Local Authority Core Strategies and RPO 5, Population Growth and Environmental Criteria. The Planning Authority should consider the environmental implications of proposed zonings and whether the locations of multiple re-zonings are consistent with the RSES and, in particular, the Guiding Principles on Settlement Typology and the SEA Screening.</i></p> | <p>(iii) See response to Recommendation no. 1 Section 2.1 OPR Submission</p> |
| Section 2.2.5 Volume 2 Appendices / Environmental Assessments | |

| Key Issue | Chief Executive's Opinion & Recommendation |
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| <p>2.2 Southern Regional Assembly</p> | |
| <p><u>Appendices</u> Updates noted for Appendix IV Housing Strategy, Appendix VI Draft Carlow County Renewable Energy Strategy, and Appendix IV Infrastructural Assessment of Material Amendments.</p> <p><u>Environmental Assessment</u></p> <ul style="list-style-type: none"> ▪ Note SEA Screening of proposed Material Alterations, as well as Natura Impact Statement and Strategic Flood Risk Assessment and that previous observations in the submission relate to these documents. ▪ Recommend that the Council review the SEA Statement, AA Determination and Natura Impact Report prepared for the RSES as they looked at environmental sensitivities for all the Region and could inform the Council's own environmental assessments. | <p>Noted. The RSES and associated environmental assessment documents have proved to be valuable resources for the SEA and AA of the County Development Plan to date and are referenced as relevant in the documents that have been prepared. The RSES documents will continue to inform the preparation of the Plan and associated environmental assessments.</p> <p>Chief Executive's Recommendation The Environmental Assessments will where required be updated.</p> |

Part 3: Summary of Submission by Other Persons and Chief Executive’s Responses and Recommendations

Chapter 1: Introduction and Strategic Context

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
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| 3.1 Chapter 1: Introduction and Strategic Context | | |
| Section 1.6 Strategic Themes and Objectives | | |
| <p>The submission opposes Amendment No. 4 regarding the additional Strategic Objective SO 14 in Chapter 1, Section 1.6 <i>to support and promote tourism as a key economic driver</i>. In this regard the following is detailed:</p> <ul style="list-style-type: none"> ▪ Overwhelming number of submissions are against the writing of the Barrow Blueway into the Plan and have not been represented in the final draft. ▪ The submissions to the Plan calling for changes to Section 11.6 have been dismissed despite the public having a right to participate in environmental decision-making. ▪ Do not agree with Amendment No. 4 and/or wording in Section 11.6 or elsewhere in the Plan that will support or facilitate a new proposal for a Waterways Ireland branded Blueway in the River Barrow SAC. ▪ The Council has not engaged with the public and the public submissions to the Draft Plan in relation to environmental planning and as such is in breach of the Aarhus Convention. ▪ As Amendment No. 4 is based on facilitating Waterways Ireland Barrow Blueway which has already been refused permission, this ignores Section 12(11) of the Planning and Development Act 2000 (as amended). ▪ Bar charts included setting out the percentage differences in relation to the topics of the submissions received to the Draft Plan, including environmental submissions and those against the Blueway. | CLW-C14 - 36 | <p>Amendment no. 4 recommends inclusion of an additional strategic objective as follows:</p> <p><i>SO 14: Support and promote tourism in the county as a key economic driver in a sustainable manner that is compatible with the sensitivity of rural areas, the existing quality of life, and the protection and enhancement of the county's natural environment.</i></p> <p>The content of the submission relates to the Barrow Blueway and does not reflect the broad intent of the amendment which recognises the importance of supporting and promoting the tourism industry (subject to a number of criteria) as an economic driver in the County. Chapter 4 acknowledges the importance of tourism as a sector while Chapter 11 addresses tourism in more detail. Recognition of the importance of the tourism sector is in accordance with National and Regional Policy as contained in the National Planning Framework and the Regional Spatial and Economic Strategy for the Southern Region.</p> <p>The Planning Authority has complied in full with statutory requirements for public consultation regarding the preparation of this Plan and has considered as appropriate all submissions made regarding same.</p> <p>Chief Executive's Recommendation No change. Adopt Proposed Amendment no. 4.</p> |

Chapter 2: Core Strategy and Settlement Strategy

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
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| 3.2 Chapter 2: Core Strategy and Settlement Strategy | | |
| 3.2.1 District Towns | | |
| Submission by the NTA supports Amendment no. 7 <i>To carry out an Area Based Transport Assessment for the District Towns of Tullow and Muine Bheag as an iterative process with the review of the relevant Local Area Plan which will support and inform the implementation of transport, demand management and land use measures to ensure the sustainable integration of land use and transport planning with an emphasis on enabling sustainable transport and mobility objectives for the Plan area.</i> | CLW-C14-34 | Noted Chief Executive's Recommendation No change. Adopt Proposed Amendment no. 7 |

Chapter 3: Housing

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
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| 3.3 Chapter 3: Housing | | |
| 3.3.1 Siting and Design | | |
| <p>TII request cross-referencing in Sections such as 'Single Houses in the Countryside' referring to Policy NR. P2 of the Draft Plan to avoid the creation of any new direct access points from development or the generation of increased traffic from existing accesses to the national road network to which speed limits greater than 50 km/h apply, in accordance with the DoECLG Spatial Planning and National Roads Guidelines.</p> | <p>CLW-C14-3</p> | <p>This is provided for in Amendment no. 18:</p> <p>Section 3.16.5 Siting and Design (Amendment No. 18) Insert additional text in green to Section 3.16.5 'Siting and Design – Policies' (page 67), as follows: The need to comply with the Spatial Planning and National Roads Guidelines for Planning Authorities DECLG (2012).</p> <p>Chief Executive's Recommendation No change. Adopt Proposed Amendment 18.</p> |

Chapter 4: Enterprise and Employment

Note: No submissions received on Amendments other than that previously summarised in Part 2 (Southern Regional Assembly submission)

Chapter 5: Sustainable Travel and Transport

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
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| 3.5 Sustainable Travel and Transport | | |
| 3.5.1 Integration of Spatial Planning and Transport Policy | | |
| <p>(i) TII supports the approach in the Draft Plan in relation to the integration of spatial planning and transport policy. In identifying future strategic employment locations associated with the M9, TII encourage an approach that promotes compact growth and consolidates existing strategic employment locations that can be best served by public transport and active travel initiatives while also building on existing established business/industry and third level synergies.</p> <p>TII advise that it will be critical that any identified lands for employment are well served by public transport and active travel modes in accordance with principles outlined in the SRA RSES and the DoECLG Spatial Planning and National Roads Guidelines in addition to national road network accessibility requirements.</p> <p>(ii) TII advise that transport assessment, including the cumulative impact of development, will need to be undertaken to ensure planned development can be accommodated complementary to safeguarding the strategic function of the national road network and associated junctions where such proposals are brought forward for consideration in the vicinity of the strategic motorway and national road network.</p> | CLW-C14-3 | <p>(i) Agreed. The provisions of the Draft Plan (ref: Section 5.2) acknowledges the need to consolidate and concentrate development in a manner that allows the effective provision of, and ready access to public transport, through zoning of lands and implementation of development management standards. Policy MN P1 of the Draft Plan further seeks to ensure that the capacity, efficiency and safety of the motorway network and associated junctions is maintained in accordance with the Spatial Planning and National Roads Guidelines for Planning Authorities. Appropriate locations for economic development will be informed by the principles identified in Chapter 4 Enterprise and Employment which will be guided by the settlement hierarchy which focuses on a sustainable pattern of growth with an emphasis on quality of life together with a strengthening of the urban cores of principal settlements within the County.</p> <p>(ii) Agreed. Section 16.10.3 of the Draft Plan outlines the requirements for traffic and transport assessments to ensure roads and junctions and other transport infrastructure in the vicinity of the development remains fit for purpose and encourages a shift to more sustainable travel modes.</p> |

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
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| 3.5 Sustainable Travel and Transport | | |
| <p>(iii) TII advise that consultation with relevant stakeholders in relation to the identification of a location and preparation of any locations for economic development is considered critical, and TII considers that a plan-led approach is essential.</p> <p>(iv) TII advise that any proposals in the vicinity of junctions on a national road should be developed in accordance with the provisions of the DoECLG Spatial Planning and National Roads Guidelines.</p> <p>(v) TII would welcome consideration by the Council that any proposals for employment locations on the Waterford-Kilkenny-Carlow-Dublin M9/Rail Network should be plan-led and brought forward in the context of the RSES Regional Freight Strategy, and that any such proposals in the vicinity of the strategic motorway and national road network should be developed in accordance with the provisions of the DoECLG Spatial Planning and National Roads Guidelines.</p> | | <p>(iii) Agreed. The Council will engage with relevant stakeholders as appropriate in the preparation of statutory land use plans and as part of the development management process as required.</p> <p>(iv) Agreed. This is provided in the Draft Plan (Ref policy NR P1) which seeks to ensure that the capacity, efficiency and safety of the national road network and associated junctions is maintained in accordance with the Spatial Planning and National Roads Guidelines for Planning Authorities (2012).</p> <p>(v) Opportunities afforded by the Waterford-Kilkenny-Carlow-Dublin M9/Rail Network will inform freight transport and logistics as provided in Section 5.10 of the Draft Plan and associated policy provisions, which acknowledges the importance of the forthcoming Regional Freight Strategy.</p> <p>Chief Executive's Recommendation No change. Adopt Proposed Amendment no. 22.</p> |
| <p>NTA:</p> <p>(i) Suggests change to Amendment no. 27 from Department of Transport's forthcoming long-term investment framework for land transport to National Investment Framework for Transport in Ireland.</p> | CLW-C14-34 | <p>(i) Agreed. The amended title is deemed a minor amendment and acceptable.</p> |

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
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| 3.5 Sustainable Travel and Transport | | |
| <p>(ii) Recommends as part of Amendment no 29 that consideration to a level of mode share that can be achieved for identified settlements as well as the county as a whole. Notes that measures for the achievement of mode share targets should be identified through the development of the local transport plans.</p> <p>(iii) Amendment no. 30 is supported with a following suggested amendment "To prepare local transport plans, based on the Area Based Transport Assessment (ABTA) approach in consultation with NTA, TII, public transport providers larnod Eireann and other relevant stakeholders.</p> <p>(iv) Amendment no. 31 advises that an All Island Strategic Rail Review is now being undertaken while the Rail Freight Strategy has been published.</p> <p>(v) Recommends following changes to Amendment no. 33 "PT P2 Support transport agencies, including the NTA and public transport service providers and larnod Eireann in the provision of new public transport services...."</p> <p>(vi) Recommends in the case of PT P4 reference should be made to the role of LTPs in informing the integration of land use planning at settlement level.</p> | | <p>(ii) Mode share will be informed by the forthcoming ABTAs to be prepared for Carlow, Tullow and Muine Bheag as an iterative process to the preparation of the relevant Local Area Plans.</p> <p>(iii) Agreed. This is deemed a minor amendment and acceptable.</p> <p>(iv) The Draft Plan includes reference to the Strategic Rail Review in Section 5.5.1. The reference to the rail freight strategy being published is a minor amendment and acceptable.</p> <p>(v) The minor modification requested replacing larnod Eireann to cover broader public transport service providers is acceptable.</p> <p>(vi) Policy PT 4 addresses the need to consider public transport infrastructure as part of the development management process for any significant residential or commercial proposal. The zoning of the land and integration of land use planning at a settlement level will have</p> |

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
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| 3.5 Sustainable Travel and Transport | | |
| <p>(vii) Notes regarding Amendment no. 37 that flexibility in relation to car parking in certain circumstances may apply. Clarification is requested on how this might be applied. The NTA recommends an approach that caps car parking on an area wide basis should be considered. Furthermore, it is recommended that in order to determine the most appropriate level of parking provision within the maximum standards specified, criteria relating to public transport accessibility levels (PTLAS) and access to opportunities and Services (ATOS) should be applied, from which degrees of constraint can then be applied. Within the larger urban settlements this approach would be best supported by the preparation of LTP.</p> <p>(viii) Regarding Amendment no. 38 which facilitates flexibility in application of car parking standards in well-designed development in urban infill and brownfield development requests clarification on how this flexibility would be applied in determining parking provision. It should be explicitly stated that the intention is to allow for a reduced standard.</p> | | <p>been informed by the preparation of the ABTA as part of the statutory land use plan. Amendment no. 6 and 7 address same.</p> <p>(vii) It is not considered appropriate that criteria be applied as part of the Development Plan process as each site will require individual detailed consideration having regard to the nature of the development, location, site specific constraints, public transport availability etc. The Planning Authority will implement as appropriate best practice as maybe deemed appropriate as part of the development management process.</p> <p>(viii) Section 5.14 indicates that reduced car parking maybe considered in certain circumstances and further reference to same in Amendment 38 is not deemed necessary.</p> <p>Chief Executive's Recommendation The following minor amendments to be made:</p> <p>(i) Adopt Proposed Amendment no. 27 with Minor Amendment changing text from Department of Transport's forthcoming long-term investment framework for land transport to National Investment Framework for Transport in Ireland.</p> |

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
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| 3.5 Sustainable Travel and Transport | | |
| | | <ul style="list-style-type: none"> <li data-bbox="1234 491 2074 647">(ii) Adopt Proposed Amendment no. 30 with Minor Amendment to text from To carry out an ABTA / Local Transport Plan to "To prepare local transport plans, based on the Area Based Transport Assessment (ABTA) approach in consultation with NTA, TII, public transport providers and other relevant stakeholders. <li data-bbox="1234 683 2047 775">(iii) Adopt Proposed Amendment no. 31 with Minor Amendment to text changing from forthcoming Rail Freight Strategy to published Rail Freight Strategy. <li data-bbox="1234 810 2078 967">(iv) Adopt Proposed Amendment no. 33 with Minor Amendment to text omitting Iarnród Éireann and replacing with broader reference to public transport service providers "PT P2 Support transport agencies, including the NTA and public transport service providers and Iarnród Éireann in the provision of new public transport services...." |

Chapter 6: Infrastructure and Environmental Management

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
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| 3.6 Infrastructure and Environmental Management | | |
| 3.6.1 Water, Wastewater ,Surface Water and Flood Risk Management | | |
| <p>(i) In relation to amendment no. 40 for Section 6.4 in the Plan, IW would welcome inclusion of the following comment – <i>“Alternative solutions such as private wells or waste water treatment plants should not generally be considered by planning authorities. Irish Water will not retrospectively take over responsibility for developer provided treatment facilities or associated networks, unless agreed in advance. The opportunity may arise for the development to connect into the network in the future, however, the developer provided treatment facility would be not taken over by Irish Water”.</i></p> <p>(ii) In relation to amendment no. 41 for Section 6.5 of the Plan, IW welcome the inclusion of proposed text on the promotion of nature-based SuDS policies.</p> <p>(iii) In relation to amendment no. 42 for Section 6.5 of the Plan, IW would welcome the inclusion of the following text in red for Policy SW P5:</p> | C14-CLW-4 | <p>(i) Given the rural nature of the County it would not be appropriate to state that alternative solutions such as private wells or wastewater treatment plants would not generally be considered. Clarity on the circumstances on where private infrastructure may be considered is included in Section 6.4 of the Plan. In particular it indicates that shared private wastewater treatment plants for multi house developments will not be permitted. Where a development is to service a commercial / tourism use it must comply with a number of criteria including retaining the development in single ownership to ensure maintenance of the treatment plant into the future. The position regarding developer provided infrastructure and the policy of Irish Water can be included for clarity purposes. <i>Irish Water will not retrospectively take over responsibility for developer provided treatment facilities or associated networks, unless agreed in advance. The opportunity may arise for the development to connect into the network in the future, however, the developer provided treatment facility would be not taken over by Irish Water”.</i></p> <p>(ii) Noted</p> <p>(iii) Agreed. This is considered a minor amendment.</p> |

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
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| 3.6 Infrastructure and Environmental Management | | |
| <p><i>SW P5: Seek to minimise in as far as is practical the discharge of additional and existing surface water to combined (foul and surface water) sewers (in existing combined sewer serviced areas) in order to maximise the capacity of existing collection systems for foul water.</i></p> | | <p>Chief Executive's Recommendation Adopt Proposed Amendment 40 with Minor Amendment to Include footnote to Policy WT P1 which constitutes a minor amendment to clarify policy of Irish Water as follows: Note: - <i>Irish Water will not retrospectively take over responsibility for developer provided treatment facilities or associated networks, unless agreed in advance. The opportunity may arise for the development to connect into the network in the future, however, the developer provided treatment facility would be not taken over by Irish Water</i>".</p> <p>Adopt Proposed Amendment 42 with Minor Amendment to include reference to <i>and existing</i> in Policy SW P5 (Amendment no. 42) <i>SW P5: Seek to minimise in as far as is practical the discharge of additional and existing surface water to combined (foul and surface water) sewers (in existing combined sewer serviced areas) in order to maximise the capacity of existing collection systems for foul water.</i></p> |
| <p>Submission welcomes: Amendment no's. 41(SuDS) & 42 (SuDS) which provide further clarity on policies associated with Sustainable urban Drainage Systems.</p> | C14-CLW-7 | <p>Noted</p> <p>Chief Executive's Recommendation See Recommendation to submission from Regional Assembly Section 2.2.3.</p> |
| <p>Submissions support Amendment no. 47 (flood risk management – Objective FRO2.)</p> | C14-CLW-8 | <p>Noted</p> <p>Chief Executive's Recommendation No change. Adopt Proposed Amendment no. 47.</p> |

Chapter 7: Climate Action and Energy

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
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| 3.7 Climate Action and Energy | | |
| <p>Submission relates to the text of Section 7.10.1 and Amendment no. 51</p> <p>(Amendment No. 51) <i>Include additional text in green to Section 7.10.1 'Renewable Energy (page 160):</i></p> <p>7.10.1 Renewable Energy</p> <p><i>The potential for each renewable energy type in Carlow is dependent on the abundance of the natural resource available, along with environmental and infrastructural constraints and facilitators. The scale of developments can range from micro to large-scale, providing energy for a single dwelling, a commercial property, or being exported to the electricity grid for distribution. Renewable energy technologies can also be successfully co-located, or located alongside installations for energy storage, conversion, and grid stability. This approach can help enable greater penetration of renewable energy on the national grid, as well as integration of renewable electricity with transport and the gas grid. Renewable energy development decreases reliance on fossil fuels and imports, reducing greenhouse gas emissions and improving security of supply.</i></p> <p>for Chapter 7 addressing renewable energy developments, and details that:</p> <ul style="list-style-type: none"> ▪ There is no given context as to "large scale" and the nature of such developments, this statement is too open for interpretation. ▪ As the "Wind Energy Development Guidelines" are still in draft form it should not be stated that large scale renewable energy developments with energy storage facilities are an acceptable form of development. ▪ Where set back distances of renewable energies and battery storage facilities have not being addressed by government guidelines, such developments should not be endorsed until acceptable guidelines are | <p>C14-CLW-5</p> | <ul style="list-style-type: none"> ▪ The reference to "large-scale" in the text of Section 7.10.1 is intended in a broad sense and for general information purposes, so as to refer to the fact that renewable energy developments can for example apply in smaller domestic and commercial settings, or in larger scale settings for export to the electricity grid. ▪ The text of Section 7.10.1 does not confer any acceptance or otherwise of large-scale renewable energy developments with energy storage facilities. Instead, the text is intended for general information purposes on the potential of such developments. The matter of acceptability would be determined by detailed assessment on a case-by-case basis at project pre-application/application stage and in accordance with relevant prevailing policy, statutory guidelines, environmental criteria, and proper planning and sustainable development. ▪ Required set back distances from renewable energies and battery storage facilities would be determined by detailed assessment on a case-by-case at project pre-application/application stage and in accordance with relevant prevailing policy, statutory guidelines, environmental criteria, and proper planning and sustainable development. <p>Chief Executive's Recommendation</p> <p>No change. Adopt Proposed Amendment no. 51.</p> |

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
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| 3.7 Climate Action and Energy | | |
| issued which encompass renewable energies with co-location of energy storage. | | |
| OPW welcomes Amendment no. 56 regarding preparation of a SuDS Policy / Guidance document which will be adopted during the lifetime of this Plan. | C14-CLW-7 | Noted Chief Executive's Recommendation See Recommendation to submission from Regional Assembly Section 2.2.3. |
| <p>The following observations are made by the ESB:</p> <p>Makes reference to (inter alia) the provisions of the Climate Action Plan 2021, including legally binding target of net-zero greenhouse gas emissions no later than 2050, and a reduction of 51% by 2030, and critical measure that 80% of electricity will be generated by a mix of at least 5 GW offshore wind, up to 8 GW onshore wind and 1.5 - 2.5 GW from solar PV which represents significant change for the electricity industry and ESB.</p> <p>(Amendment No. 51) <i>Include additional text in green to Section 7.10.1 'Renewable Energy (page 160):</i></p> <p>7.10.1 Renewable Energy <i>The potential for each renewable energy type in Carlow is dependent on the abundance of the natural resource available, along with environmental and infrastructural constraints and facilitators. The scale of developments can range from micro to large-scale, providing energy for a single dwelling, a commercial property, or being exported to the electricity grid for distribution. Renewable energy technologies can also be successfully co-located, or located alongside installations for energy storage, conversion, and grid stability. This approach can help enable greater penetration of renewable</i></p> | C14-CLW-12 | Noted Chief Executive's Recommendation No change. Adopt Proposed Amendment no. 51 and 52. |

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
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| 3.7 Climate Action and Energy | | |
| <p><i>energy on the national grid, as well as integration of renewable electricity with transport and the gas grid. Renewable energy development decreases reliance on fossil fuels and imports, reducing greenhouse gas emissions and improving security of supply.</i></p> <p>(Amendment No. 52) <i>Insert additional new policy RE P2, Section 7.10.1 'Renewable Energy' (page 161), new text in green as follows:</i> Support the co-location of renewable energy technologies on a case-by-case basis subject to compliance with planning and environmental criteria.</p> <p><u>Proposed Amendment Nos 51, 52 and Appendix VI RES (6.8) – Co-location of Renewables</u></p> <ul style="list-style-type: none"> ▪ Welcome the proposed amendments in the written statement and reinforced in the Renewable Energy Strategy, including promoting objectives for the co-location of renewable technologies, and in this regard note that County Carlow is well served by the grid with an existing 220kV and 110kV transmission lines providing a high-capacity path for power to the East Coast, which is in addition to an extensive 38kV network. ▪ Supports Amendment No. 51 regarding additional text for the co-location of renewables and amendment No. 52 regarding new Policy RE P2 in Section 7.10.1 of the Plan, and notes that this is further reinforced in Section 6.8 of the Renewable Energy Strategy. ▪ Considers that the additional provisions strengthen a robust County Development Plan that provides a clear policy position for the consideration of renewable energy in land use planning. | | |

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
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| 3.7 Climate Action and Energy | | |
| <p>The submission refers to Amendment nos. 51 and 52 and notes the following:</p> <ul style="list-style-type: none"> ▪ Previous submission on the Draft Plan was made under Coillte Renewable Energy, and as per previous submission, there are significant concerns with the Draft Plan and its limited support for onshore wind development and the associated impacts of the Plan on achieving national renewable targets. ▪ The development of viable onshore wind sites in the County is largely curtailed by policy WE.P4, which states that wind farm development will not normally be permissible in Uplands and which eliminates all 'preferred' and 'open for consideration' sites in the current Plan, and considers that this a clear retrograde step in facilitating onshore wind in the County under the Draft Plan. ▪ Provision for potential development in the lowlands and potential repowering are key elements of the strategy to facilitate new onshore wind development, however it appears that this potential resource was also a feature of the current Plan. ▪ Believes that the above-noted retro-grade step proposed in the Draft Plan is contrary to obligations of the Council under the recent Climate Action and Low Carbon Development (Amendment) Act 2021. ▪ Believes that the Draft Plan, as it relates to onshore wind, is less ambitious than its predecessor and as such cannot be described as consistent with the most recent Climate Action Plan. | C14-CLW-21 | <p>The content of the submission does not reflect the particulars of Amendment nos. 51 or 52,</p> <p>(Amendment No. 51) <i>Include additional text in green to Section 7.10.1 'Renewable Energy' (page 160):</i> 7.10.1 Renewable Energy <i>The potential for each renewable energy type in Carlow is dependent on the abundance of the natural resource available, along with environmental and infrastructural constraints and facilitators. The scale of developments can range from micro to large-scale, providing energy for a single dwelling, a commercial property, or being exported to the electricity grid for distribution. Renewable energy technologies can also be successfully co-located, or located alongside installations for energy storage, conversion, and grid stability. This approach can help enable greater penetration of renewable energy on the national grid, as well as integration of renewable electricity with transport and the gas grid. Renewable energy development decreases reliance on fossil fuels and imports, reducing greenhouse gas emissions and improving security of supply.</i></p> <p>(Amendment No. 52) <i>Insert additional new policy RE P2, Section 7.10.1 'Renewable Energy' (page 161), new text in green as follows:</i> Support the co-location of renewable energy technologies on a case-by-case basis subject to compliance with planning and environmental criteria.</p> |

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
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| 3.7 Climate Action and Energy | | |
| <ul style="list-style-type: none"> ▪ Requests that the Council reconsider its position in relation to onshore wind prior to making and adopting the new Plan. ▪ Considers that in light of the ongoing Ukrainian conflict, security of supply considerations are arguably more important than ever before, and highlight the important role onshore wind can play in leveraging Ireland's uniquely strong wind resource. | | <p>The submission reiterates comments made in a previous submission received during the public consultation period for the Draft Plan, and therefore cannot be taken into account at this material amendments stage.</p> <p>It is considered that the technical assessment of strategic wind energy potential is clearly set out in the Draft RES. The wind energy target for Carlow in the Draft RES reflects the policy of the Council (Policy WE. P4) which seeks to take account of the visual sensitivity, scenic and amenity value of upland landscapes. Also, the target for wind must be balanced against the relatively ambitious solar targets for the county. It can therefore be argued that the landscape, topography, and solar energy resource in this part of Ireland makes an ambitious solar energy target a sensible strategy for Carlow.</p> <p>Chief Executive's Recommendation No change. Adopt Proposed Amendment no. 51 and 52.</p> |
| <p>Department of Environment Climate and Communications requests where possible the final CDP references the Climate Action Plan 2021 which has been published. Dept further welcomes amendment no's 51 and 52 supporting co-location of renewable technologies.</p> <p>Considers that Table 7.2 should be updated to 80% of electricity coming from renewable sources in compliance with the Climate Action Plan 2021. Furthermore, it is advised that consideration should be given to the amended "delivery action" at this line (which is to achieve up to 130MW capacity, representing 42% of current electricity in Carlow). In light of the increased ambition in the Climate Action Plan 2021, recommends the Council consider a</p> | C14-CLW-28 | <p>The content of the submission regarding the inclusion of references to the Climate Action Plan 2021 is noted and agreed.</p> <p>The recommendation in the submission for a correlating increase to the 130MW capacity "delivery action" does not reflect the particulars of Amendment nos. 51 or 52 and would result in a further or new material alteration to the provisions of the Plan, namely the content of the RES as supported by corresponding Objective RE. O1 in Chapter 7. A further such material amendment cannot be taken into account as this stage of the plan making process.</p> <p>Chief Executive's Recommendation</p> |

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
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| 3.7 Climate Action and Energy | | |
| <p>correlating increase in its ambition in respect of future use as expressed in this material alteration, in order to match the ambition of the national level plan.</p> | | <p>Include Minor Amendment to Amend Section 7.1 Policy Context in Chapter 7 to include new bullet point. New text to read as follows:</p> <ul style="list-style-type: none"> ▪ Climate Action Plan 2021 <p>Insert new subsection 7.5.5 in Chapter 7, new text to read as follows:</p> <p>Section 7.5.5 Climate Action Plan 2021 The Climate Action Plan 2021 provides a detailed plan for taking decisive action to achieve a 51% reduction in overall greenhouse gas emissions by 2030 and setting a path to reach net-zero emissions by no later than 2050. The Plan also builds on measures and technologies set out in the 2019 Plan and builds on them in order to deliver greater ambition.</p> <p>The Plan will put Ireland on a more sustainable path; cut emissions; create a cleaner, greener economy and society; and protect from the devastating consequences of climate change. It lists the actions needed to deliver on climate targets and sets indicative ranges of emissions reductions for each sector of the economy. The Plan will be updated annually to ensure alignment with our legally binding economy-wide carbon budgets and sectoral ceilings.</p> <p>Amend Policy CA. P1 in Chapter 7 to include additional bullet point. New text to read as follows:</p> <ul style="list-style-type: none"> ▪ Climate Action Plan 2021 |

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
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| 3.7 Climate Action and Energy | | |
| <p>Notes Amendment no. 81 inclusion of additional policy BH P6 (promoting awareness and the appropriate adaptation of the County's architectural and archaeological heritage to deal with the effects of climate change and suggests in support of same Table 7.2 of Chapter 7 is reviewed to ensure policy commitment is fully reflected there also.</p> | C14-CLW-33 | <p>Noted and agreed.</p> <p>Chief Executive's Recommendation Adopt Amendment No 81 with Minor Amendment to text of Table 7.2 as relating to Chapter 10 Natural and Built Heritage to include an additional bullet point to take account of Policy BH. P6 under Amendment 81. New text to read as follows: Promotes awareness and the appropriate adaptation of the County's architectural and archaeological heritage to deal with the effects of climate change.</p> |
| <p>The submission addresses Amendment No. 51 and notes the following:</p> <ul style="list-style-type: none"> ▪ Supports in part Amendment 51 relating to additional text in Section 7.10.1 regarding 'Renewable Energy' and the co-location of renewable energy technologies. ▪ Considers that the Plan does not adequately support the development of onshore wind developments and fails to implement national policy, and particularly in relation to Policy WE. P4 which notes that wind farm development will not normally be permissible in 'Uplands' in the county. ▪ Notes that the wind opportunity mapping exercise mostly highlighted potential areas for wind development within the no go 'Upland' areas. ▪ Supports the desire to increase the county's solar energy output, noting that the aspiration to development solar energy should not disadvantage the potential development of wind energy and that the Climate Action Plan 2021 states that a balance of technology solutions is required. ▪ Asks that the Council reconsider their current onshore wind policy provision prior to adopting the proposed plan. | C14-CLW-35 | <p>The support for Amendment no. 51 to <i>include additional text in green to Section 7.10.1 'Renewable Energy (page 160)</i> is welcomed;</p> <p><i>7.10.1 Renewable Energy</i> <i>The potential for each renewable energy type in Carlow is dependent on the abundance of the natural resource available, along with environmental and infrastructural constraints and facilitators. The scale of developments can range from micro to large-scale, providing energy for a single dwelling, a commercial property, or being exported to the electricity grid for distribution. Renewable energy technologies can also be successfully co-located, or located alongside installations for energy storage, conversion, and grid stability. This approach can help enable greater penetration of renewable energy on the national grid, as well as integration of renewable electricity with transport and the gas grid. Renewable energy development decreases reliance on fossil fuels and imports, reducing greenhouse gas emissions and improving security of supply.</i></p> |

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
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| 3.7 Climate Action and Energy | | |
| <ul style="list-style-type: none"> Notes that since the last publication on the Plan there has been a notable shift in the national/global dialogue on the need for renewable energy, referring to the invasion of the Ukraine by the Russian Federation which has caused the EU and the Irish Government to double down on our transition to renewable energy. | | <p>The remainder of the content of the submission does not reflect the particulars of the amendment or any other amendments, and therefore cannot be taken into account at this material amendments stage.</p> <p>It is considered that the technical assessment of strategic wind energy potential is clearly set out in the Draft RES. The wind energy target for Carlow in the Draft RES reflects the policy of the Council (Policy WE. P4) which seeks to take account of the visual sensitivity, scenic and amenity value of upland landscapes. Also, the target for wind must be balanced against the relatively ambitious solar targets for the county. It can therefore be argued that the landscape, topography, and solar energy resource in this part of Ireland makes an ambitious solar energy target a sensible strategy for Carlow.</p> <p>Chief Executive's Recommendation No change. Adopt Proposed Amendment no. 51.</p> |
| <p><u>Geological Survey of Ireland</u>: Welcomes inclusion of amendment no. 54 referencing "An Assessment of Geothermal Energy for District Heating in Ireland" document and groundwater policies and drinking water protection plans. Recommends the ongoing use of GSI Groundwater maps and datasets. Also references that the proposed CDP should consider Groundwater Protection Schemes for Groundwater Protection.</p> | C14-CLW-33 | <p>Noted</p> <p>Chief Executive's Recommendation No change. Adopt Proposed Amendment No. 54.</p> |

Chapter 8: Community Development

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
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| 3.8 Community Development | | |
| 3.8.1 Education | | |
| <p>(i) Department of Education states that the proposed changes in projected populations in the Core Strategy Table are relatively minor so they do not alter the education requirements for the various settlements.</p> <p>(ii) Department of Education notes and welcomes the proposed amended text in Section 8.10 'Education Facilities' in regard to Policy EF. P2 (land buffers) and Policy EF. P6 (special educational needs).</p> | C14-CLW-15 | <p>Noted</p> <p>Chief Executive's Recommendation No change. Adopt Proposed Amendment no. 59.</p> |

Chapter 9: Landscape and Green Infrastructure

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
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| 3.9 Landscape and Green Infrastructure | | |
| 3.9.1 Green Infrastructure | | |
| <p>Submission supports Amendment no. 65</p> <p>(Amendment No. 65) Insert additional text in green to Policy GI P7 , Section 9.11 'Green Infrastructure Policies' (page 230) as follows:- GI P7: Promote a network of walking and cycling trails to enhance accessibility to the County's green infrastructure network, and ensure such proposals are subject to feasibility (including alternatives to the use of existing green infrastructure) and route/site selection processes so that impacts to biodiversity and nature conservation interests are avoided'.</p> | C14-CLW-8 | <p>Noted</p> <p>Chief Executive's Recommendation No change. Adopt Proposed Amendment no. 65.</p> |
| <p>The submission requests in relation to Amendment 64 that the addition of 'Blue' infrastructure be removed at this late stage of the Plan, and notes that:</p> <ul style="list-style-type: none"> ▪ Blue Infrastructure and Green Infrastructure are different, and the addition of this definition is not acceptable at this stage in the plan. ▪ There has been no chance to comment on and interrogate the inclusion of "Blue" Infrastructure in the Plan in this section titled 'Benefits of Green Infrastructure'. ▪ The Department noted " <i>It should be acknowledged that in order to achieve CDP Green Infrastructure policy objectives, it will be necessary to map existing and proposed Green Infrastructure and ecological corridors (both existing and</i> | C14-CLW-36 | <p>(Amendment No. 64) recommends inserting additional text in green to Section 9.10 'Benefits of Green Infrastructure' (page 228) as follows:- Section 9.10 Benefits of Green and Blue Infrastructure Green and blue infrastructure is essentially the green spaces and the water environment.</p> <p>Chapter 9 addresses Green Infrastructure which is a broad term which includes natural and semi natural areas. Section 9.9 indicates that potential green infrastructure includes among other areas natural and semi-natural areas e.g. rivers, wetlands, flood plains etc. The chapter identifies the important benefits of both Green and Blue Infrastructure to people, including the provision of clean water, better health and human wellbeing, flood alleviation and enhanced biodiversity through improved habitats for wildlife. The Amendment clarifies the content of the section and is not introducing a new concept. GI O1 further indicates that it is an objective of the Council to '<i>Prepare a Green Infrastructure Strategy for County Carlow in accordance with</i></p> |

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
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| 3.9 Landscape and Green Infrastructure | | |
| <p><i>proposed) at a settlement plan level as well as at a county level."</i></p> <p>It would also be necessary to map Blue Infrastructure.</p> <ul style="list-style-type: none"> ▪ Links between Green and Blue Infrastructure have not been open to public submissions and consultation. | | <p><i>international best practice and in partnership with key stakeholders and the public".</i></p> <p>Accordingly, engagement / public participation will be facilitated as part of this strategy.</p> <p>Chief Executive's Recommendation</p> <p>No change. Adopt Proposed Amendment no. 64.</p> |

Chapter 10: Natural and Built Heritage

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
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| 3.10 Natural and Built Heritage | | |
| 3.10.1 Built Heritage | | |
| Submission accepts proposal to remove CT 93 and CT 94 (Shamrock Square) from the Record of Protected Structures (Ref: Amendment no's 82 and 83). | C14-CLW-6 | Noted Chief Executive's Recommendation No change. Adopt Proposed Amendment no. 82. |
| Notes Amendment no. 81 which provides for the inclusion of additional policy BH P6 (promoting awareness and the appropriate adaptation of the County's architectural and archaeological heritage to deal with the effects of climate change). | C14-CLW-33 | Noted Chief Executive's Recommendation No change. Adopt Proposed Amendment no. 81. |
| Welcomes two additional policy commitments AH 9 and AH 10 (Amendment no. 89 and 90) supporting community archaeology projects / initiatives and to support the appropriate incorporation of recorded monuments within the public realm / amenity spaces (with permanent management and conservation plans). | C14-CLW-33 | Noted Chief Executive's Recommendation No change. Adopt Proposed Amendment no. 89 and 90. |

Chapter 11: Tourism and Recreation

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
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| 3.11 Tourism and Recreation | | |
| 3.11.1 Outdoor Recreation | | |
| <p>The Department submission notes Amendment no 102, "<i>R P12: Support the development and promotion of the Turas Columbaus as part of the Columban Way Walk, including appropriately designed and located signage, and in collaboration with adjoining local authorities and key stakeholders as appropriate</i> and potential to affect the integrity of the SACs. Recommends further details of Turas Columbanus should be included in the CDP including where possible a map showing an indicative route. The Department considers that this long-distance route has the potential to have significant negative effects on other sensitive ecological receptors both within and outside the county. The Dept advises that environmental assessments (screening for AA and Ecological Impact Assessment) must be carried out in advance of any works taking place to develop this route. This should be specified in the CDP and SEA Environmental Report.</p> | C14-CLW-33 | <p>While the content of this submission is noted it is considered that the Plan incorporates policy provision to ensure appropriate environmental assessments are carried out . Ref amendment no's 68, 69, 70, 74 and 75.</p> <p>Section 10.3 Natura 2000 Sites (Amendment No. 68) Amend Policy NS. P2 , Section 10.3 'Natura 2000 Sites - Policies'' (page 236):- deleted text in red new text in green as follows:- NS P2: Screening for Appropriate Assessment and if required Appropriate Assessment is undertaken for all plans to be adopted and projects to be granted permission/authorised by the Council. Where likely significant effects have been identified in respect of any plan or project not directly connected with or necessary to the management of a Natura 2000 site, either individually or in combination with other plans or projects, ensure appropriate assessment, in accordance with Article 6(3) and 6(4) of the Habitats Directive. is carried out in respect of any plan or project not directly connected with or necessary to the management of a Natura 200 site in order to determine that there will not be adverse impacts on a Natura 2000 site, either individually or in combination with other plans or projects which may give rise to significant, cumulative, direct, indirect or secondary impacts on Natura 2000 sites will not be permitted unless for reasons of overriding public interest. The Council shall only agree to the plan or project after having ascertained that it will not adversely affect the integrity of the site concerned, unless the plan or project is subject to the provisions of Article 6(4) of the Habitats Directive.'</p> |

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
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| 3.11 Tourism and Recreation | | |
| | | <p>(Amendment No. 69) Amend Policy NS. P3 , Section 10.3 'Natura 2000 Sites - Policies'' (page 236):- deleted text in red, new text in green as follows:- NS P3: Prevent development that would adversely affect the integrity of any Natura 2000 site located within or immediately adjacent to the county and protect and maintain favourable conservation status for habitats and protected species, including those listed under the Birds Directive, the Wildlife Act 1976 (as amended), Flora (Protection) Order (or other such Orders), and the Habitats Directive. Consider impacts within a plan or project's zone of influence, which may include Natura 2000 sites outside the County, when assessing whether a plan or project is likely to have significant effects on Natura 2000 sites'.</p> <p>(Amendment No. 70) Insert additional new policy NS. P4: Section 10.3 'Natura 2000 Sites - Policies'' (page 237) as follows: NS P4: Maintain or restore the favourable conservation status of County's Natura 2000 sites qualifying interest habitats and species.</p> <p>Section 10.5 Non- Designated Areas, Habitats and Species (Amendment No. 74) Insert additional text in green to Section 10.5 'Non- Designated Areas, Habitats and Species' (page 240) as follows:- 10.5 Non-Designated Areas, Habitats and Species There are wildlife habitats in County Carlow that are important on a county and local basis, acting as stepping stones in a wider ecological network. These wildlife habitats can include rivers and riverbanks, ponds, wetlands, peatlands, small woods and hedgerows, which are essential to the migration, dispersal and genetic exchange of wild species. Article 10 of the Habitats Directive states that Member States shall endeavour in their land use planning and development policies, to encourage the management of features of the landscape which are of major importance for wild flora and fauna.</p> |

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
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| 3.11 Tourism and Recreation | | |
| | | <p>The protection of habitats and species in County Carlow is not confined to areas designated for nature conservation, such as Natura 2000 sites or Natural Heritage Areas (NHAs). The protection afforded by law to certain plant, animal, and bird species also applies wherever they are found. This includes animals and birds listed in the Wildlife Act 1976 (as amended), the Birds Directive 1979, and the Habitats Directive 1992, as well as plant species listed in the Flora (Protection) Order 2015 (or other such Orders). The Council recognises that certain plant, animal and bird species are becoming rare and threatened.</p> <p>The assessment of potential impacts on biodiversity in non-designated areas (and in areas designated for nature conservation) can be facilitated through the preparation of Ecological Impact Assessment (EclA). Where development proposals are not subject to Environmental Impact Assessment (EIA) or Appropriate Assessment (AA), potential impacts on biodiversity can be best assessed through EclA. An EclA will be required for any development proposal likely to have a significant impact on rare and threatened species including species protected by law and their habitats. The Chartered Institute of Ecology and Environmental Management (CIEEM) published '<i>Guidelines for Ecological Impact Assessment in the UK and Ireland (2018)</i>', which can be accessed at www.cieem.net</p> <p>Strict protection under the Habitats Directive applies to the species listed in Annex IV of that Directive, including plant and animal species. Annex IV includes all bat species and the European Otter. Where Annex IV species are present, measures to avoid damage and disturbance to them must be taken into account in the formulation of proposals for development. Where the risk of damage or disturbance is unavoidable, an application for a derogation licence may be made to the Minister for Housing, Local Government and</p> |

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
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| 3.11 Tourism and Recreation | | |
| | | <p>Heritage under Regulation 54 of the European Communities (Birds and Natural Habitats) Regulations 2011 to 2021. It must outline all the alternative solutions considered and indicate which of the reasons listed in the legislation cover the application and also include all suggested mitigation measures. The Council will fulfil its duties in relation to the strict protection afforded to species listed in Annex IV of the Habitats Directive and associated national derogation licencing requirements.</p> <p>(Amendment No. 75) Amend Policy ND. P2 , Section 10.5 'Non-Designated Areas, Habitats and Species - Policies'' (page 240):- deleted text in red, new text in green as follows:-</p> <p>ND. P2: Ensure that development does not have a significant adverse effect on rare and threatened species, including those listed in the Wildlife Act 1976 (as amended), the Birds Directive 1979, the Habitats Directive 1992, and the Flora (Protection) Order 1995, their breeding places, resting places, habitat or environment, as applicable, including those protected under the Wildlife Acts 1976 to 2021, the Birds Directive (2009/147/EC), the Habitats Directive (92/43/EEC) and including plant species listed on the Flora (Protection) Order 2015 (S.I. No. 356 of 2015)'</p> <p>However, in the interests of clarity, it is considered that reference can be made to the requirement for screening for Appropriate Assessment and Ecological Impact Assessment) must be carried out in advance of any works taking place to develop this route.</p> |

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
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| 3.11 Tourism and Recreation | | |
| | | <p>Chief Executive's Recommendation Adopt Proposed Amendment no. 102 with minor amendment to include the following text: Screening for Appropriate Assessment and Ecological Impact Assessment) must be carried out in advance of any works taking place to develop this route.</p> |
| 3.11.2 Greenways and Blueways | | |
| <p>The submission reference numbers listed/grouped here relate to some / all the concerns regarding Amendment 98 as relating to the provisions of Section 11.6 of the Plan for Greenways and Blueways. The content of these submissions address issues and concerns regarding reference to blueway plans for the River Barrow, consultation with Waterways Ireland, the development of a hard surface along the towpath of the River Barrow, the protection of the River Barrow as a natural amenity and designated Special Area of Conservation, the right of public participation, and the Aarhus Convention. The submissions can therefore be grouped and summarised as follows:</p> <ul style="list-style-type: none"> ▪ Opposition to inclusion of Amendment 98. ▪ Remove additional text "<i>and in collaboration with adjoining local authorities and stakeholders as appropriate</i>". ▪ Section 11.6 should be changed and/or omitted, because inclusion: ▪ will green light a new Blueway plan for the River Barrow, when Waterway's Ireland Barrow Blueway Proposal was already refused by the local Authority and An Bord Pleanála; | <p>CLW-C14-9 CLW-C14-10 CLW-C14-11 CLW-C14-14 CLW-C14-16 CLW-C14-17 CLW-C14-18 CLW-C14-19 CLW-C14-20 CLW-C14-22 CLW-C14-23 CLW-C14-24 CLW-C14-25 CLW-C14-27 CLW-C14-29 CLW-C14-31 CLW-C14-32 CLW-C14-36</p> | <p>Amendment No. 98 includes additional text in green as outlined hereunder;</p> <p>(Amendment No. 98) Insert additional text in green to Policy GB P3, Section 11.6 'Green and Blueway – Policies' (page 272) as follows: GB P3: Support the development of a tourism masterplan for the River Barrow, and in collaboration with adjoining local authorities and stakeholders as appropriate, which sets out an integrated framework for tourism development along the River Barrow.</p> <p>This text facilitates collaboration with adjoining authorities and stakeholders in the preparation of a tourism masterplan for the river Barrow. The intention of the masterplan is to guide in a collaborative manner the sustainable tourism development of the Barrow for County Carlow and adjoining counties. This will consider the potential of harnessing the opportunities arising from the Barrow's natural and cultural assets in a sustainable manner. The tourism masterplan will be underpinned by environmental considerations and any development proposals arising will be considered in the context of environmental protections which exits and biodiversity considerations. Such considerations are provided for in the Plan</p> |

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
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| 3.11 Tourism and Recreation | | |
| <ul style="list-style-type: none"> ▪ will be against the public submission (individuals and groups) to the CDP consultations and the Aarhus Convention which gives the right of public participation in environmental decision-making, and the right to review procedures to challenge public decisions that have been made without respecting the rights of the Aarhus convention or environmental law in general ("access to justice"). ▪ Support biodiversity by keeping the Barrow the way it is, protect it for future generations, and use it to teach children about biodiversity and the environment. ▪ Beautiful natural walkway should be left alone. ▪ Amendment 98 would be detrimental to biodiversity, would contrary to preserving the SAC, and there are serious difficulties with flooding on the Barrow Track. ▪ Barrow Blueway has already been refused permission by the Planning Authority and An Bord Pleanala. ▪ Overwhelming number of submissions are against the writing of a Barrow Blueway into the Plan. ▪ Including a plan to facilitate a Waterways Ireland Barrow Blueway on the River Barrow SAC in the County Development Plan 2022-28 ignores section 12(11) of the Planning and Development Act 2000 (as amended). ▪ Public's contributions on submissions to the Draft Plan calling for changes to Section 11.6 have been dismissed. ▪ Absolute disgrace that plans to ruin Barrow path may even be contemplated the Council and all involved should work with protection groups to find a balanced Plan. | | <p>and associated amendments to Chapter 10 Natural and Built Heritage. Public participation will also inform the preparation of any forthcoming Masterplan.</p> <p>Chief Executive's Recommendation No change. Adopt Proposed Amendment no. 98.</p> |

Chapter 12: Urban Design and Placemaking

Note: No Amendments proposed.

Chapter 13: Rural Design Guidelines

Note: No submissions received on Amendments other than that previously summarised in Part 2 (Southern Regional Assembly submission)

Chapter 14: Rural Development

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
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| 3.14 Rural Development | | |
| 3.14.1 Rural Enterprise | | |
| <p>TII request cross-referencing in Sections such as Rural Enterprise categories and Retailing in Rural Areas referring to Policy NR. P2 of the Draft Plan to avoid the creation of any new direct access points from development or the generation of increased traffic from existing accesses to the national road network to which speed limits greater than 50 km/h apply, in accordance with the DoECLG Spatial Planning and National Roads Guidelines.</p> | C14-CLW-3 | <p>While the request is noted it is considered that the provisions of NR P2 is appropriately located in Chapter 5 Sustainable Travel and Transportation and will apply to development proposals within rural areas seeking to access the national road network and is appropriately referenced in Chapter 5. This submission / comment does not relate to a specific amendment.</p> <p>Chief Executive's Recommendation No change.</p> |

Chapter 15: Town and Village Plans / Settlement Boundaries

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
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| 3.15 Town and Village Plans / Settlement Plans | | |
| 3.15.1 General | | |
| Submission supports amendment no's 107, 115, 120, 123, 126, 133, 136, 141, 145, 149, 153, 161 and 162 incorporating flood risk mitigation measures into the relevant settlement plans. | C14-CLW-7 | Noted Chief Executive's Recommendation No change. Adopt Proposed Amendments no's 107, 115, 120, 123, 126, 133, 136, 141, 145, 149, 153, 161 and 162. |
| 3.15.2 Carlow Town | | |
| <p><u>Amendment No. 109 – Zoning Boundary Realignment</u></p> <p>Welcome the proposed realignment of the zoning boundaries to classify the proposed site extension area as the same zoning objective as the existing Lidl, which also reflects the pre-existing commercial nature of the area of the proposed site extension.</p> <p>The proposed designation / zoning of the extended Lidl site at Tullow Road as a Neighbourhood Centre is (conditionally) welcomed, subject to further revisions. In the absence of further revisions, the submission requests that the previous zoning objective of Commercial / Residential be reinstated in the adopted plan (maintaining the boundary realignment),</p> <p>Due to the nature of the proposed restrictions on the Neighbourhood Centre objective the submission considers that maintaining the Commercial / Residential zoning objective on the (extended) site would be more appropriate, unless the proposed restrictions on the Neighbourhood Centre objective are addressed.</p> | C14-CLW-13 | <p>The CE Report on the Draft Plan considered the issues pertaining to overall floor areas for neighbourhood centres and noted <i>The Retail Planning Guidelines, 2012</i> define Neighbourhood Centre as: "Comprising a small group of shops, typically comprising newsagent, small supermarket/general grocery store, sub-post office and other small shops of a local nature serving a small, localised catchment population." <i>The limit of 1,200 sqm net floorspace contained in the Draft Development Plan for a convenience supermarket in a Neighbourhood Centre is considered to align with a 'small supermarket' to serve a localised catchment as per the stated provisions of the Retail Planning Guidelines, 2012.</i> While it is noted that the designation of the site to neighbourhood centre was requested at the draft stage the restriction on overall floor area of 1200sqm is outlined as currently being exceeded on the subject site. Having regard to same it is considered appropriate to revert to the Draft Plan Zoning of Commercial / Residential to include the small extended area subject to Amendment no. 109. Any future application on this site will be considered in the context of the Retail Planning Guidelines 2012 (or as may be updated), the polices as contained within Chapter 4 pertaining to Retail and site-specific</p> |

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| 3.15 Town and Village Plans / Settlement Plans | | |
| | | <p>considerations which may apply in accordance with the proper planning and sustainable development of the area.</p> <p>Chief Executive's Recommendation</p> <ul style="list-style-type: none"> (i) Not to Adopt Proposed Zoning Amendment No. 109 to Neighbourhood Facilities / Centre (i.e. revert to commercial / residential as per Draft Plan). (ii) Adopt Proposed enlarged site subject to minor Amendment to include the extended area as commercial / residential. |
| 3.15.3 Carlow Environs – New Acre | | |
| <p>Submission from the OPW notes that alteration number 112 zones a previously un-zoned area in Flood Zones A and B as less vulnerable Industrial. As part of the updated SFRA, a Plan Making Justification Test has been carried out for this alteration, which has not been passed. The OPW recommend not zoning land for vulnerable uses in flood risk areas that have not passed a Justification Test.</p> <p>The Department of Housing, Local Government and Heritage express concerns regarding zoning of land for industry at New Acre within the floodplain of the River Barrow and River Nore SAC. Potential impacts of this proposed material alteration include loss of floodplain resulting, inter alia, in indirect negative water quality effects. Notes also that site failed Part 1 and 2 of the justification test. The SEA recommends that this amendment not be adopted.</p> <p>Irish Water note that a sequential approach should be adopted when zoning lands for development regarding a number of sites including lands at New Acre subject of this Amendment.</p> | <p>C14-CLW-7</p> <p>C14-CLW-33</p> <p>C14-CLW-4</p> | <p>See previous response and recommendation of the Chief Executive, in response to recommendation no. 3 of the OPR.</p> |

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
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| 3.15 Town and Village Plans / Settlement Plans | | |
| 3.15.4 Rathvilly | | |
| <p><u>Amendment 116</u>. Irish Water note that a sequential approach should be adopted when zoning lands for development regarding a number of sites including lands at Ard Bhaile subject of Amendment 116.</p> | C14-CLW-4 | <p>This site comprises part of an unfinished estate and in this circumstance, it is considered that the allocation of a further 16 no. units to this site is appropriate for a number of reasons:</p> <ul style="list-style-type: none"> • Investment to date in the infrastructure on site • The need to improve the residential amenities of properties already within the estate. • Public safety considerations • Visual amenity of the settlement. • And the objective to complete the estate to a satisfactory standard within a reasonable timeframe. <p>Chief Executive's Recommendation No change. Adopt Proposed Amendment no. 116.</p> |
| <p><u>Amendment No. 117</u>: DAU notes that the rezoning of land in Rathvilly from open space and amenity to community / education includes a watercourse which is hydrologically connected to the SAC. The dept recommends that a buffer of open space be retained along this stream and around the location of the nearby spring feature. This measure it is stated is required in order to protect downstream water quality within the SAC, to conserve Rathvilly's green infrastructure and to protect this ecological corridor.</p> | C14-CLW-33 | <p>A number of policy provisions currently exist in the Plan in particular Section 10.7 Inland Waters and Riparian Zones which will ensure appropriate set back from the Stream and Appropriate Assessment and Ecological Assessment as required informs any planning decisions associated with this land use zoning.</p> <p><i>IW P2: Ensure that the County's watercourses are retained for their biodiversity and flood protection values and to conserve and enhance where possible, the wildlife habitats of the County's rivers, streams and riparian zones, including those which occur outside of designated areas, in order to provide a network of habitats and biodiversity corridors throughout the County.</i></p> |

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| 3.15 Town and Village Plans / Settlement Plans | | |
| | | <p><i>IW P3: Control the encroachment of development on watercourses and riparian zones and provide for protection measures to watercourses and their banks, including but not limited to: the prevention of pollution of the watercourse, the protection of the river bank from erosion, the retention and/or provision of wildlife corridors and the protection from light spill in sensitive locations, including during construction of permitted development.</i></p> <p><i>IW P4: Require the submission of an Ecological Impact Assessment, where deemed necessary (and where necessary an Appropriate Assessment where in relation to Natura 2000 sites), including bat and otter surveys, for development proposals along rivers, streams and canal corridors and areas of ecological importance.</i></p> <p><i>IW P5: Maintain a biodiversity protection (buffer) zone of not less than 10 metres from the top bank of all watercourses in the County, with the full extent of the protection zone to be determined on a case by case basis by the Planning Authority, based on site specific characteristics and sensitivities and consultation with Inland Fisheries Ireland</i></p> <p>It is considered that a minor amendment can be included to ensure that as part of any development on this site, sufficient Open Space (informed by an ecological study) should be retained as a buffer on either side of the watercourse and around the location of the nearby spring feature.</p> <p>Chief Executive's Recommendation Adopt Proposed Amendment no. 117 subject to Minor Amendment with inclusion of text as follows: As part of any development on this site, sufficient Open Space (informed by an ecological study) should be</p> |

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
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| 3.15 Town and Village Plans / Settlement Plans | | |
| | | retained as a buffer on either side of the watercourse and around the location of the nearby spring feature. |
| <p><u>Amendment No. 118</u>: Notes that the rezoning of agriculture to enterprise and employment in Rathvilly includes an area of indicative Pluvial Flooding in the SFRA and recommends that a new corresponding specific objective is included that any development includes compensatory pluvial flooding retention areas such as through the incorporation of sufficient and appropriate nature-based above ground SuDS measures.</p> | C14-CLW-33 | <p>Section 4.4.4 of the SFRA (Vol 2- Appendix III) addresses Pluvial Flooding and states <i>The PFRA study considered pluvial flood risk and produced a national set of pluvial flood maps. This dataset was reviewed and used to identify development areas at particular risk of surface water. However, the level of detail contained in the PFRA map, and the widespread distribution of areas at risk did not allow a commentary relating to pluvial flood risk to be developed, or for particularly high-risk areas to be identified. Instead, an overall strategy for the management of pluvial risk is presented and should be implemented across all development proposals. This, and recommendations for the assessment of surface water risks, are provided in the Flood Risk Management Policy section. As advised in the SFRA pluvial flood risk can be managed in line with approved CCCDP Policy and the guidance provided within Section 6 of this SFRA.</i></p> <p>Chief Executive's Recommendation No change. Adopt Proposed Amendment no. 118.</p> |
| 3.15.5 Leighlinbridge | | |
| <p><u>Amendment 120</u>: Submission supports Amendment 120 incorporation of flood risk mitigation measures for Leighlinbridge</p> | C14-CLW-8 | <p>Noted</p> <p>Chief Executive's Recommendation No change. Adopt Proposed Amendment no. 120.</p> |

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
|--|------------------|--|
| 3.15 Town and Village Plans / Settlement Plans | | |
| <p>Amendment no. 120 (3)- Leighlinbridge regarding enterprise and employment land (Arboretum) would benefit from inclusion of text to highlight that less vulnerable development is not appropriate in Flood Zone A.</p> | C14-CLW-7 | <p>Amendment no. 120(3) indicates that any development of the site should be subject to an FRA which should follow the general guidance provided in Section 6 of the SFRA. Section 6 of the SFRA outlines very detailed development management considerations regarding applications in Flood Zones A and B. Furthermore, compliance with the Planning System and Flood risk Management Guidelines would also be required. Accordingly, further reference in the policy is not deemed necessary as it is appropriately covered in the Plan and SFRA.</p> <p>Chief Executive's Recommendation No change. Adopt Proposed Amendment no. 120.</p> |
| <p><u>Amendment No. 121</u> Objects to rezoning of land on Milford Road from agriculture to Strategic Reserve. The grounds of objection relate to:</p> <ul style="list-style-type: none"> (i) Sufficient lands available (L1-L5) within the criteria of sustainability allowing for proper planning with a balanced approach to urban development, development of infrastructure and compliance with DMURS and the advisory note. (ii) Development of the lands would require footpaths and cycle land along the Milford Road which is very narrow and could not cater for the requisite footpaths and cycle lanes in accordance with DMURS. (iii) Challenge in the provision of a sight line in accordance with statutory requirements from a housing development. (iv) Suggests that a more balanced approach to the development of Leighlinbridge would be to consider lands to the eastern side of the River Barrow given the location of the primary school and the land in and around the old factory. | C14-CLW-8 | <p>The lands identified in this submission Amendment No 121 are recommended as Strategic Reserve and are not zoned for residential development during the period of this Development Plan.</p> <p>Chapter 16 Table 16.9 states <i>"Regarding lands included in the 'Strategic Reserve' land bank, it is important to highlight that the inclusion of such lands will not in any way infer a prior commitment on the part of the Council regarding their future zoning in a subsequent development plan. Such a decision will be considered within the framework of national and regional population targets applicable at that time and proper planning and sustainable development"</i>.</p> <p>Accordingly, the appropriateness of any future residential zoning including any site-specific constraints which pertain at that time will be considered and subject to further consultation as part of the next statutory Development Plan process.</p> |

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
|---|------------------|--|
| 3.15 Town and Village Plans / Settlement Plans | | |
| <p>(v) Suggests that zoning of the site strategic reserve would be contrary / non-compliant with a number of policies i.e. LB P8 (maximising spin offs from the Arboretum with improved pedestrian connectivity to the town centre), LB P16 (ensuring growth is balanced and sustainable and appropriate in scale, size and character), LB 13 (promoting development of walkways and cycleways), LB P14 (encourage and facilitate reuse and regeneration of Ballyknockan Manor and Friars Lough), LB P15 (supporting and encouraging residential development on new residential land, underutilised and or vacant lands...), LB P24 (protect individual trees, groups of trees, hedgerows and stone walls in so far as possible).</p> <p>It is submitted that there is no room for a strategic reserve but that there is clearly adequate provision within the current infrastructure and services to develop zoned sites (L1-L5).</p> <p>Reference is also made to previous objections including access through a private lane, the unavailability of a sight line, current level of traffic and lack of space to introduce a footpath and cycle lane.</p> | | <p>It is acknowledged that sufficient land has been zoned to accommodate development as identified in the Core Strategy and given that the lands will not be subject to residential development under the period of this Plan, it is considered that the designation of the site as Strategic Reserve would not be contrary to the provisions of the Leighlinbridge Plan as contained in the Draft Development Plan.</p> <p>Chief Executive's Recommendation No change. Adopt Proposed Amendment no. 121.</p> |
| <p><u>Amendment No 121</u>: Irish Water note that a sequential approach should be adopted when zoning lands for development regarding a number of sites including lands at Amendment No 121 (Strategic Reserve).</p> | C14-CLW-4 | <p>As outlined above the lands are not zoned for residential development under this Plan but may be considered in a subsequent development plan. Such a decision will be considered within the framework of national and regional population targets applicable at that time and proper planning and sustainable development of the area.</p> <p>Chief Executive's Recommendation As above.</p> |

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
|---|-------------------|--|
| 3.15 Town and Village Plans / Settlement Plans | | |
| 3.15.6 Ballon | | |
| <p><u>Amendment No. 123</u>: The OPW note that a Plan Making Justification Test has been carried out for the Community & Education zoned lands at the Garda station in Ballon and the mitigation measures outlined have been incorporated into the plan in amendment number 123(3) . This Justification Test has been passed on the basis that any future development must be subject to an FRA which must specifically address, among other items, that the sequential approach be applied, and any extension of the Garda station must not encroach into Flood Zone A or B. The submission notes that the lands in Flood Zone A and B are currently undeveloped lands between the Garda Station and the river. Submission recommends that consideration might be given to altering the wording in the amendment to clarify that this applies to any highly vulnerable development in Flood Zones A or B, and any less vulnerable development in Flood Zone A.</p> | C14-CLW-7 | <p>Amendment no. 123(3) indicates that any development of the site should be subject to an FRA which should follow the general guidance provided in Section 6 of the SFRA. Section 6 of the SFRA outlines very detailed development management considerations regarding applications in Flood Zones A and B. Furthermore, compliance with the Planning System and Flood risk Management Guidelines would also be required. Accordingly, further reference in the policy is not deemed necessary as it is appropriately covered in the Plan and SFRA.</p> <p>Chief Executive's Recommendation No change. Adopt Proposed Amendment no. 123.</p> |
| <p><u>Amendment No 124</u>: Irish Water note that a sequential approach should be adopted when zoning lands for development regarding a number of sites including lands at Amendment No 124 (New Residential and Strategic Reserve). The site is located to the west of Ballon Village, immediately adjoining The Oaks housing development, and is accessed from a local road (the L3035).</p> | C14-CLW-4 | See previous Response and Recommendation to OPR Recommendation no. 1. |
| 3.15.7. Borris | | |
| <p><u>Amendment no.126</u>: Notes the proposed amendment to Section 15.3.4.18 in the Borris Town Plan whereby any further expansion of Borris Vocational School will be subject to a Flood Risk Assessment.</p> | C14-CLW-15 | <p>Noted</p> <p>Chief Executive's Recommendation No change. Adopt Proposed Amendment no. 126.</p> |

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
|--|------------------|---|
| 3.15 Town and Village Plans / Settlement Plans | | |
| <p><u>Amendment No 129</u> Irish Water note that a sequential approach should be adopted when zoning lands for development regarding a number of sites including lands at Amendment No 129- 0.8ha adjoining Bog Lane from Enterprise and Employment to New Residential and 0.8ha Strategic Reserve.</p> | C14-CLW-4 | See previous Response and Recommendation to OPR Recommendation no. 1. |
| <p><u>Amendment No 130</u> Irish Water note that a sequential approach should be adopted when zoning lands for development regarding a number of sites including lands at Amendment No 130 adjoining Bog Lane from Strategic Reserve to New Residential to facilitate two no. units.</p> | C14-CLW-4 | See previous Response and Recommendation to OPR Recommendation no. 1. |
| <p><u>Amendment No 131</u> Irish Water note that a sequential approach should be adopted when zoning lands for development regarding a number of sites including lands at Amendment No 131 opposite the school to facilitate max. 10 no. units.</p> | C14-CLW-4 | See previous Response and Recommendation to OPR Recommendation no. 1. |
| 3.15.8 Kildavin | | |
| <p><u>Amendment No. 156 (New Residential Zoning Kildavin)</u> In relation to Amendment No. 156 for Kildavin, TII notes the proposal to zone lands New Residential to the west of the slip roads to the N80. In this regard TII refer to Section 2.7 of the DoECLG Spatial Planning and National Roads Guidelines, which advises that planning authorities must exercise particular care in their assessment of development/local area plan proposals relating to the development objectives and/or zoning of locations at or close to interchanges/junction on national roads.</p> <p>TII note that they are not aware of any analysis undertaken by the Council to develop an evidence base, in accordance with the provisions of official policy, to establish potential implications for the strategic national road network in the area and to support the proposed zoning at this location.</p> | C14-CLW-3 | <p>While it is acknowledged that the site is located along the slip road off the N80 the level of development proposed (i.e. 15 units) is not deemed significant in the context of traffic generation and potential impact on associated junctions. The density of development is also of such a scale that the layout of any potential scheme could ensure that any future enhancement of the slip road is not compromised into the future. In this regard it is considered that additional text can be included as a minor amendment to clarify the foregoing.</p> <p>Chief Executive's Recommendation Adopt Proposed Amendment no. 156 with Minor Amendment to include text as follows: <i>Design and layout considerations shall take account of The Spatial Planning and National Roads Guidelines, including appropriate</i></p> |

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
|---|-------------------------|--|
| 3.15 Town and Village Plans / Settlement Plans | | |
| <p>TII request that the Council review the New Residential zoning to the west of the slip roads off the N80, taking account of by Spatial Planning and National Roads Guidelines, to ensure zoning can progress complementary to safeguarding the strategic function and safety of the national road.</p> | | <p><i>set back from the N80 slip road, to ensure the strategic function and safety of the national road is safeguarded.</i></p> |
| 3.15.9 Tinryland | | |
| <p><u>Amendment No 158</u> Irish Water note that a sequential approach should be adopted when zoning lands for development regarding a number of sites including lands at Amendment No 158 to facilitate three no. units opposite the village centre.</p> | <p>C14-CLW-4</p> | <p>The site is located centrally within the village being located directly opposite the village core as zoned in the Draft Plan and between two established housing areas. Given the central location of the site, proximity to the school, educational and other community facilities the zoning of the site is deemed appropriate having regard to the principles of sequential development. Since the drafting of the CDP Irish Water have announced funding for the upgrade of Tinryland WWTP. The details regarding same are awaited. However, it is considered appropriate that the amendment be subject to a minor amendment to require connection to public infrastructure where same may be made available during the period of this Plan. .</p> <p>Chief Executive's Recommendation Adopt Proposed Amendment no. 158 subject to Minor Amendment to include additional text in blue. To extend the boundary and zone the site new residential (3 no. units on individual wastewater treatment systems, unless public wastewater infrastructure upgrade is made available during the period of this plan).</p> |

Chapter 16: Development Management Standards

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation | |
|--|----------|--|---|
| 3.16 Development Management Standards | | | |
| | | including visitor car parking spaces). | parking space shall also be provided). |
| | | New dwellings with in-curtilage car parking. | Installation of appropriate infrastructure to enable installation of recharging point for EVs. |
| | | Non-residential developments (with private car parking spaces including visitor car parking spaces with more than 10 spaces e.g. office developments). | Provide at least 1 recharging point, and a minimum of 1 space per five car parking spaces should be equipped with one fully functional EV charging point. |
| | | Developments with publicly accessible spaces (e.g. supermarket car park, cinema etc.) | Provide at least 1 recharging point, and a minimum of 1 space per five car spaces should be equipped with one fully functional EV Charging Point. |

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
|--|-------------------|---|
| 3.16 Development Management Standards | | |
| | | |
| <p><u>Amendment No. 169</u> i.e. reducing floorspace cap from 1500sqm to 1200sqm</p> <ul style="list-style-type: none"> ▪ The floorspace cap proposed for the land use zoning objective is of concern in that it undermines the potential for development in the Neighbourhood Centre zone and puts these lands at a distinct disadvantage in comparison to the Commercial / Residential zoned lands. The removal or adjustment of the cap is proposed accordingly. ▪ In the absence of resolution of this issue (which is readily available), Lidl request that the (extended / realigned) site zoning revert back to Commercial / Residential, which does not have a floorspace cap and where unfettered Shop (convenience) use is Permitted in Principle. ▪ Considers that the proposed restriction of "a single shop unit" or "Shop (Convenience)" to be not greater than 1,200 sqm net. is unduly restrictive and would place Neighbourhood Centre lands at a disadvantage to Commercial / Residential lands and would undermine the achievement of Development Plan and Retail Strategy policies and objectives. ▪ Considers it not appropriate or sustainable to maintain a cap on floorspace, in the absence of any pressing need for same, and in the absence of any national or regional policy support for such a restrictive approach. ▪ Note that the existing store on site measures c. 1,286 sqm net, hence the existing store could be deemed to be a Non-Conforming Use. | C14-CLW-13 | <p>See response to Amendment No. 109 (Section 3.15.2 above) which covers the issues identified herein. No change recommended to floor space caps in Neighbourhood Centres.</p> <p>Chief Executive's Recommendation No change. Adopt Proposed Amendment No. 169</p> |

| Key Issue | Sub. No. | Chief Executive's Opinion & Recommendation |
|---|----------|--|
| 3.16 Development Management Standards | | |
| <ul style="list-style-type: none"> ▪ Submits that the primary function of the Carlow town core is more related to higher order retailing and leisure / recreation / tourism uses and experiences, and releasing the Town Centre / Core from a perceived / implied role of being the primary source / location of food shopping facilities in the overall settlement will also enable the fulfilment of other policies and objectives for the Town Centre / Core, for instance relating to fulfilling Carlow's role as a regional high order settlement, competing with Kilkenny, Newbridge, Portlaoise, Kildare Village, Dublin City Centre, etc. ▪ Considers that the existing store acts as a de facto Retail Centre having a well-established pattern of trade and the proposed redevelopment and site enlargement, and suggested zoning and policy changes herein, will not materially change this, rather they would merely allow the reasonable and proportionate renewal of an important facility. | | |

Appendices to Chief Executive's Report

Appendix I – List of Persons / Bodies who made Submissions

| Submissions | |
|--|--|
| CLW-C14-2 Environmental Protection Agency (EPA) | CLW-C14-20 Eamonn O'Donnell |
| CLW-C14-3 Transport Infrastructure Ireland (TII) | CLW-C14-21 Future Energy Ireland |
| CLW-C14-4 Irish Water (IW) | CLW-C14-22 Brigid Teehan |
| CLW-C14-5 Adrian O'Neill | CLW-C14-23 John Cassin |
| CLW-C14-6 Colm Horan Oppermann Consulting on behalf of M. Coogan | CLW-C14-24 Kate Ni Bhriain |
| CLW-C14-7 Office of Public Works | CLW-C14-25 Sinead Cormack |
| CLW-C14-8 Leighlinbridge Group | CLW-C14-26 Southern Regional Assembly |
| CLW-C14-9 Tom Walsh | CLW-C14-27 Nicholas Bailey |
| CLW-C14-10 Dermot O'Brien | CLW-C14-28 Dept of Environment, Climate and Communications |
| CLW-C14-11 Norah Ryan | CLW-C14-29 Mairead Holohan |
| CLW-C14-12 ESB | CLW-C14-30 Office of the Planning Regulator |
| CLW-C14-13 Lidl | CLW-C14-31 Fiona O'Neill |
| CLW-C14-14 Madeline Forrest | CLW-C14-32 Ronain O'Riain |
| CLW-C14-15 Department of Education | CLW-C14-33 Dept of Housing Local Government & Heritage |
| CLW-C14-16 Kerri Gorentz | CLW-C14-34 National Transport Authority |
| CLW-C14-17 Pauline Donnelly | CLW-C14-35 Wind Energy Ireland |
| CLW-C14-18 Ger Lawlor | CLW-C14-36 Carlow Barrow Users Group |
| CLW-C14-19 Ger Bernard | |

Appendix II – Advertisement

CARLOW COUNTY COUNCIL

Planning and Development Act 2000 (as amended)

Planning and Development Regulations 2001 (as amended)

Planning and Development (Strategic Environment Assessment) Regulations 2004, as amended

NOTICE OF PROPOSED MATERIAL ALTERATIONS TO THE DRAFT CARLOW COUNTY DEVELOPMENT PLAN 2022-2028

Notice is hereby given that the Members of Carlow County Council, at a Special Council Meeting on the 3rd February 2022, having considered the Draft Carlow County Development Plan 2022-2028 and the Chief Executive's Report in respect of submissions received, have resolved in accordance with Sections 12(6) and 12(7) of the Planning and Development Act 2000 (as amended), that the Draft Development Plan be amended. The proposed amendments constitute material alterations to the Draft Carlow County Development Plan 2022-2028.

The Material Alterations include proposals to make deletions and amendments to the Record of Protected Structures and in accordance with Section 12 of the Planning Act, the Planning Authority shall serve on each person who is the owner or occupier of the protected structure, as the case may be, a notice of the proposed deletion or amendment, including the particulars.

The likely significant effects on the environment of implementing the proposed Material Alterations have been assessed. A copy of the proposed Material Alterations to the Draft Plan, the determinations in accordance with Section 12(7)(aa) of the Planning and Development Act 2000 (as amended) and the information on the likely significant effects on the environment of implementing the proposed Material Alterations will be available for public viewing from **Wednesday, 23rd February 2022 to Wednesday, 23rd March 2022** inclusive on line at <https://consult.carlow.ie/> and at the following locations:

| Public Display | Address | Public Opening Hours |
|-----------------------|------------------------------|--|
| Carlow County Council | Athy Road, Carlow | Monday-Friday 9.15am to 4.30pm |
| Carlow Library | Tullow Street, Carlow | Monday – Friday 9:45am to 1:00pm & 2:00pm to 5:30pm |
| Tullow Library | Inner Relief Road, Tullow | Monday – Friday 9:45am to 1:00pm & 2:00pm to 5:15pm |
| Muinebheag Library | Main Street, Bagenalstown | Tuesday – Friday |

| | | |
|-----------------------|------------------------------|---|
| | | 10:00am to 1:00pm & 2:00pm to 5:00pm |
| Borris Library | Lower Main Street, Borris | Monday & Wednesday 9:45am to 1:00pm & 2:00pm to 5:00pm |

Copies of the Draft Plan are available for purchase from the Planning Department Carlow County Council, Athy Road, Carlow (Tel: 059 9170310 or by emailing carlowcdp@carlowcoco.ie)

Submissions/Observations

Submissions or observations regarding the Material Alterations to the Draft Plan, the associated SEA Screening Determination and the SEA Environmental Report (which includes information on the likely significant effects on the environment of implementing the proposed amendment) and the associated AA Screening Determination and AA Report are hereby invited from the public and interested bodies between **Wednesday, 23rd February 2022 to Wednesday, 23rd March 2022** inclusive.

Submissions may be made in one of the following ways:

1. Write to: Senior Executive Officer, 'clearly marked' - Material Alterations - Draft Carlow County Development Plan 2022-2028, Planning Department, Carlow County Council, Athy Road, Carlow.
2. Online: Via the online consultation portal at <https://consult.carlow.ie/>
Or
3. Via email to carlowcdp@carlowcoco.ie

Only submissions or observations received in relation to the proposed Material Alterations during the above time period will be taken into consideration before the making of the Carlow County Development Plan 2022-2028. Closing date for submissions: **4.30pm Wednesday, 23rd March 2022**

NOTE

- All submissions are to be clearly marked with '**Material Alterations - Draft Carlow County Development Plan 2022-2028**' and include proposed amendment reference number(s) as shown in the document.
- Be in one medium only i.e. hard copy or via the consultation portal online or email. This will avoid the duplication of submission reference number and will streamline the process.
- Include your name and address and, where relevant, details of any organisation, community group or company you represent on a separate page to the content of your submission in order to assist Carlow County Council in complying with the provisions of the Data Protection Act, as submission are legally required to be published on line.
- Include a map if you refer to particular location or features.
- All submissions will form a part of the statutory Chief Executive's report to be presented to the elected members of Carlow County Council.

- Please be advised that all submissions received will be made available at the offices of the Planning Authority and published online in accordance with the requirements of Section 12(8A) of the Planning and Development Act 2000 (as amended). You should ensure that no vexatious, libellous or confidential information, including confidential information relating to a third party (in respect of which the third party has not, expressly, or impliedly in the circumstances, consented to its disclosure) is included in your submission. The Planning Authority reserves the right to redact any submission or part thereof that does not comply with this requirement. Please be advised that the name of the person(s)/group(s) who made the submission will be published, but personal data will be redacted. This processing of your personal data is lawful under Article 6(1)(e) of the GDPR Regulations. The Council's Data Protection Policy, is available at <http://www.carlow.ie/wp-content/documents/uploads/Data%20Protection%20Policy%20GDPR%20Carlow%20Co%20Co%2013th%20June%202018.pdf>

YOU ARE STRONGLY ADVISED TO MAKE YOUR SUBMISSION AS EARLY AS POSSIBLE. LATE SUBMISSIONS WILL NOT BE ACCEPTED. LATEST TIME FOR RECEIPT OF SUBMISSIONS (POST/ONLINE/EMAIL) IS 4.30PM WEDNESDAY, 23rd March 2022.

Michael Rainey
Director of Services
Planning, Economic Development and Corporate

Appendix III – List of Bodies Notified

| Name | Address |
|--|---|
| John Mulholland, Chief Executive | Laois County Council |
| Angela McEvoy, A/Director of Services | Laois County Council |
| Colette Byrne, Chief Executive | Kilkenny County Council |
| Denis Malone, Senior Planner | Kilkenny County Council |
| Frank Curran, Chief Executive | Wicklow County Council |
| Sorcha Walsh, Senior Planner, Forward Planning | Wicklow County Council |
| Tom Enright, Chief Executive | Wexford County Council |
| Deirdre Kearns, Senior Executive Planner | Wexford County Council |
| Peter Carey, Chief Executive | Kildare County Council |
| Forward Planning | Kildare County Council |
| Minister Darragh O'Brien | Department of Housing, Local Government and Heritage |
| The Manager, Development Applications Unit | Department of Housing, Local Government and Heritage |
| Eric Pepper, Corporate Support Unit | Department of the Environment, Climate and Communications |
| Cathy Hewitt | Department of Agriculture, Food, and the Marine |
| Minister Simon Coveney | Department of Defence |
| Alan Hanlon, Higher Executive Officer, Site Acquisitions and Property Management | Department for Education |
| Minister Heather Humphreys | Department of Rural and Community Development |
| Minister Leo Varadkar | Department of Enterprise, Trade and Employment |
| Minister Eamon Ryan | Department of Transport |
| Dominic Walsh, Regional Planning Officer | Regional Planning Officer, Southern Regional Assembly |
| Jim Conway, Director | Eastern & Midland Regional Authority |
| Dr Ciaran Byrne, CEO | Inland Fisheries Ireland |
| Tadhg O'Mahoney, Senior Scientific Officer | Environmental Protection Agency |
| John Curtin, Director of Flood Risk Management | OPW |
| Jana Goold, Regional Forward Planning Specialist | Uisce Eireann / Irish Water |
| John McDonagh, A/CEO | Waterways Ireland |
| Seán Woods, Executive Officer | Office of the Planning Regulator |
| Mary Tucker, Executive Officer | An Bórd Pleanála |
| Prof. Kevin Rafter | An Comhairle Ealaíon |

| | |
|---|--|
| Paul Kelly, Chief Executive | Fáilte Ireland |
| Virginia Teehan, CEO | Heritage Council |
| Dalton Philips, CEO | Dublin Airport Authority |
| Mark Foley, CEO | Eirgrid |
| Pat O'Doherty | ESB (Electric Ireland) |
| Ann Marie Part | Health Service Executive |
| Dr. Sharon McGuinness, CEO | The Health and Safety Authority |
| Ms Phoebe Duvall, Planning and Environmental Policy Officer | An Taisce |
| Michael McCormack, Senior Land Use Planner | Transport Infrastructure Ireland |
| To Whom It May Concern | National Transport Authority |
| Margaret Moore, Development Officer | LCDC |
| | Commission for the Regulation of Utilities |
| To Whom It May Concern | Carlow County Development Partnership |
| Jennifer Murnane O'Connor TD | TD |
| Mr. Fergal Browne | MEMBER OF CARLOW COUNTY COUNCIL |
| Mr. John Cassin | MEMBER OF CARLOW COUNTY COUNCIL |
| Ms. Andrea Dalton | MEMBER OF CARLOW COUNTY COUNCIL |
| Mr. Michael Doran | MEMBER OF CARLOW COUNTY COUNCIL |
| Mr. Andy Gladney | MEMBER OF CARLOW COUNTY COUNCIL |
| Mr. Thomas Kinsella | MEMBER OF CARLOW COUNTY COUNCIL |
| Mr Arthur McDonald | MEMBER OF CARLOW COUNTY COUNCIL |
| Mr. John McDonald | MEMBER OF CARLOW COUNTY COUNCIL |
| Mr. Ken Murnane | MEMBER OF CARLOW COUNTY COUNCIL |
| Mr. Charlie Murphy | MEMBER OF CARLOW COUNTY COUNCIL |
| Mr. John Murphy | MEMBER OF CARLOW COUNTY COUNCIL |
| Mr. Brian O'Donoghue | MEMBER OF CARLOW COUNTY COUNCIL |
| Mr. Tom O'Neill | MEMBER OF CARLOW COUNTY COUNCIL |
| Mr. William Paton | MEMBER OF CARLOW COUNTY COUNCIL |
| Mr. John Pender | MEMBER OF CARLOW COUNTY COUNCIL |
| Mr. Fintan Phelan | MEMBER OF CARLOW COUNTY COUNCIL |
| Mr. William Quinn | MEMBER OF CARLOW COUNTY COUNCIL |
| Ms. Adrienne Wallace | MEMBER OF CARLOW COUNTY COUNCIL |
| Fiona Broadberry | Public Participation Network |
| IDA Ireland | Three Park Place |
| Julia Sinnamon, Chief Executive | Enterprise Ireland |
| Liam Kelly | SPC |
| George Collier | SPC |
| Brian O'Farrell | SPC |
| Mathew Hayden-English | SPC |
| Liam O' Brien | SPC |

**Chief Executive's Report on Proposed Amendments to Draft
Plan Consultation Volume 2 – Issues Raised and SEA/AA
Response & Recommendations**

Vol 2 - Appendix I & II

SEA & AA

| Issue | Sub No | CDP Response/Update | CE-SEA/AA Response & Recommendation |
|---|------------------------|---|---|
| <p>The Department recommends that further details of Turas Columbanus should be included in the CDP including, where possible, a map showing an indicative route. The Department considers that this long-distance route has the potential to have significant negative effects on other sensitive ecological receptors both within and outside the county. These may include proposed and designated Natural Heritage Areas, locally, nationally and international important habitats, protected plants and animals as well as ecological corridors. Potential significant negative effects include both direct effects (e.g. loss of habitat) and indirect effects (e.g. recreational disturbance by walkers, particularly if accompanied by dogs) and should be considered in the SEA of the CDP, as required and appropriate. Furthermore, the Department advises that environmental assessment (screening for Appropriate Assessment and Ecological Impact Assessment) must be carried out in advance of any works taking place to develop this route. This should be specified in the CDP and SEA Environmental Report.</p> | <p>CLW-C-33</p> | <p>To require in the CDP:</p> <p>Screening for Appropriate Assessment and Ecological Impact Assessment) must be carried out in advance of any works taking place to develop this route.</p> | <p>To state in the SEA Environmental Report that:</p> <p>This long-distance route has the potential to have significant negative effects on other sensitive ecological receptors both within and outside the county. These may include proposed and designated Natural Heritage Areas, locally, nationally and international important habitats, protected plants and animals as well as ecological corridors. Potential significant negative effects include both direct effects (e.g. loss of habitat) and indirect effects (e.g. recreational disturbance by walkers, particularly if accompanied by dogs). Screening for Appropriate Assessment and Ecological Impact Assessment) must be carried out in advance of any works taking place to develop this route.</p> |
| <p>In relation to Amendment No. 112 to amend Carlow Town Land Use Zoning Map to zone land at Newacre, Athy Road for 'Industrial' use, the Department is concerned that this land lies within the floodplain of the River Barrow and River Nore SAC (flood zones A and B as depicted in the Strategic Flood Risk Assessment (SFRA)). Potential impacts of this proposed material alteration include loss of floodplain resulting, inter</p> | <p>CLW-C-33</p> | <p>Do not adopt as part of Plan</p> | <p>n/a</p> |

| Issue | Sub No | CDP Response/Update | CE-SEA/AA Response & Recommendation |
|--|-----------------|--|--|
| <p>alia, indirect negative water quality effects. It is noted that this amendment has failed Parts 1 and 2 of the Justification3Test carried out as part of the SFRA and therefore Part 3 has not been applied. The Strategic Environmental Assessment states, in relation to Amendment No. 112, 'Do not adopt as part of the Draft Plan where non-compliance with the Flood Risk Management Guidelines has been advised'. Given the above, the Department recommends that this amendment should not be adopted as part of the CDP.</p> | | | |
| <p>Amendment No. 117 is to amend the Rathvilly Land Use Zoning Map to rezone land from 'Open Space and Amenity' to 'Community / Education'. This area includes a watercourse which is hydrologically connected to the River Barrow and River Nore SAC Site Code 002162. The Department recommends that a sufficient 'Open Space and Amenity' zoning is retained as a buffer on either side of the watercourse and around the location of the nearby spring feature. This spring is shown on the historical six inch Ordnance Survey map available at OSI.ie. This measure is required in order to protect downstream water quality within the River Barrow and River Nore SAC, to conserve Rathvilly's green infrastructure and to protect this ecological corridor.</p> | CLW-C-33 | <p>To further modify this map by inserting the following local objective:</p> <p>This area includes a watercourse which is hydrologically connected to the River Barrow and River Nore SAC . As part of any development on this site, sufficient Open Space (informed by an ecological study) should be retained as a buffer on either side of the watercourse and around the location of the nearby spring feature.</p> | n/a |
| <p>The Department considers proposals to rezone areas currently zoned as 'Open Space and Amenity', 'agriculture' as well as unzoned land for development are likely to result in biodiversity and natural capital loss and therefore likely to have significant effects on the environment. The Department recommends that such effects are assessed as part of SEA. It is important that there is an adequate ecological baseline in order to assess the impacts and estimate</p> | CLW-C-33 | n/a | <p>Effects on biodiversity and flora and fauna are assessed in the SEA documents, however; further detail can be added to the assessment as recommended, regarding the zoning of previously zoned areas for development, including with respect to</p> |

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| <p>habitat loss. Measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects as a result of rezoning must be included in the SEA Environmental Report. To ensure no-net-loss of biodiversity, like-for-like compensation to offset any permanent habitat loss may be required. Habitat compensation/offset measures should be included in the CDP and SEA Environmental Report, where possible, and not relegated to downstream projects. This will avoid the creation of a perverse incentive at project level to remove habitats prior to applying for planning permission.</p> | | | <p>relevant Proposed Material Alterations identified in the submission.</p> |
| <p>Implementation and Monitoring</p> <p>Article 10 of the SEA Directive requires monitoring of the significant environmental effects of the implementation of the CDP in order to identify, at an early stage, unforeseen adverse effects and to enable appropriate remedial action to be undertaken. It also provides for a learning opportunity for practitioners and decision makers for future land use plans. The CDP states that the full and comprehensive monitoring and evaluation assessment is set out in the SEA. While monitoring can use existing sources of information including data collected by other government departments or agencies, the loss or enhancement of biodiversity due to development can only be adequately monitored and recorded through the planning process. The SEA Environmental Report states that there will be internal monitoring of likely significant environmental effects of grants of planning permission. The Department recommends</p> | <p>CLW-C-33</p> | <p>n/a</p> | <p>To amend the footnotes from the Monitoring Programme as follows (new text in bold):</p> <p>Including confirmation with development management that the following impacts have been considered and including use of monitoring-data, where available: biodiversity/habitat loss; nitrogen deposition impacts on Natura 2000 sites; recreational disturbance resulting from implementation of tourism and recreation policies and objectives particularly in riparian areas; biodiversity enhancement; and disturbance /visitor</p> |

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| <p>that, at a minimum, this should document habitat loss. In this regard, the Department would welcome a clear and specific monitoring plan to be included that will clearly outline how it is proposed to record the likely significant environmental effects of grants of planning permission, both in terms of biodiversity loss as well as biodiversity enhancement, during its lifetime.</p> <p>Monitoring of nitrogen deposition impacts on Natura 2000 sites within the CDP's zone of influence in the SEA, is recommended, as research in this area is expanding.</p> <p>Monitoring of recreational disturbance, resulting from implementation of tourism and recreation policies and objectives, particularly in riparian areas, should also be considered. The Department would welcome the publishing of monitoring reports and would be happy to provide nature conservation observations on the reports.</p> | | | <p>pressure impacts of recreation, amenity and tourism development.</p> |
| <p>3.0 Environmental Assessment</p> <p>We note the preparation of an SEA Screening on the proposed Material Alterations at Section 2 of the SEA, a Strategic Environmental Report for 'relevant proposed material alterations', a Natura Impact Report (Appropriate Assessment) for proposed Material Alterations and an updated Strategic Flood Risk Assessment (SFRA) published alongside the proposed Material Alterations to the Draft Plan and some of the observations above relate to these documents. The Planning Authority should note that the RSES is informed by extensive environmental assessments,</p> | <p>CLW-C-26</p> | <p>n/a</p> | <p>Noted. The RSES an associated environmental assessment documents have proved to be valuable resources for the SEA and AA of the County Development Plan to date and are referenced as relevant in the documents that have been prepared. The RSES documents will continue to inform the preparation of the Plan and associated environmental assessments.</p> |

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| <p>contained in the SEA Statement, AA Determination and Natura Impact Report, which are available on the SRA Website. These assessments looked at environmental sensitivities for all parts of the Region and we would recommend that Carlow County Council review these documents to inform the Council's own environmental assessments of proposed material alterations and to ensure that mitigation measures identified to address environmental sensitivities and constraints are included in the Final County Development Plan where relevant</p> | | | |
| <p>Proposed SEA Determination</p> <p>We note your proposed determination regarding the need for SEA of the Alterations, that SEA is not required. As a priority, we focus our efforts on reviewing and commenting on key sector plans. For land-use plans at county and local level, we provide a 'self-service approach' via guidance document 'SEA of Local Authority Land Use Plans –EPA Recommendations and Resources'. This document is updated regularly and sets out our key recommendations for integrating environmental considerations into Local Authority land-use plans. These should be considered, as appropriate and relevant to the Alterations.</p> | CLW-C-2 | n/a | Noted. The EPA's guidance document 'SEA of Local Authority Land Use Plans –EPA Recommendations and Resources' has informed the SEA of the Draft Plan and associated Proposed Material Alterations to date and will continue to inform the SEA process. |
| <p>Sustainable Development</p> <p>In proposing the Alterations, Carlow County Council should ensure that the Plan, as amended, is consistent with the need for proper planning and sustainable development. Adequate and appropriate critical service</p> | CLW-C-2 | Noted. Provisions have been integrated into the Draft Plan and associated Proposed Material Alterations to address these issues. The Executive will advise that the Plan to be | n/a |

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| <p>infrastructure should be in place, or required to be put in place, to service any development proposed and authorised during the lifetime of the Plan.</p> <p>In considering the Alterations, Carlow County Council should consider the need to align with national commitments on climate change mitigation and adaptation, as well as incorporating any relevant recommendations in sectoral, regional and local climate adaptation plans.</p> <p>Carlow County Council should also ensure that the Plan as amended, is consistent with key relevant higher-level plans and programmes.</p> | | <p>adopted is consistent with key relevant higher-level plans and programmes.</p> | |
| <p>Future Modifications to the Draft Plan</p> <p>Where further changes to the Draft Plan are proposed, these should be screened for likely significant effects in accordance with SEA Regulations. They should be subject to the same method of assessment applied in the "environmental assessment" of the Draft Plan.</p> | CLW-C-2 | n/a | <p>Noted. Further modifications will be appropriately considered by the SEA and AA processes.</p> |
| <p>SEA Statement—"Information on the Decision"</p> <p>Once the Plan is adopted, you should prepare an SEA Statement that summarises the following:</p> <ul style="list-style-type: none"> •How environmental considerations have been integrated into the Plan; •How the Environmental Report, submissions, observations and consultations have been taken into account during the preparation of the Plan; | CLW-C-2 | n/a | <p>Noted. An SEA Statement containing the relevant information will be prepared following adoption of the Plan and circulated to environmental authorities.</p> |

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| <ul style="list-style-type: none"> •The reasons for choosing the Plan adopted in the light of other reasonable alternatives dealt with; and, •The measures decided upon to monitor the significant environmental effects of implementation of the Plan. <p>A copy of the SEA Statement with the above information should be sent to any environmental authority consulted during the SEA process.</p> <p>Guidance on preparing SEA Statements is available on the EPA website at the following link: https://www.epa.ie/publications/monitoring--assessment/assessment/EPA_Guidance_web.pdf</p> | | | |
| <p>Environmental Authorities</p> <p>Under the SEA Regulations, you should consult with:</p> <ul style="list-style-type: none"> •Environmental Protection Agency; •Minister for Housing, Local Government and Heritage; •Minister for Environment, Climate and Communications; and •Minister for Agriculture, Food and the Marine. •any adjoining planning authority whose area is contiguous to the area of a planning authority which prepared a draft plan, proposed variation or local area plan. | CLW-C-2 | n/a | Noted. The relevant environmental authorities have been consulted with throughout the Plan-preparation/environmental assessment processes. |