

Proposed Amendments to Kilkenny Draft County Development Plan 2014-2020

Volume 1: Amendments to
Written Statement and
Zoning Maps

14th February 2014
Kilkenny County Council
Planning Department



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Each Chapter of the Draft Development Plan is dealt with in sequence. The proposed amendments to the Draft Development Plan are indicated as follows:

- New text is shown *in italics*
- Deleted text is shown as a ~~strikethrough~~.

Draft Development Plan

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Chapter 1: Introduction

1.5 Structure of Plan

The Plan consists of a written statement and accompanying maps and includes strategies and objectives for the County at large. *This entire Plan is a statement of Council policy.* The first eleven chapters ~~outline the Council's views on each topic and~~ contain objectives and Development Management Standards in relation to specific areas *and topics*. It must be noted that each chapter is not a stand-alone chapter, but should be read in conjunction with all other chapters. In assessing any development in the County, the overall context will be informed by all relevant ~~sections policies~~, including the settlement strategy, housing, community, economic, heritage and infrastructure considerations, underpinned by the ~~County vision and strategic aims~~ goals. Therefore, no one ~~policy item~~ takes precedence over another, but rather all ~~policies plan provisions~~ converge, founded as they are on the goal of sustainable development.

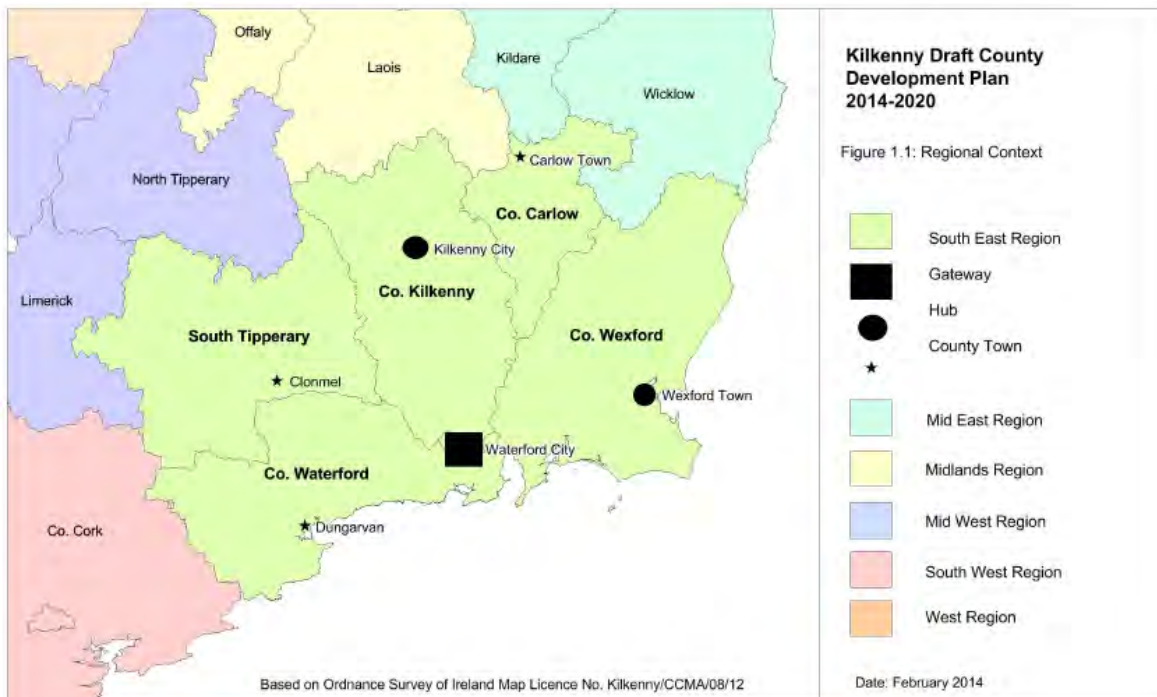
All ~~policies chapters~~ should also be read in conjunction with Chapter 12: Requirements for Development.

Section 1.6.6 Ministerial Guidelines and Directives

~~These include Guidelines on Architectural Heritage protection, Childcare Facilities, Development Plans, Landscapes, Retail Planning, Strategic Environmental Assessment and Sustainable Residential development in Urban Areas.~~

In accordance with Section 28 of the Planning and Development Act 2000 (as amended) a statement has been appended to this Plan which includes information which demonstrates how the Planning Authority has implemented the policies and objectives of the Minister contained in Section 28 Guidelines when preparing the Plan. Where the Planning Authority has decided not to implement certain policies or objectives of the Minister contained in the Guidelines, the statement must give the reasons why. The statement is included as Appendix K.

Section 1.6.8 South East Regional Planning Guidelines: Insert new map after text.



1.8 Monitoring and Review

Insert at end of Section:

The Development Plan objectives are listed in Appendix L of this Plan.

The Council will aim to implement all the provisions of this Plan, subject to the availability of resources.

Chapter 2: Demographic and Socio-Economic Trends

No changes.

Chapter 3: Core Strategy

3.3.4 District Towns

Insert at end:

See Sections 4.8.3 and 4.6.3 also.

Move statement in relation to planning framework documents from Section 3.3.5.2 Existing LAPs to **Section 3.3.5.1 Expired LAPs** as follows:

The local authority will, if the need arises, prepare Local Area Plans or other appropriate planning framework documents for areas within the County whether urban or rural and subject to the necessary resources being available.

Amended Figure 3.4: The settlement boundary for Freshford has been altered (see overleaf).

Amended Figures 3.14, 3.15 and 3.16: Zoned Residential land has been divided into 'Existing' residential and 'Phase 1' residential (see overleaf).

3.3.5 Smaller Town and Villages

(Insert new paragraph at end)

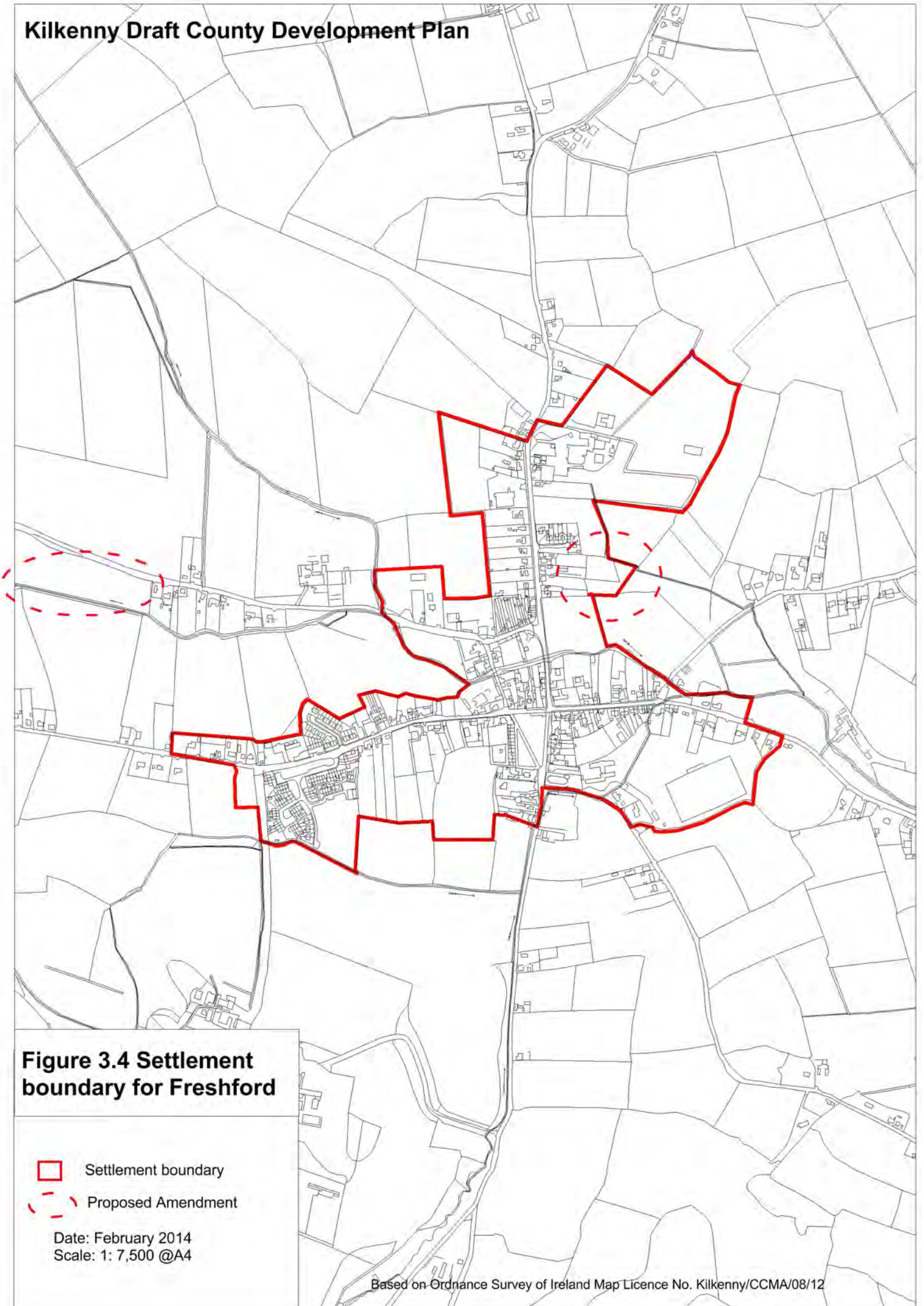
Settlement boundaries are drawn up having regard to:

- *The need to provide a compact and accessible town in accordance with the principles of sustainable development.*
- *The existing built environment and road structure.*
- *Potential population growth and demand for housing.*
- *The need to offer location choice and housing mix.*
- *Proximity to existing and potential community and commercial facilities and the need to encourage sustainable growth*
- *Linkages (transport) to other larger settlements*
- *The level of provision of existing and proposed infrastructure*
- *Existing planning permissions.*

1.3.5.3 Development Objectives for smaller towns and villages

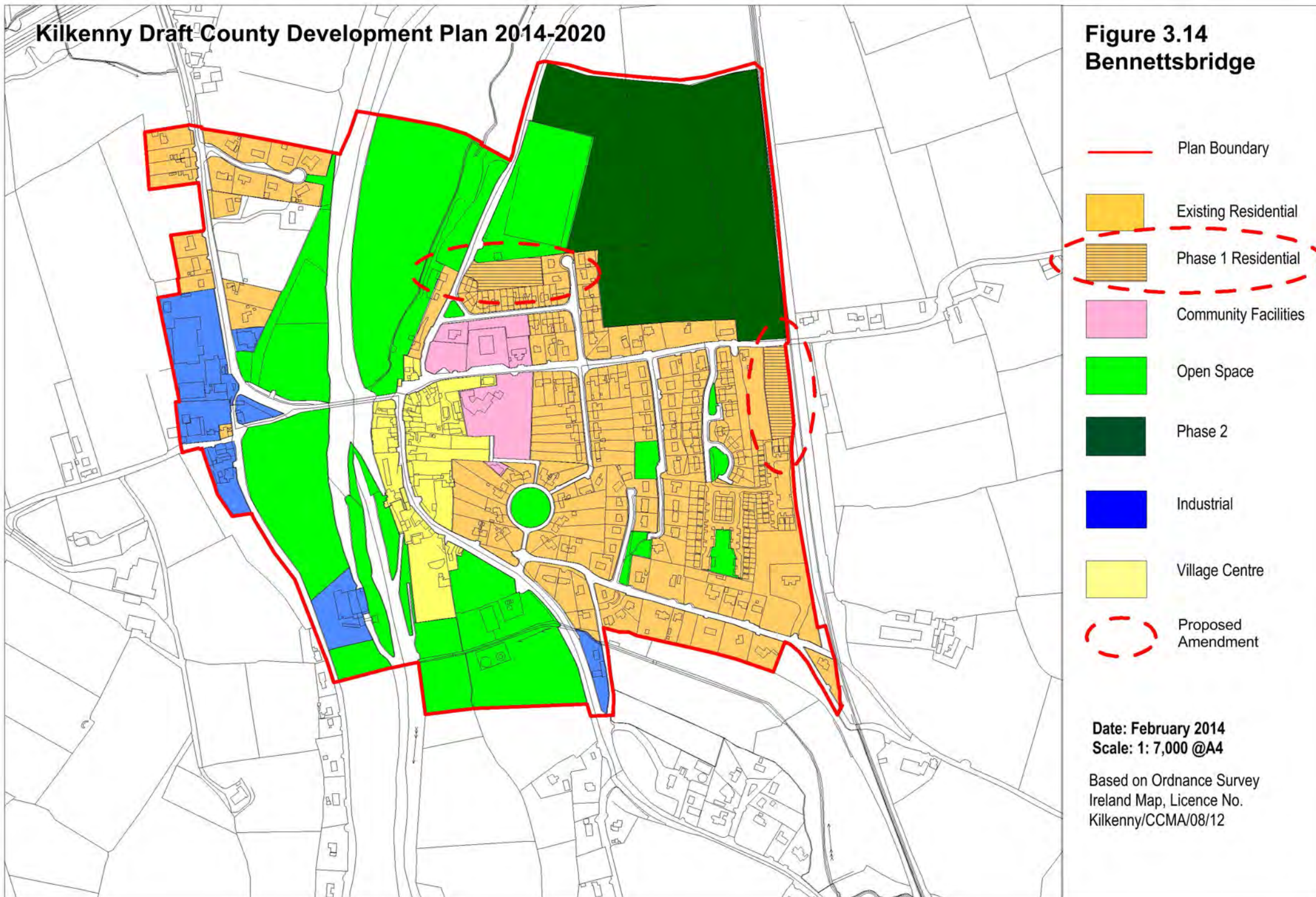
(Under development management)

- *The Planning Authority may limit the extent of development on any one site within the smaller towns and villages having regard to the overall water services capacity and the availability of land for development within the village.*



Kilkenny Draft County Development Plan 2014-2020

Figure 3.14 Bennettsbridge



Kilkenny Draft County Development Plan 2014-2020

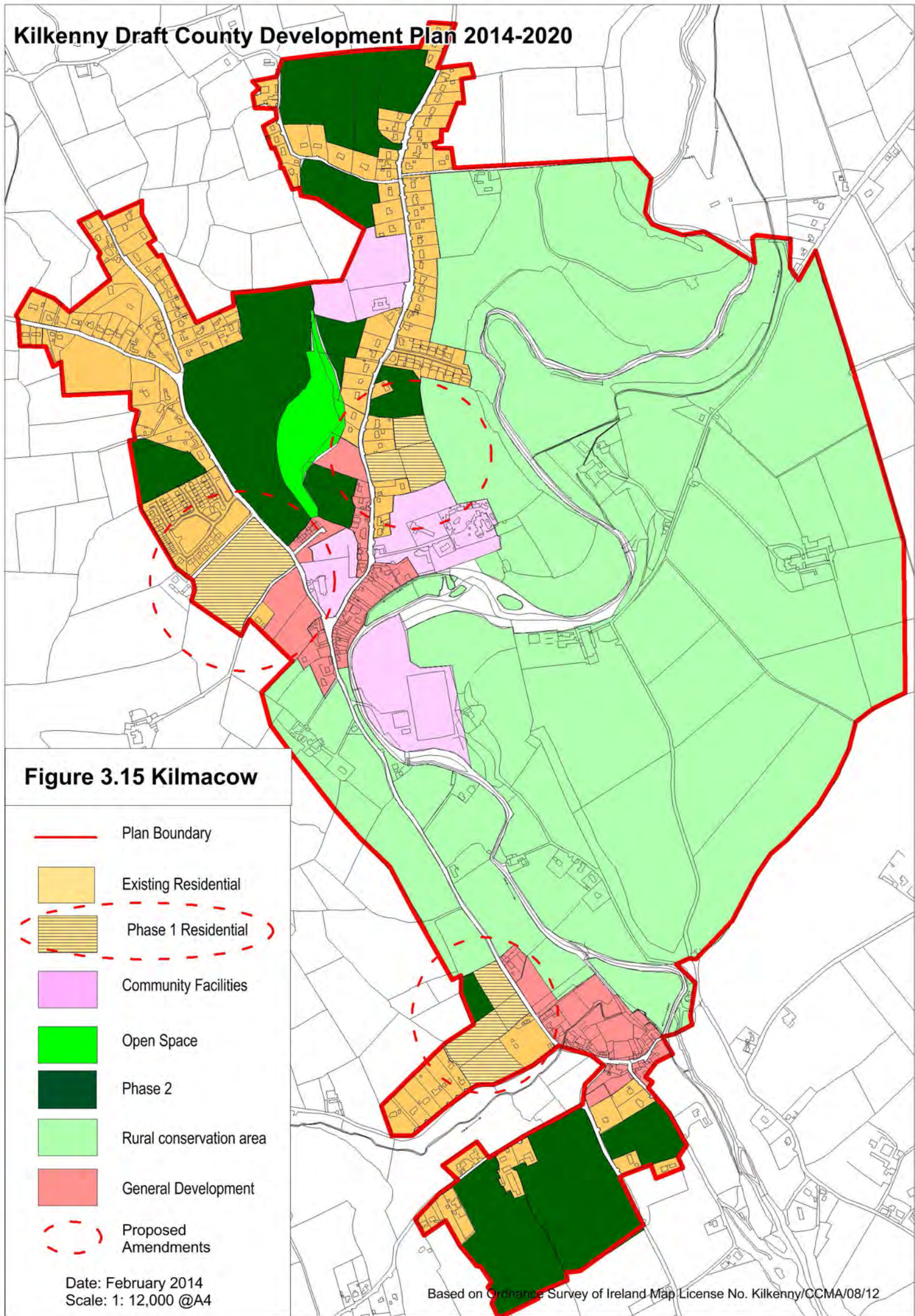








Figure 3.15 Kilmacow

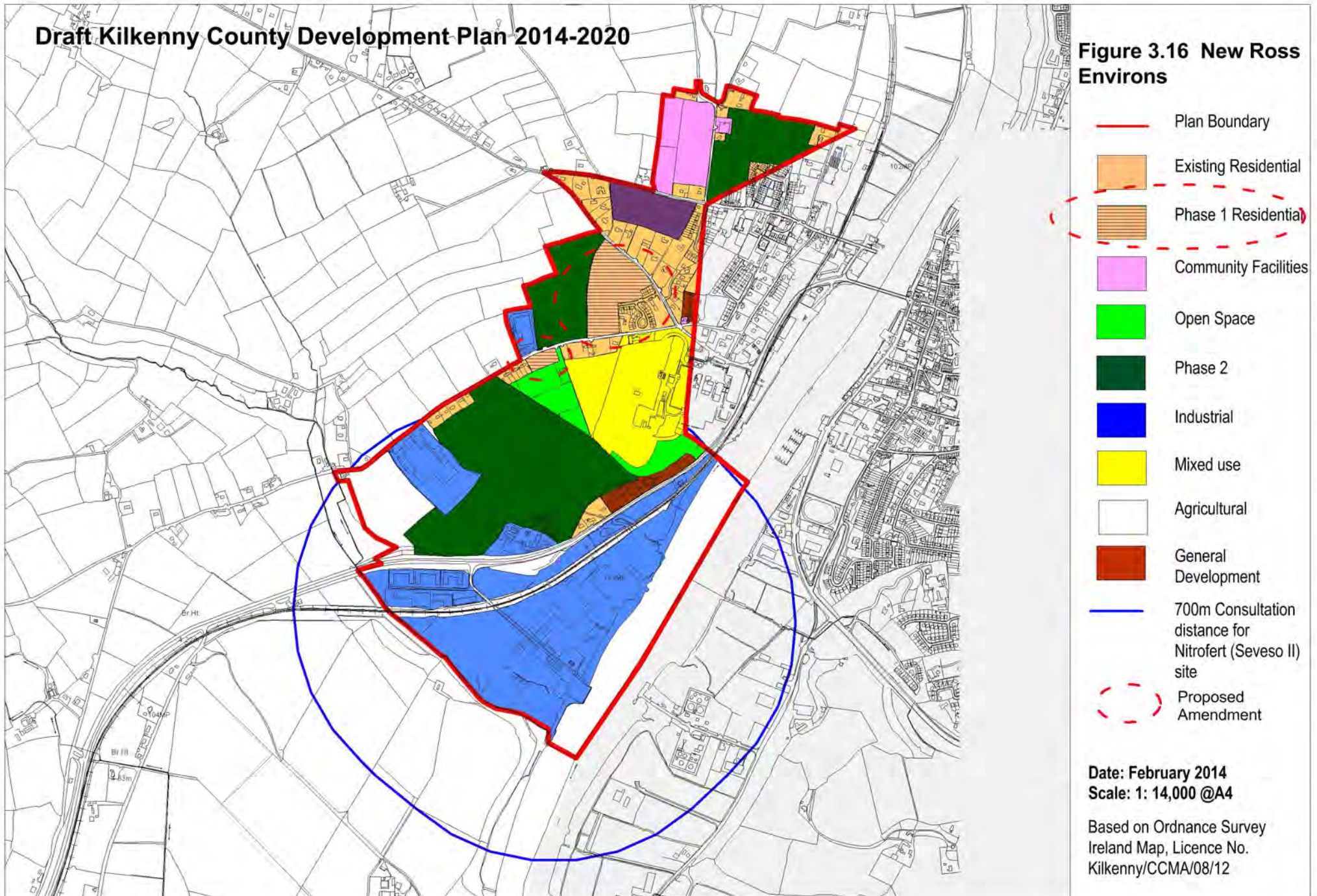
-  Plan Boundary
-  Existing Residential
-  Phase 1 Residential
-  Community Facilities
-  Open Space
-  Phase 2
-  Rural conservation area
-  General Development
-  Proposed Amendments

Date: February 2014
Scale: 1: 12,000 @A4

Based on Ordnance Survey of Ireland Map License No. Kilkenny/CCMA/08/12

Draft Kilkenny County Development Plan 2014-2020

Figure 3.16 New Ross Environs



Core Strategy Table 2014 - 2020

| (1) | Core Strategy population allocation 2014 - 2020 (2) | Housing land requirement (hectares including 50% over zoning for 2014 - 2020) (3) | Existing Zoning (hectares) (4) | Proposed Zoning (Hectares) (5) |
|--|---|--|---|---|
| County Kilkenny | 10,021 | | | |
| Kilkenny City | 2,077 | 40.4 ¹ | 52.48ha 62.23ha | 63.5 |
| Ferrybank/Belview (Part Gateway) | 1,125 | 22 | 53.3 | 53.3 |
| District Towns | | | | |
| (a) Callan | 2.4% | 8.3 ⁴ | 15.21 | 15.21 |
| (b) Castlecomer | (240) ³ | 3.4 | 12.38 | 12.38 |
| (c) Graiguenamanagh ² | 1.5% (150) | 4.5 | 4.35 | 4.35 |
| (d) Thomastown | 1.3% (130) | 8.3 | 11.85 | 11.85 |
| | 2.38% (238) | | | |
| Remainder area to include smaller towns and villages and environs of New Ross and the rural area of the county | 5,929 | 250 ⁵ | 18.6 | 18.6 |
| Total | 10,021 | 337 | 168 177.9 | 179 |

3.5 Rural Settlement Strategy

The rural settlement strategy is based on the [Sustainable Rural Housing Guidelines for Planning Authorities](#)⁶. The objective of the Council's rural housing strategy is to provide for sustainable rural communities without compromising the physical, environmental, natural or heritage resources of the county.

This broad objective is underpinned by the following detailed objectives:

- Promote the sustainable development of rural areas.

¹ 2,077 divided by 2.57 = 808 hh divided by 30units/ha(12/acre) = 26.9ha x1.5 = 40.4ha. This same method applies to Ferrybank/Belview.

² Graiguenamanagh has been included as a district town even though it was below the threshold of 1,500 population in the 2011 Census.

³ The figure in brackets is the population allocation for the District Town, which was derived by assuming each District town would retain its proportionate share of the County's population as pertained in 2011 census. See table 3.2 above

⁴ 2.4% equates to an additional 240 persons to accommodate. At 2.88 persons per household this gives 83.3 households @ average density of 15/ha this gives a requirement of 5.5 ha. 150% of 5 = 8.3ha.

⁵ 5,929 divided by 2.96pph = 2,003 households divided by 12 units/ha = 167ha x 1.5 = 250ha

⁶ Department of Environment, Heritage and Local Government, [Sustainable Rural Housing Guidelines for Planning Authorities](#), 2005

- Protect the quality and character of rural areas.
- Protect the quality of the environment, including the prevention, limitation, abatement and/or reduction of environmental pollution and the protection of waters, groundwater and the atmosphere.
- Protect features of the landscape and areas of major importance for wild fauna and flora.
- Protect the character of the landscape, including views and prospects listed in this Plan and the amenities of places and features of natural beauty or interest.
- Protect natural resources such as minerals and construction aggregates
- Protect areas where sustainable energy production is feasible, such as high lying areas where wind energy production is acceptable in principle.

Approximately 63% of the county's population live in rural areas⁷. The Council recognises that Kilkenny has a long tradition of people living in rural areas. It is the Council's intention to support this in a way that is sustainable.

1.3.6—Analysis of the County

In January 2006, Variation Number 8 to the County Development Plan 2002 was adopted which gave effect to the [Sustainable Rural Housing Guidelines](#). This policy was carried through in the County Development Plan 2008-2014. Between January 2006 and August 2012, a total of 2,043 permissions were granted for one off houses in Kilkenny rural areas.

At this stage, the current rural housing policy is in operation approximately 6 years. As is evident from the number of housing applications granted over this period, the demand for rural housing remains strong. There has been a significant decline in the number of applications lodged in the past three to four years, but this decline is thought to reflect economic realities rather than any change in housing demand. The potential demand for rural housing remains strong, which could quickly be reflected in applications once the housing market and mortgage availability improves.

Over the period of the policy, the distribution of housing applications has been fairly equal throughout the County. However, certain areas have been shown to be more attractive for rural settlement, particularly around the major centres such as Kilkenny and Waterford. The trends observed over this period do however show that the policy is having the desired effect and therefore the thrust of the existing policy, with slight variations, will be retained. The changes reflect appropriate responses to changes in housing demand over the period of the previous plan.

The County can be divided into three broad categories as follows:

1. Areas under Urban Influence
2. Stronger Rural Areas
3. Peripheral Areas of Population decline

See Figure 3.17: Rural Housing Strategy Map

1.3.7—Rural Housing Policies

The following policies have been devised in order to respond to the different housing requirements of urban and rural communities and the varying characteristics of rural areas. This is to ensure that first and foremost the housing requirements of persons with roots or links in rural areas are

⁷ According to the Census of Population 2011

facilitated in all such areas, but that planning policies also respond to local circumstances whether these relate to areas experiencing economic and population decline or to areas under sustained pressure for development.

The following definitions and associated policies will be used:

Urban Area: A city or town with a population of 1,500 or more at the time of the 2011 Census of Population. (This definition is consistent with the CSO and the [Sustainable Rural Housing Guidelines](#)).

Urban Generated Rural Housing: Housing in rural areas sought by persons living and working in urban areas, including second homes.

Rural Generated Housing: Housing needed in rural areas within the established rural community by persons from that community or whose occupation is intrinsically linked with that particular rural area.

Subject to satisfying good practice in relation to site location and access, drainage and design requirements, rural generated housing need should be facilitated as close as possible to its origin to ensure that strong local ties are maintained and that the applicant remains an intrinsic part of the local community.

Ribbon Development: Ribbon development: is defined as existing where there are 5 or more houses on any one side of a given 250 metres of road frontage. If four houses exist on any one side of a given 250 metres of road frontage, it is likely that ribbon development may be created with an additional house.

Ribbon Development is discouraged for a variety of reasons, including road safety, future demand for the provision of public infrastructure and visual impact. The Planning Authority will have discretion to allow well spaced infill ribboning to complete a particular settlement pattern only, but not where it will lead to the coalescence of separate ribbons of development or, in combination with other ribbons, lead to the over proliferation of houses in the immediate area.

Local Area: Local area is defined as within approximately 8km from the site, excluding defined urban areas.

Backland Development: Where a development (most commonly associated with but not restricted to one-off housing) is positioned loosely to the rear of another so as to create a piecemeal and disorderly form of development, which could potentially impact neighbouring residential amenities, and gives rise to negative environmental or traffic issues, such development will be classed as backland development and in general will be considered contrary to the proper planning and sustainable development of the area.

1.3.7.3 Areas under Urban Influence

It is the Council's objective for areas of urban influence to facilitate the housing requirements of the rural community (as identified in this section) while on the other hand directing urban generated rural housing to areas zoned for new housing development in the city, towns and villages.

Areas under urban influence display the greatest pressures for development due to:

- Close commuting catchments of larger cities and towns,

- Rapidly rising population,
- Ready access to a good road network with ready access to the larger urban areas.

Providing for Urban Generated Housing need in rural areas is only allowed where provision will be in accordance with the policies for that category of rural area. Where development is urban generated, an intrinsic connection with the particular rural area will therefore have to be proven.

In areas under urban influence it is the policy of the Council to permit single houses for persons where the following criteria are met:

1. Persons who are full time farmers or employed full time in other rural based activity such as horticulture, forestry, bloodstock or other rural based activity in the area in which they wish to build or whose employment is intrinsically linked* to the rural area in which they wish to build.
2. Immediate family members of people intrinsically linked* to the area to include brothers, sisters, sons and daughters, nieces, nephews and grandchildren.
3. Persons who are originally from the local area and wish to return to live in the local area (*returning migrants*).

***Persons who are an intrinsic part of the rural community:**

Such persons will normally have resided a *minimum of three years in a rural area* as members of an established rural community. Examples would include farmers, their sons and daughters and/or any persons taking over the ownership and running of farms, as well as people *who have developed strong links in the rural area* and are building their first homes. Examples in this regard might include sons and daughters of families living in rural areas who have grown up in rural areas and are perhaps seeking to build their first home near their family place of residence. The Council will also consider nieces, nephews and grandchildren in this regard. In certain circumstances, persons who lived for substantial parts of their lives in rural areas then emigrated and who now wish to return to reside near other family members or to care for elderly family members, will be considered an intrinsic part of the rural community.

All permission granted for rural housing within the Areas of Urban Influence shall be subject to an occupancy condition restricting the use of the dwelling to the applicant or members of his/her immediate family as a place of permanent residence for a period of seven years from the date of first occupancy.

1.3.7.4 Stronger Rural Areas

In stronger rural areas of the county it is a key objective of the Council to consolidate and sustain the stability of the population and in particular to strike a balance of activity in the smaller towns and villages and the wider rural area thereby ensuring that these areas maintain a stable population base.

In stronger rural areas, the Council will endeavour to:

- Accommodate proposals for individual rural generated houses subject to compliance with the rural housing policy and normal siting and design criteria.
- Promote the development of houses in the designated settlements and villages in the county.

It will be the policy of the Council to consider development for single houses for the following classes of persons:

1. Persons who are an intrinsic part of the rural community* (see above)

2. Persons working full time in rural areas

Such circumstances will normally encompass persons involved in full-time farming, forestry, inland waterway or marine related occupations. It could also encompass persons whose work is intrinsically linked to rural areas such as teachers in rural schools or other persons whose work predominantly takes place within rural areas.

Planning permission granted for rural housing within Stronger Rural Areas shall be subject to a condition restricting the permission (until completed and ready to occupy) to the applicant/s only for a period of five years. The permission can, within this five year period, be transferred to another person only with the written consent of the Planning Authority where the prospective purchaser complies with the applicable rural housing policies.

1.3.7.5 Peripheral Areas of Population Decline

In these areas it will be the policy of the Council to accommodate any proposals for individual rural or urban generated permanent residential development subject to meeting normal planning and environmental criteria.

In all cases the consideration of individual sites will be subject to normal siting and design considerations, which will include but not necessarily be limited to the following:

- Any proposed vehicular access would not endanger public safety by giving rise to a traffic hazard;
- That any proposed on-site waste water disposal system is designed, located and maintained in a way which protects water quality;
- That the siting and design of new dwellings takes account of and integrates appropriately with its physical surroundings and other aspects of the natural and cultural heritage and;
- That the proposed site otherwise accords with the objectives of the development plan in general.

1.3.8 Refurbishment and Replacement Dwellings in rural areas

The Council will encourage and facilitate the appropriate refurbishment of existing housing stock and other structures in rural areas and in certain limited cases the replacement of existing dwellings subject to the criteria outlined below.

Development management standards

- The emphasis should be on the retention, refurbishment and reuse of the structure as part of the development proposal
- The scale and architectural treatment of proposed works should be sympathetic to the character of the original structure and the surrounding area including adjoining or nearby development.
- In the case of replacement dwellings, to require proof that the original structure was last used as a dwelling and was habitable so as not to invoke the policies under section 3.5.2 that applies to new dwellings. (Replacement dwellings will be subject to all usual development management criteria also)

- In cases where retention or reuse of the existing dwelling is not technically feasible, the size and scale of any replacement dwelling should reflect the site's characteristics and context and shall accord with best practice in rural house design.
- Where an original structure was not habitable, if an applicant can demonstrate that their proposals will ensure the sensitive restoration of vernacular and traditional buildings in the rural area, thereby respecting and maintaining the integrity and scale of the original building, and does not compromise any other development management considerations, such proposals shall not be subject to the policies in Section 3.5.2 that applies to new dwellings. (see Section 8.3.10 Vernacular built heritage)

1.3.9 Rural House Design Guidance

A [Rural Design Guide](#)⁸ was produced in 2008 for County Kilkenny. The Design Guide acts as an instrument to develop best practice in the design and siting of one off rural housing. Those intending to build houses in the countryside are advised to consult the [Rural Design Guide](#) for advice on site choice, local design and landscaping at an early stage in their preparations.

3.5 Rural Settlement Strategy

The rural settlement strategy is based on the [Sustainable Rural Housing Guidelines for Planning Authorities](#)⁹. The objective of the Council's rural housing strategy is to provide for sustainable rural communities without compromising the physical, environmental, natural or heritage resources of the county.

This broad objective is underpinned by the following detailed objectives:

- Promote the sustainable development of rural areas.
- Protect the quality and character of rural areas.
- Protect the quality of the environment, including the prevention, limitation, abatement and/or reduction of environmental pollution and the protection of waters, groundwater and the atmosphere.
- Protect features of the landscape and areas of major importance for wild fauna and flora.
- Protect the character of the landscape, including views and prospects listed in this Plan and the amenities of places and features of natural beauty or interest.
- Protect natural resources such as minerals and construction aggregates
- Protect areas where sustainable energy production is feasible, such as high lying areas where wind energy production is acceptable in principle.

Approximately 63% of the county's population live in rural areas¹⁰. The Council recognises that Kilkenny has a long tradition of people living in rural areas. It is the Council's intention to support this in a way that is sustainable.

3.5.1 Analysis of the County

In January 2006, Variation Number 8 to the County Development Plan 2002 was adopted which gave effect to the [Sustainable Rural Housing Guidelines](#). This policy was carried through in the County

⁸ Kilkenny County Council, [County Kilkenny Rural Design Guide](#), 2008

⁹ Department of Environment, Heritage and Local Government, [Sustainable Rural Housing Guidelines for Planning Authorities](#), 2005

¹⁰ According to the Census of Population 2011

Development Plan 2008-2014. Between January 2006 and August 2012, a total of 2,043 permissions were granted for one-off houses in Kilkenny rural areas.

At this stage, the current rural housing policy is in operation approximately 6 years. As is evident from the number of housing applications granted over this period, the demand for rural housing remains strong. There has been a significant decline in the number of applications lodged in the past three to four years, but this decline is reflective of general economic decline since 2008 rather than any underlining change in housing demand. The potential demand for rural housing remains strong, which could quickly be reflected in applications once the housing market and mortgage availability improves.

The population of the county increased by 9% during the last intercensal period (2006 -2011), with the state average at 8%. The aggregate rural areas of the county increased by 6.1%¹¹ over the same period while the aggregate town areas increased by 14.1%. Over the period of the policy (2006 - 2014), the distribution of housing applications has been fairly equal throughout the County. However, certain areas have been shown to be more attractive for rural settlement, particularly around the major centres such as Kilkenny and Waterford. The trends observed over this period show that the county as a whole experienced strong population growth with the increase in urban areas being stronger than the aggregate rural areas. Therefore the thrust of the existing policy, with slight variations, will be retained. The changes reflect appropriate responses to changes in housing demand over the period of the previous plan.

The County can be divided into three broad categories as follows:

- 4. Areas under Urban Influence*
- 5. Stronger Rural Areas*
- 6. Peripheral Areas of Population decline*

See Figure 3.17: Rural Housing Strategy Map.

3.5.2 Rural Housing Policies

The following policies have been devised in order to respond to the different housing requirements of urban and rural communities and the varying characteristics of rural areas. This is to ensure that first and foremost the housing requirements of persons with roots or links in rural areas are facilitated in all such areas, but that planning policies also respond to local circumstances whether these relate to areas experiencing economic and population decline or to areas under sustained pressure for development.

The following definitions and associated policies will be used:

Urban Area: *A city or town with a population of 1,500 or more at the time of the 2011 Census of Population (This definition is consistent with the CSO and the [Sustainable Rural Housing Guidelines](#)). In 2011, the population of Castlecomer and Graiguenamanagh was recorded at 1456 and 1252 respectively. Both of these towns are considered to be 'urban areas' for the purposes of this Plan.*

¹¹ CSO vol1 table 3 aggregate rural area is defined as

Kilkenny Draft County Development Plan

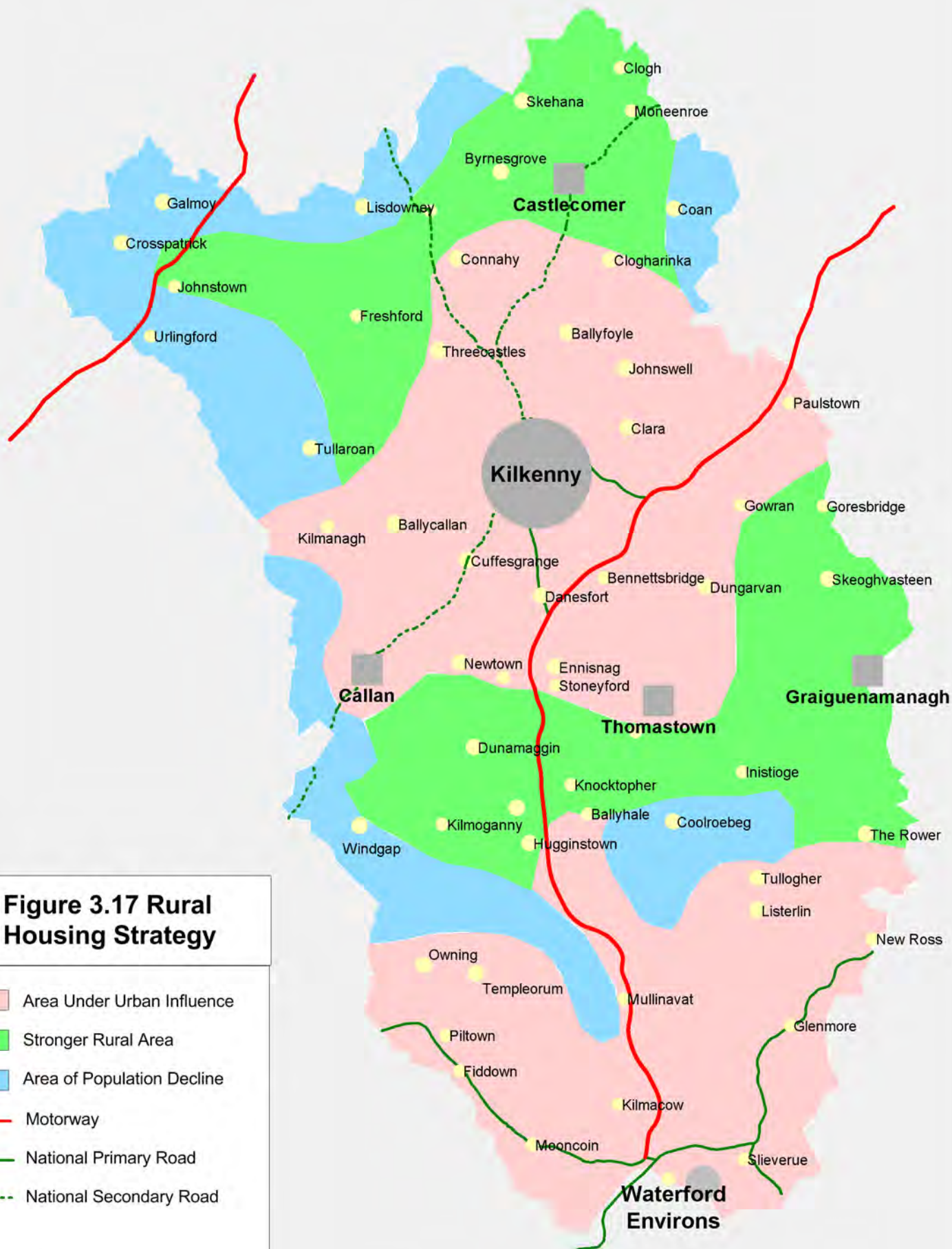


Figure 3.17 Rural Housing Strategy

- Area Under Urban Influence
- Stronger Rural Area
- Area of Population Decline
- Motorway
- National Primary Road
- National Secondary Road

Date: February 2014
Scale: 1: 300,000 @A4

Based on Ordnance Survey of Ireland Map Licence No. Kilkenny/CCMA/08/12

Urban Generated Rural Housing: Housing in rural areas sought by persons living and working in urban areas, including second homes. The Council will endeavour to accommodate urban-generated housing within the development limits of all towns and villages subject to appropriate servicing arrangements. This approach has been adopted because of the problems that arise from a proliferation of one-off houses, including those listed below, being

- creation of demands for the subsequent provision of public infrastructure (i.e. roads and utilities);
- proliferation of septic tanks in areas with poor soils that do not have the capacity to absorb effluent;
- contamination of local water supplies and a reduction in water quality;
- rising land values that push up prices for those with a genuine local housing need;
- higher energy consumption and transportation costs arising from increased car-based commuting;
- profound effects on landscape character, with potentially harmful effects on the tourism sector, which
- depends on high-quality landscapes;
- loss of investment in rural towns and villages, leading to dereliction and vacancy;
- relocation of younger and more affluent people from settlements to the surrounding rural areas.

Rural Generated Housing: Housing needed in rural areas within the established rural community by persons from that community or whose occupation is intrinsically linked with that particular rural area as defined in section 1.1.2.3 below

Subject to satisfying good practice in relation to site location and access, drainage and design requirements, rural generated housing need should be facilitated as close as possible to its origin to ensure that strong local ties are maintained and that the applicant remains an intrinsic part of the local community.

Ribbon Development: Ribbon development: is defined as existing where there are 5 or more houses on any one side of a given 250 metres of road frontage. If four houses exist on any one side of a given 250 metres of road frontage, it is likely that ribbon development may be created with an additional house.

Ribbon Development is discouraged for a variety of reasons, including road safety, future demand for the provision of public infrastructure and visual impact. The Planning Authority will have discretion to allow well spaced infill ribboning to complete a particular settlement pattern only, but not where it will lead to further gap infill sites or the coalescence of separate ribbons of development or, in combination with other ribbons, lead to the over proliferation of houses resulting in overdevelopment creating ribbon development, wastewater disposal difficulties, traffic or other serious planning issues in the immediate area.

Consideration will be given to granting permission for development for a house which would extend an undesirable pattern of ribbon development in an area provided:

- There is no other family land that can be put forward as a site for the applicant under planning considerations.

- That the applicant has not sold off sites to third parties (i.e. non-family members) or obtained planning permission for a dwelling previously.
- That applicant or the landowner has not obtained planning permission(s) previously for the houses which have contributed to the ribbon development adjacent to the proposed site.

If these criteria are met the Council may consider granting permission provided all other technical criteria are met and provided the further dwelling will not lead to over development of the area.

Local Area: Local area is defined as within approximately 10km ~~7km~~¹² from the site, excluding defined urban areas. Where the site is of a greater distance but the applicant can demonstrate significant ties with the area for example immediate family or well established landownership then these applications will be considered on their merits.

Backland Development: Where a development (most commonly associated with but not restricted to one-off housing) is positioned loosely to the rear of another so as to create a piecemeal and disorderly form of development, which could potentially impact neighbouring residential amenities, and gives rise to negative environmental or traffic issues, such development will be classed as backland development and in general will be considered contrary to the proper planning and sustainable development of the area.

3.5.2.1 Areas under Urban Influence

Areas classified as under Urban Pressure are located close to the immediate environs or commuting catchment of cities and towns or to major transport corridors with ready access to urban areas. They are characterised by rapidly rising populations and/or considerable pressure for housing development. It is the Council's objective for areas of urban influence to facilitate the rural generated housing requirements of the local rural community (as identified in this section) while on the other hand directing urban generated rural housing to areas zoned for new housing development in the city, towns and villages.

Areas under urban influence display the greatest pressures for development due to¹³:

- Close commuting catchments of larger cities and towns,
- Population increases above the well above the average for the aggregate rural areas of the county.
- Ready access to a good road network with ready access to the larger urban areas.

Occupancy Condition

All permission granted for rural housing within the Areas of Urban Influence shall be subject to an occupancy condition restricting the use of the dwelling to the applicant or members of his/her immediate family as a place of permanent residence for a period of seven years from the date of first occupancy.

¹² A number of other counties policies were reviewed with the following local areas defined : watterford cc 7km wexford cc 7km mayo cc 5km, carlow cc 8km

¹³ Fig 3.17 of the draft plan reflects this position.

Sterilisation Agreements

In areas where significant levels of rural housing development have taken place on the edges of urban areas within the county and where the Council considers such areas are becoming over developed the council will seek agreement under Section 47 of the Planning Act (sterilisation agreement) if it considers it necessary to regulate development in the area.

3.5.2.2 Stronger Rural Areas

In stronger rural areas of the county it is a key objective of the Council to consolidate and sustain the stability of the population and in particular to strike a balance of activity in the smaller towns and villages and the wider rural area thereby ensuring that these areas maintain a stable population base.

In stronger rural areas, the Council will endeavour to:

- *Accommodate proposals for individual rural generated houses subject to compliance with the rural housing policy and normal siting and design criteria.*
- *Promote the development of houses in the designated settlements and villages in the county subject to appropriate servicing.*

It is the Council's objective for stronger rural areas to facilitate the rural generated housing requirements of the local rural community (as identified in this section) while on the other hand directing urban generated rural housing to areas zoned for new housing development in the city, towns and villages.

Planning permission granted for rural housing within Stronger Rural Areas shall be subject to a condition restricting the permission (until completed and ready to occupy) to the applicant/s only for a period of five years. The permission can, within this five year period, be transferred to another person only with the written consent of the Planning Authority where the prospective purchaser complies with the applicable rural housing policies.

3.5.2.3 Rural General Housing need

In areas under urban influence and in stronger rural areas the Council will permit (subject to other planning criteria) single houses for persons where the following stipulations are met:

1. *Persons who are employed full-time in rural-based activity such as farming, horticulture, forestry, bloodstock or other rural-based activity in the area in which they wish to build or whose employment is intrinsically linked to the rural area in which they wish to build such teachers in rural schools or other persons by the nature of their work have a functional need to reside permanently in the rural area close to their place of work.*
2. *A fulltime farm owner or an immediate family member (son, daughter, mother, father, sister, brother, heir) wishing to build a permanent home for their own use on family lands.*
3. *Persons who have no family lands but who wish to build their first home , on a site within a 10 7km radius of their original family home, (the local rural area) in which they have spent a substantial and continuous part of their lives(minimum 5 years)¹⁴*

¹⁴ This is an increase from 3 years in the previous plan

4. *Persons who were born and lived for substantial parts of their lives (minimum 3 year) in the local area and wish to return to live in the local area (returning migrants).*
5. *A landowner who owned property prior to 14th June 2013¹⁵ wishing to build a permanent home for his/her own use or a son or daughter. (This provision is to deal with historical land issues which might arise close to existing settlements where families could be excluded from building a home for their own lands for their own occupation due to emerging development trends over previous plan periods. This cut off date is a definitive time frame which will not be revised in subsequent Development Plans.)*

3.5.2.4 Peripheral Areas of Population Decline

In these areas it will be the policy of the Council to accommodate any proposals for individual rural or urban generated permanent residential development subject to meeting normal planning and environmental criteria.

In all cases the consideration of individual sites will be subject to normal siting and design considerations, which will include but not necessarily be limited to the following:

- *Any proposed vehicular access would not endanger public safety by giving rise to a traffic hazard,*
- *That any proposed on-site waste water disposal system is designed, located and maintained in a way which protects water quality,*
- *That the siting and design of new dwellings takes account of and integrates appropriately with its physical surroundings and other aspects of the natural and cultural heritage and,*
- *That the proposed site otherwise accords with the objectives of the development plan in general.*

3.5.3 Refurbishment and Replacement Dwellings in rural areas

The Council will encourage and facilitate the appropriate refurbishment of existing housing stock and other structures in rural areas and in certain limited cases the replacement of existing dwellings subject to the criteria outlined below.

Development management standards

- *The emphasis should be on the retention, refurbishment and reuse of the structure as part of the development proposal.*
- *The scale and architectural treatment of proposed works should be sympathetic to the character of the original structure and the surrounding area including adjoining or nearby development.*
- *In the case of replacement dwellings, to require proof that the original structure was last used as a dwelling and was habitable so as not to invoke the policies under section 3.5.2 that applies to new dwellings. (Replacement dwellings will be subject to all usual development management criteria also).*
- *In cases where retention or reuse of the existing dwelling is not technically feasible, the size and scale of any replacement dwelling should reflect the site's characteristics and context and shall accord with best practice in rural house design.*

Where an original structure was not habitable, if an applicant can demonstrate that their proposals will ensure the sensitive restoration of vernacular and traditional buildings in the rural area, thereby respecting and maintaining the integrity and scale of the original building, and does not compromise any other development management considerations, such proposals shall not be subject to the policies in Section 3.5.2 that applies to new dwellings.(see Section 8.3.10 Vernacular built heritage).

¹⁵ The date of commencement of the review of the Development Plan.

3.5.4 Rural House Design Guidance

A Rural Design Guide was produced in 2008 for County Kilkenny. The Design Guide acts as an instrument to develop best practice in the design and siting of one-off rural housing. Those intending to build houses in the countryside are advised to consult the Rural Design Guide for advice on site choice, local design and landscaping at an early stage in their preparations.

Chapter 4: Economic Development

4.8.3 The District Towns

Insert at end

See Section 4.6.3 and 3.3.4 also.

4.6.3 District Towns

Insert at end

See Section 4.8.3 and 3.3.4 also.

Chapter 5: Housing and Community

5.7 Community Facilities

The Council will locate community facilities within existing settlements and where population levels warrant a particular service, and will liaise with community groups and to assist community initiatives ~~subject to the availability of resources.~~

5.8.2.2 Dual Use of School Buildings

Where lands and buildings can be beneficially used by the community, the Council will promote such uses ~~subject to available resources.~~

Chapter 6: Rural Development

Strategic Aim: To manage rural change and guide development to ensure vibrant and sustainable rural areas *whilst conserving and sustainably managing our environment and heritage.*

Section 6.2 Agriculture

Commonage Land

Commonage land is land owned by more than one person. There are a few examples of commonage land in Co. Kilkenny, including some land in the townlands of Ballygub New, Brandonhill, Danganbeg, Grangefertagh, Rochestown and Weatherstown¹⁶. In the future, commonage and other rough grazing land should be regarded primarily as an environmental/recreational resource.

Fencing

It is a requirement of the Planning Regulations 2001 Art 9(1)(a)(x) that the fencing of land open to or used by the public during the ten years preceding such fencing or enclosure, for recreational purposes or as a means of access to any seashore, mountain, lakeshore or other place of natural beauty or recreational utility requires planning permission. Wire fencing constitutes visual pollution and destroys the “away from it all” feeling which makes the upland areas such an attraction for both local people and visitors.

6.2.1 Food Harvest 2020

The council will support the expansion of agriculture to meet these sectoral targets *whilst sustainably managing our county’s environment and heritage resources.*

Sustainable agricultural practices will be encouraged to ensure that development does not impinge on the visual amenity of the countryside or on the architectural heritage of the county and that watercourses, and areas of ecological importance are protected from the threat of pollution. The implementation of schemes such as the Rural Environment Protection Scheme and the Agri-Environment Options Scheme will be supported.

6.2.4 Development Management Standards

- *Fencing in upland or highly scenic areas (See Section 8.2.10 Landscape) will not normally be permitted unless such fencing is essential to the viability of the farm and that it conforms to the best agricultural practice. The nature of the material to be used, the height of the fence, and in the case of a wire fence the type of wire to be used will be taken into account. Barbed-wire will not be used for the top line of wire. Stiles or gates at appropriate places will be required.*

6.4.1 Aggregate Potential Mapping

The GAP map shows very high potential in the north of the county, along the Rivers Nore, Dinin and Nuenna, See Figure 6.1. The CRP map shows great variation throughout the county in levels of potential, see Figure 6.2. These maps are acknowledged to be preliminary, as further detailed data can be added to the analysis. *Any revised mapping from the GSI will be duly noted.*

Because the extraction industry is a very significant industry serving the construction, industrial and energy sectors, it is important to facilitate development, ~~particularly by safeguarding with due regard to mineral reserves so that inappropriate development does not occur in the vicinity and cause difficulties in impinging on the viable exploitation of~~ ~~exploiting~~ the resource. ~~The Council will therefore seek to safeguard these valuable resources for future extraction.~~

¹⁶ <http://www.commonage.agriculture.gov.ie/Search.asp>

6.4.2 Development Management Standards

- The Council will have regard to the following:
 - [Undertaking non-energy extractive activities in accordance with Natura 2000 requirements.](#)
 - To NPWS [Guidelines for the protection of Biodiversity within the Extractive Industry](#) and the GSI's [Geological Heritage Guidelines for the Extractive Industry.](#)
 - The [Archaeological Code of Practice](#) agreed between the ICF and the National Monuments Division in Section 6.4.2 Development Management Standards.
- Ensure that all existing workings shall be rehabilitated to suitable land uses and that all future extraction activities will allow for the rehabilitation of pits and proper land use management.
 - *The Council may require that development is phased and that each phase is rehabilitated before the next phase is developed/commenced;*
 - *The Council shall require applicants to submit a restoration programme with their application on the manner and timing of restoration;*
 - *The Council will consider the current land/quarry resource of the applicant and may seek that current quarries are restored before new sites are developed.*
- *Ensure that any extractive development does not significantly impact on existing public rights of way, walking routes, or tourist or recreational activities.*
- *The Council will consider the current land/quarry resource of the applicant and may seek that current quarries are restored before new sites are developed.*

6.5 Forestry

The Government's strategy for the development of forestry is to substantially increase the land area under forestry. *Forestry policy is under review at present but the Government's policy is still to increase the forest area in accordance with sustainable forest management principles¹⁷.*

Woodlands provide recreational opportunities in addition to their heritage and economic benefits. They are also important as links in the county's green infrastructure network. Coillte have provided access to many of their forests and support the use of the forests for recreational uses. Coillte's [Recreation Policy – Healthy Forest, Healthy Nation](#)¹⁸ states that Coillte recognises that forests provide an excellent landscape for a wide range of recreational activities, and Coillte will continue to provide recreation that is environmentally, socially and economically sustainable.

~~The Council will encourage and promote, the provision of public access to new forests through walking and bridle paths, recreational areas and other similar facilities, including private forestry, in co-operation with Coillte, the Forest Service and other agencies, for walking routes, mountain trails, bridle paths, orienteering, cycling and other recreational activities, see Chapter 7 Recreation.~~

Section 6.5.2 Development Management Standard

- *Forestry shall not obstruct existing public rights of way.*

¹⁷

[Forests, products and people. Ireland's forest policy – a renewed vision. Recommendations of the Forest Policy Review Group Draft Report for Public Consultation June 2013](#)

¹⁸ [Recreation Policy – Healthy Forest, Healthy Nation](#), Coillte, 2005 (www.coillte.ie)

Chapter 7: Recreation, Tourism & the Arts

7.2 Provision of open space and Recreational Facilities

Objective:

The Council shall seek the preservation and improvement of amenities and recreational amenity facilities, and shall facilitate and provide for the extension of recreational amenities in the county where appropriate, subject to environmental *and* heritage ~~and financial~~ considerations.

7.3.2 Walking and Cycling

Long distance cycling trails have been developed or are in various stages of development throughout the county through the work of a number of agencies. *The [National Cycle Network Scoping Study](#), published by the National Roads Authority in 2010, identified potential route corridors between urban centres of 10,000 population and upwards. The study shows the potential in providing a cycle network linking Kilkenny to Carlow and Clonmel.* Trail Kilkenny have developed an east (65km) and north (83km) cycle route and are in the process of developing a long distance cycle route in the south of the county. Under the National Cycle Network funding scheme a route will link Kilkenny City and Carlow town with a total length of 44.5km.

Kilkenny Local Authorities will continue to support and facilitate the on-going development of walking and cycling routes and trails in the city and county in conjunction with agencies such as Trail Kilkenny (see <http://www.trailkilkenny.ie>) and ~~subject to resources~~ will support the proposals as set out in the *Trail Kilkenny Development & Business Plan*.

The Council will explore the possibility of cycle-ways in parks and recreational areas in Kilkenny and along river banks subject to environmental *and* heritage ~~and economic~~ considerations. Issues of accessibility such as car parking for walkers and cyclists to the trails ~~will should~~ be addressed in any strategy.

In addition the Council may seek to incorporate the provision of pedestrian ways as a condition of planning permission to link amenities, facilities and points of interest. The Council will also encourage the provision of access routes to amenity areas in co-operation with landowners and protect amenity areas from infringement by inappropriate development, and will seek to improve the provision of local parks and play spaces and extend those spaces and pathways that can usefully form green links, footways and cycle ways to connect residential areas with parks and open spaces and with each other.

~~7.3.3.1 Development Management standard~~ (this is moved to 7.3.4 below).

~~Require that development along rivers set aside land for recreation routes that could be linked to the wider network of green infrastructure and any established settlements in their vicinity, subject to environmental considerations and compliance with the habitats Directive.~~

7.3.4 Riverside Development

- Any landscape or nature, built heritage or archaeological designation for the area (*refer to Chapter 8 Heritage for guidance*).
- *Require that development along rivers set aside land for recreation routes that could be linked to the wider network of green infrastructure and any established settlements in their vicinity, subject to environmental considerations and compliance with the habitats Directive.*

~~7.3.5 Woodlands~~ (delete and move to Section 6.5 Forestry)

7.3.6 Public rights of way

The Council will use its powers under the Planning Acts to preserve, and protect, *maintain and enhance* existing rights of way, to determine where public rights exist and where public rights of way should be created, and to promote their greater use in amenity areas – including access points to the Rivers Nore, Suir and barrow and other amenity areas of the County.

~~In addition the Council may seek to incorporate the provision of pedestrian ways as a condition of planning permission to link amenities, facilities and points of interest. The Council will also encourage the provision of access routes to amenity areas in co-operation with landowners and protect amenity areas from infringement by inappropriate development, and will seek to improve the provision of local parks and play spaces and extend those spaces and pathways that can usefully form green links, footways and cycle ways to connect residential areas with parks and open spaces and with each other (removed to Section 7.3.2).~~

Objectives:

- The Council shall preserve and protect existing public rights of way which give access to seashore, uplands, riverbank or other places of natural beauty or recreational use (*A list of existing known rights of way in the county are included as on Appendix D to this plan and are shown on Figure 7.1*).
- To undertake a survey ~~of~~ *to establish any additional* existing public rights of way in the county and establish a register within the life of the Plan.

Section 7.4.1.1 Nore Linear Park

Objective: To establish an environmental management plan for the River Nore Linear Park.

7.9.3 Integrated Rural Tourism

Development Management Standards:

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

Chapter 8: Heritage

Strategic Aim: To seek the protection and sustainable management ~~and where possible,~~ enhancement of heritage ~~of the county's heritage~~ for the benefit of current and future generations; ~~and to promote increased awareness of heritage through policies and actions to encourage the collection of knowledge to inform it's protection;~~ and promote access to, awareness of and enjoyment of heritage.

Delete final paragraph in Section 8.2 (natural Heritage): ~~it is the aim of the Council to conserve, enhance and manage the County's natural heritage including its biodiversity, landscapes and geological heritage and to promote understanding of and sustainable access to it.~~

8.1 Introduction

Amend last paragraph:

Under this remit the Council will seek the protection *and* sustainable management ~~and where possible, enhancement~~ of the heritage of County Kilkenny for the benefit of current and future generations. *Through its policies and actions the Council will promote increased awareness of the heritage of the county.*

Objective

To *prepare and* implement, in partnership with the Kilkenny Heritage Forum and all relevant stakeholders, a County Heritage Plan and County Biodiversity Plan.

Amended Figure 8.1: This now refers to County Geological Sites. Site codes for cSACs, SPAs and NHAs included also.

Section 8.2.1.3 Rare or Protected Species and their Habitats

- To protect and, where possible, enhance the ~~plant and animal species and their habitats that have been identified under European Legislation (EU Habitats Directive, EU Birds Directive)~~ *natural heritage sites designated under EU Legislation and National Legislation (Habitats Directive, Birds Directive, European Communities (Birds and Natural Habitats) Regulations 2011 and Wildlife Acts). This protection will extend to any additions or alterations to sites that may arise during the lifetime of this plan.*
- To protect and, where possible, enhance the ~~natural heritage sites designated under national legislation (The Wildlife Acts and The Flora protection Order). This protection will extend to any additions or alterations to sites that may arise during the lifetime of this plan~~ *plant and animal species and their habitats that have been identified under European legislation (Habitats and Birds Directive) and protected under national Legislation (European Communities (Birds and Natural Habitats) Regulations 2011 (SI 477 of 2011), Wildlife Acts 1976-2010 and the Flora Protection Order (SI94 of 1999).*

Section 8.2.3 Nature Conservation Outside of International and national protected Areas

To protect ~~and where possible enhance~~ wildlife habitats and landscape features which act as ecological corridors/networks and stepping stones, such as river corridors, hedgerows and road verges, and to discourage the loss of habitats and features of the wider countryside (such as ponds, wetlands, trees) which are not within designated sites. ~~Where the loss of habitats is unavoidable as part of a development, to ensure that appropriate mitigation and/or compensation measures are put in place, to conserve and enhance biodiversity and landscape character and green infrastructure networks.~~ *Appropriate mitigation and/or compensation measures to conserve biodiversity, landscape character and green infrastructure networks will be required where habitats are at risk or lost as part of a development.*

8.2.4 Geological Heritage

~~8.2.4.1 County Geological sites~~ (delete heading as there is no need for this sub-heading)

The Council will consult the Geological Survey of Ireland when considering undertaking, approving or authorising development which are likely to affect County Geological sites *and encourage and promote access to geological and geomorphological features.*

8.2.5 Woodlands, Trees and Hedgerows

~~The National Survey of Native Woodlands (NSNW)~~

~~The NSNW surveyed a total of 58 sites in Kilkenny as part of a National Survey (BEC consultants 2003-2008). A range of data types from both the general site survey (e.g. area, occurrence of rare species, presence of hydrological features) and a sample dataset of the trees (e.g. structural diversity, regeneration status) was used to produce a conservation score for each of the woodlands surveyed.~~

~~Ancient woodlands~~

~~Ancient woodlands are defined in Ireland as areas which have been wooded since 1660. Possible ancient woodlands (PAWS) and long established woodlands (LEWS) were identified from documentary and archaeological evidence by the NPWS. A total of 28 PAWS and LEWS were identified in Co. Kilkenny.~~

8.2.5.1 Hedgerows

- Have regard to, and seek the conservation of (a) sites of significance identified in the Kilkenny Woodlands Survey 1997, and (b) the trees of County Kilkenny identified in the Tree Register of Ireland and (c) Survey of mature Trees in Kilkenny City and Environs in the assessment of planning applications ~~d) the National Survey of Native Woodlands and Ancient Woodlands.~~

8.2.7 Peatlands

Peatlands are important ecosystems sustaining a range of animal and plant species. The distribution of peatland in Kilkenny is shown on Figure 8.3. This amounted to approximately 1.3% of the total land area of Co. Kilkenny in 2006. *Industrial extraction of peat for energy and horticulture in Kilkenny is limited to a small area in the northwest of the county, adjacent to the Tipperary county boundary.* ~~There is no industrial extraction of peat for energy and horticulture in Kilkenny, however damage to peatland can occur from domestic peat extraction, afforestation, wind farms, recreational activities and invasive species. Peatlands may contain archaeological artefacts (Refer to Chapter 8).~~

~~Development Management Standard~~

~~To protect peatlands from inappropriate development having regard to their amenity and biodiversity value and their visual sensitivity.~~

8.2.10.4 Landscape Character Values

The Landscape Character Assessment identified a landscape value for each of the Landscape Character Areas. It highlights the special landscape value of several of the Landscape Character Areas illustrated in [Figure 8.2](#) – in particular Brandon Hill Uplands and the River Valley Areas of the Rivers Nore, Barrow and Suir have been identified as being highly scenic *and visually pleasing* and as having significant visual amenity value and tourism potential within the county.

~~**Objective: Development management standard**~~

~~**To ensure that development within the Landscape Character Areas of Brandon Hill Uplands and the River Valleys of the Nore, Barrow and Suir, which are highly scenic *and visually pleasing* and of**~~

significant visual amenity value, are carefully sited and designed and can be successfully assimilated into the landscape.

Amended Figure 8.2: Legend changes as follows: Highly scenic/ ~~Significant visual amenity value~~ *Visually pleasing*. Two new protected views added, no. 31 and 32.

~~8.2.10.5 Development Management Standard~~ (moved to 8.2.10.6).

8.2.10.6 Views and Prospects:

There is a need to protect and conserve views and prospects adjoining public roads and river valleys throughout the county where these views are of high amenity value. In conserving views, it is not proposed that this should give rise to the prohibition of development along these routes but development, where permitted, should not seriously alter the character or obstruct the view and should be designed and located to minimise the impact. The views and prospects to be protected are contained in Appendix H to the Plan and are shown on Figure 8.2. *The Planning Authority will be cognisant of the impact of developments within the county on views from neighbouring counties.*

Add the following two protected views from the City Plan to Figure 8.2 and in Appendix H:

| | |
|----|---|
| 31 | <i>Panoramic view of River Nore valley from the Bleach Road</i> |
| 32 | <i>View of River Nore valley to east from Ossory bridge</i> |

Objective:

To preserve and improve places or areas from which views or prospects of special amenity value exist, as identified in Appendix ~~H~~ and on Figure 8.2.

Amend development management standards as follows:

- To ~~seek to~~ protect the landscape character, quality and local distinctiveness of County Kilkenny, and have regard to the guidance set out in the Landscape Character Assessment.
- *Where necessary*, to require that an applications *are* is accompanied by ~~any necessary assessments, including~~ a visual impact assessment, ~~as part of a development proposal~~, particularly in upland areas, river valleys and areas of greater sensitivity.
- To ensure that development in upland areas or on steep slopes will not have a disproportionate or dominating visual impact (due to excessive bulk, scale or inappropriate siting) and will not significantly interfere or detract from ~~protected views, see Appendix H scenic upland vistas (as identified in the Development Plan), or when viewed from public areas, scenic routes, viewpoints or settlements.~~
- *To maintain the visual integrity of areas of greater sensitivity in the county and ensure that any development in these areas is appropriately sites and designed. Applicants shall demonstrate that the proposed development can be assimilated into the landscape and will not have a disproportionate visual impact on the landscape.*

8.3.1 Archaeological Heritage

Added to end of first paragraph:

The [brochure](#) "Archaeology in the Planning Process" is available from www.archaeology.ie. Data on underwater archaeological sites (marine, coastal and inland waterways), including the Shipwreck Inventory of Ireland and the Ports and Harbours Archive) are available from the Underwater

Kilkenny Draft County Development Plan

Landscape Character Types

- Lowland
- Transition zone
- Upland
- River valleys

Proposed Amendment

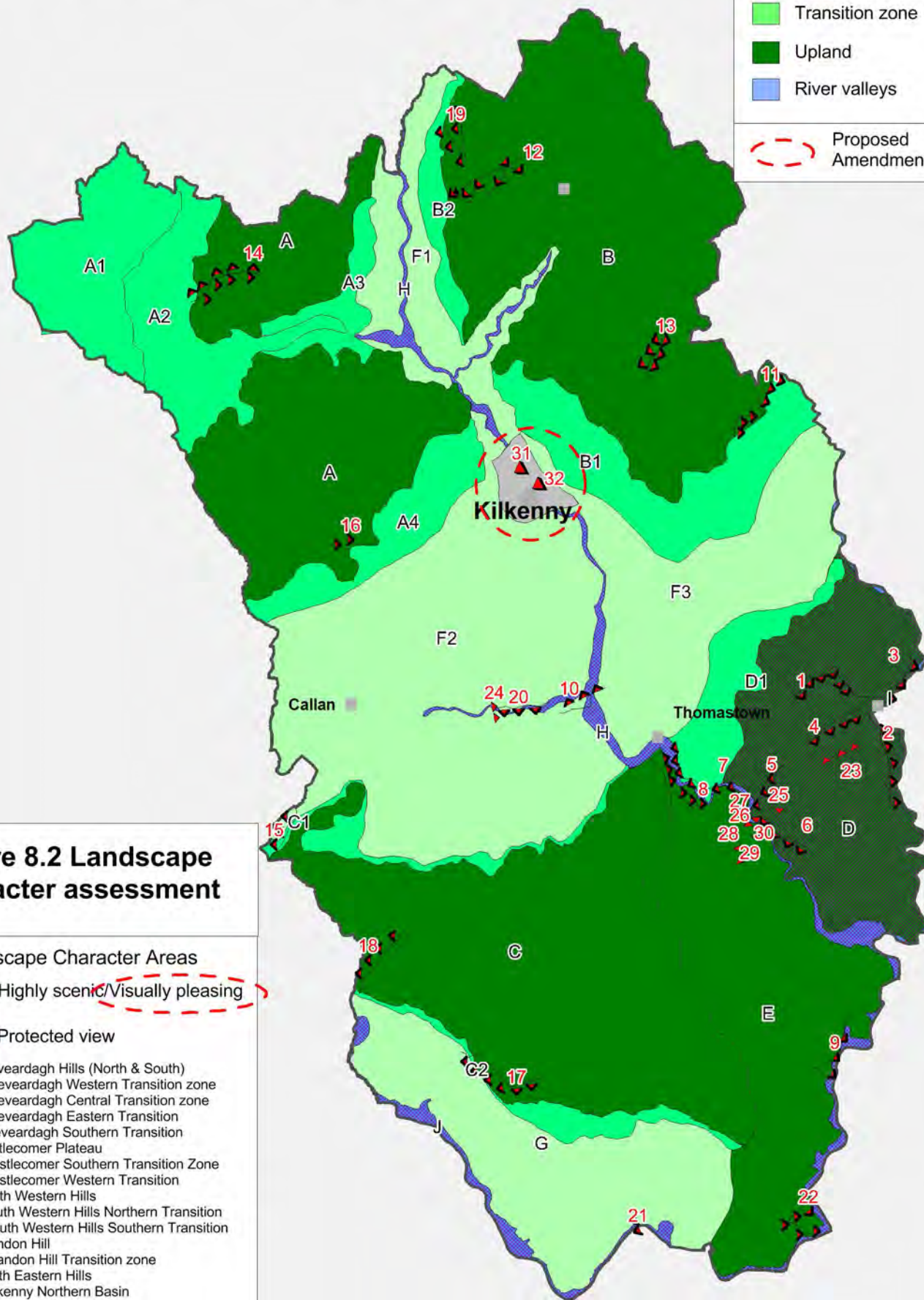


Figure 8.2 Landscape character assessment

Landscape Character Areas

Highly scenic/Visually pleasing

Protected view

- A - Slieveardagh Hills (North & South)
- A1 - Slieveardagh Western Transition zone
- A2 - Slieveardagh Central Transition zone
- A3 - Slieveardagh Eastern Transition
- A4 - Slieveardagh Southern Transition
- B - Castlecomer Plateau
- B1 - Castlecomer Southern Transition Zone
- B2 - Castlecomer Western Transition
- C - South Western Hills
- C1 - South Western Hills Northern Transition
- C2 - South Western Hills Southern Transition
- D - Brandon Hill
- D1 - Brandon Hill Transition zone
- E - South Eastern Hills
- F1 - Kilkenny Northern Basin
- F2 - Kilkenny Western Basin
- F3 - Kilkenny Eastern Basin
- G - South Kilkenny Lowlands
- H - Nore Valley South
- I - Barrow Valley
- J - Suir Valley

Date: February 2014
Scale: 1: 300,000 @A4

Archaeology Unit, in the National Monuments Service. See <http://www.archaeology.ie/UnderwaterArchaeology/>

At end of 3rd paragraph

See www.archaeology.ie for notification and consent procedures, from the National Monuments Section of the Department of Arts, Heritage and the Gaeltacht, in relation to works on monuments.

New statement at end of last paragraph

An archaeological assessment of a site or a building may be required before carrying out works. It is advisable to arrange a pre-planning consultation with the Council before embarking on such works in this regard.

8.3.2 8.3.1 Development Management Standards

(DMS's to be moved from Section 8.3.2 to 8.3.1 in the interests of clarity).

Move Section 8.3.4.1 (Historic Gardens and Designed Landscapes) to new Section 8.3.5.3

Historic gardens and designed landscapes are of natural heritage, architectural, landscape, cultural and historical importance. In addition, they are often the important setting of a Protected Structure.

The National Inventory of Architectural Heritage (NIAH) has carried out a preliminary survey of historic gardens and designed landscapes in 2003-2005. A total of 196 potential historic gardens and designed landscape sites in County Kilkenny were identified. For further information see <http://www.buildingsofireland.ie/Surveys/Gardens/>

Development management standard

To seek the protection, and ~~enhancement~~ sustainable management of ~~significant~~ historic gardens, parklands and designed landscapes in the county, their setting and their ~~views to and from them~~. visual amenity.

Move the Objectives and DMS from Section 8.3.5.2 to end of 8.3.5.1:

Objectives

- To ensure the protection of the architectural heritage of County Kilkenny by including all structures considered to be of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest in the Record of Protected Structures.
- To carry out a review of the Record of Protected Structures.
- ~~To respond to the Ministerial recommendation to include in the Record of Protected Structures, structures which have been identified as being of Regional, National or International significance in the National Inventory of Architectural Heritage survey of the city and county published in 2006.~~ (move to under NIAH heading)
- *To complete digital mapping of the Record of Protected Structures.*
- *To promote principles of best practice in conservation and the use of appropriate materials and repair techniques through the administration of the Conservation Grants Scheme and the Structures at Risk Fund, funded by the Department of Arts Heritage and the Gaeltacht.*
- *To provide assistance to owners of protected structures in undertaking essential repairs and maintenance by the provision of relevant information.*

Development management standards

- The Council will have regard to the [Architectural Heritage Protection Guidelines](#)¹⁹ when assessing proposals for development affecting a protected structure.
- ~~To require an architectural impact assessment/conservation method statement for developments within the grounds of country house estates which are Protected Structures. (move to historic gardens and designed landscapes).~~
- To encourage the sympathetic retention, reuse and rehabilitation of protected structures and their settings.

Change Section 8.3.5.2 (National Inventory of Architectural Heritage) as follows:

National Inventory of Architectural Heritage

The National Inventory of Architectural Heritage (NIAH) survey for Kilkenny was published in 2006 (www.buildingsofireland.ie). The planning authority is obliged to consider for inclusion in its Record of Protected Structures any buildings rated as being of Regional, National or International importance by the NIAH, *and to give consideration to including structures rated of local importance*. Kilkenny City and County Councils are continuing to process, on a phased basis, the addition to the RPS of all NIAH buildings recommended for inclusion by the Minister. This may be done as part of the development plan review process or separately under Section 55 of the Planning and Development Act.

Objectives

- To respond to the Ministerial recommendation to include in the Record of Protected Structures, structures which have been identified as being of Regional, National or International significance in the National Inventory of Architectural Heritage survey of the city and county published in 2006, *and to consider for inclusion those rated of local significance*.

Development management standard

- *To have regard to the Architectural Heritage Protection Guidelines when assessing applications and proposals for development affecting structures included in the National Inventory of Architectural Heritage.*

8.3.6 Architectural Conservation Areas

Each development plan must include a policy objective to preserve the character of Architectural Conservation Areas (ACAs) within its functional area. An ACA is a place, area, group of structures or townscape, taking account of building lines and heights, that is of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest or that contributes to the appreciation of a protected structure, and whose character it is an objective of the development plan to preserve.

The purpose of designating an ACA is to manage change, affording greater control over the form of development and reducing instances of inappropriate development and demolition. The character of an ACA is often derived from the collective value of an area's buildings, their setting, landscape and other locally important features developed gradually over time. It is usually an expression of our culture and identity and contributes significantly to the quality of our lives.

There are *nine existing ACAs located within ~~Bennettsbridge, Callan, Castlecomer, Graigueamanagh, Thomastown, Gowran, Freshford, Inistioge and Ballyragget~~ Ballyragget, Bennettsbridge, Callan,*

¹⁹ Department of Arts, Heritage and the Gaeltacht, [Architectural Heritage Protection Guidelines for Planning Authorities, 2004-2011](#), www.ahg.gov.ie.

Castlecomer, Freshford, Gowran, Graiguenamanagh, Inistioge, and Thomastown which were identified during the preparation of Local Area Plans for these villages. It is proposed to designate an ACA for Johnstown in this plan. There may be other ACAs designated within the lifetime of this county development plan. ~~The Local Area Plans for Ballyragget, Freshford and Inistioge designated ACAs for these towns and these are incorporated into this plan. Each ACA is given a description, statement of character and set of policies.~~ The ACAs for Callan, Castlecomer, Graiguenamanagh, and Thomastown and Gowran are set out in the local area plans for those towns which were published in 2009 and 2010.

A general set of policies for all ACAs within the County is set out below. A statement of character has been devised for each of these ACAs in order to identify the character elements that are *is* worthy of protection. Any works proposed *to the exterior of a building* within an ACA which would affect the special character of the area ~~or works outside the ACA which would affect the setting of the ACA~~ ~~may~~ *would* not be considered exempted development. For example replacement of timber sash windows with inappropriate alternatives (eg uPVC) would not be exempted development within an ACA. ~~and development outside an ACA which may affect views into or out of the ACA thereby affecting its special character may not be exempted development.~~ *Where applications are made for works outside an ACA which would have the potential to impact on the character of the ACA, these applications will be assessed using the criteria set out in the Architectural Heritage Protection Guidelines for assessing developments within the attendant grounds of protected structures (Section 13.8, AHPG).* Guidance on the criteria the planning authority will use to assess proposals for new development and proposals for demolition within an ACA are given in section 3.10 of the [Architectural Heritage Protection Guidelines](#).

The following table lists the conservation areas in the county.

| Table 8.2 Architectural Conservation Areas, County Kilkenny (excluding Kilkenny city) |
|---|
| Ballyragget |
| <i>Bennettsbridge</i> |
| Callan |
| Castlecomer |
| Freshford |
| <i>Gowran</i> |
| Graiguenamanagh |
| Inistioge |
| Johnstown (proposed) |
| Thomastown |

Section 8.3.6.5 Bennettsbridge ACA

Description and Historical Background

Bennettsbridge is located on the main Kilkenny to Thomastown road (R700) which passes over the bridge, curving southwards towards the centre of the village. The historic footprint of the village centres on the bridge and Gowran Road junction and then extends southwards in the direction of Thomastown. The village is dominated by the presence of the river, the bridge and the mills on both sides of the river south of the bridge. However, the heart of the village is located on the main street which turns its back on the river and runs parallel with it.

The village is recorded as being dedicated to Saint Benet from which it derives its name. The early bridge is clearly delineated on the Down Survey map of 1654. This bridge was washed away in the great flood of 1763 and replaced by the distinctive landmark bridge which exists today. The industrial origins of the village are evident in the two landmark mills situated on either bank of the river, and these have been in existence since at least the eighteenth century.

The village provided a significant local civic centre for the surrounding rural hinterland. This is evident in the number of civic and public buildings marked on the first edition Ordnance Survey map (c. 1829). The village is shown as being well established by this date with buildings such as the original school, the RC church, a police station situated to the west of the bridge, and two flour mills and a weir all downstream of the bridge.

Since the publication of the early OS maps the village has changed little. A school was constructed in 1914 (now a community hall following the construction a replacement school in the 1990s). The church built in 1822 was replaced by a new structure in 1967 and residential development has continued over time concentrated on the east side of the village.

ACA Boundary

The boundary is as shown in the 2009 LAP. See Figure 8.8.

Statement of Character

Bennettsbridge is located within a gently undulating landscape of fields dedicated to livestock grazing or tillage. The historic heart of the village pivots on the riverscape, the mill buildings and the landmark structure of the bridge. These structures were responsible for the development of the village and provide it with its historical identity which is further expressed in the collection of vernacular buildings on Main Street, the undulating roof lines and modest vernacular detailing contributing to the character of the village. Even though Bennettsbridge has expanded over time with an extension along Main Street to the south and further residential development to the East, the centre of the village has not changed and remains strongly linked to its origins.

The views of the river and the surrounding countryside are an important aspect of the character of the village.

Development Management Standards based on assessment of special character

BBACA1: The Council shall ensure that development in the Bennettsbridge Architectural Conservation Area will be controlled in order to protect, safeguard and enhance their special character and environmental quality.

BBACA 2: Within Architectural Conservation Areas, all those buildings, spaces, archaeological sites, trees, views and other aspects of the environment which form an essential part of their character, will be protected.

BBACA 3: It is Council policy to protect and enhance the character and appearance of the urban public domain within Architectural Conservation Areas.

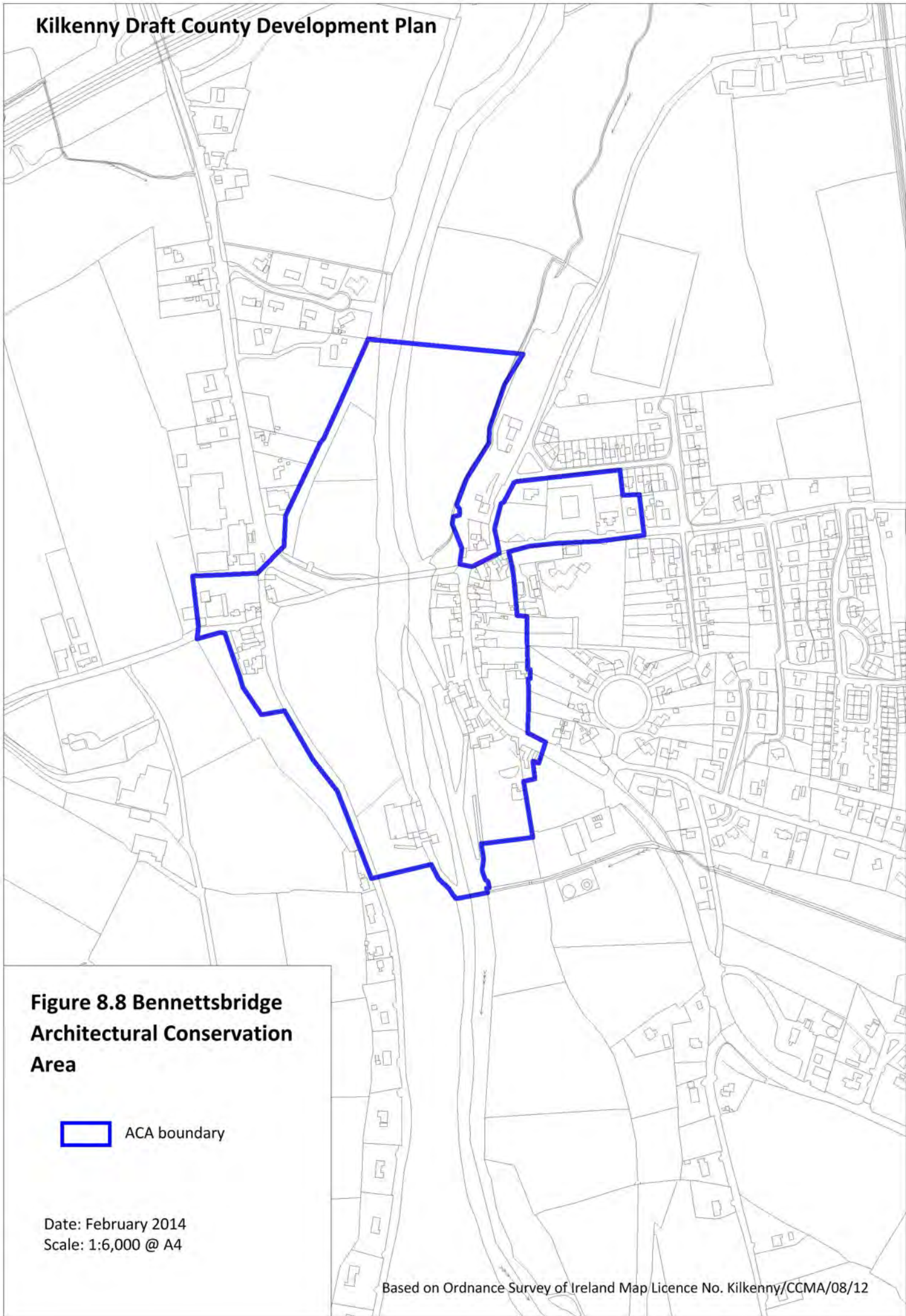
BBACA 4: It is a policy of the Council that planning permission will be required for extensions to residential dwellings within Architectural Conservation Areas.

BBACA 5: The design of any development in Architectural Conservation Areas, including any changes of use of an existing building, should preserve and/or enhance the character and appearance of the Architectural Conservation Area as a whole.

BBACA 6: The Council will actively support and promote schemes for the conservation and enhancement of the character and appearance of this Architectural Conservation Area.

BBACA 7: It will be Council policy to retain, restore and repair historic items of street furniture and paving within this Architectural Conservation Area.

BBACA 8: It will be Council policy to seek the placing underground of all electricity, telephone and television cables within this Architectural Conservation Area.



**Figure 8.8 Bennett'sbridge
Architectural Conservation
Area**

 ACA boundary

Date: February 2014
Scale: 1:6,000 @ A4

BBACA 9: There is great potential for shopfronts to contribute positively to the character of the ACA proposals for modifications or insertion of new shopfronts should consider using materials and design aspects appropriate to this ACA. Traditional-style shopfronts are acceptable. However the Council will also favourably consider high-quality design proposals for shopfronts that are more modern in style, providing that they respect the established pattern, scale, materials and proportions of the buildings within the ACA. Modern design that makes a positive contribution to this ACA will be considered.

BBACA 10: No development shall be permitted that in any way negatively impacts on the Main street/Riverscape, including any proposals that would dwarf the streets prominence, that would cause visual impacts or any development that would negatively impact on the current vibrancy and pivotal nature of the square in the town.

BBACA 11: The designation of an Architectural Conservation Area does not prejudice against innovative and contemporary design, on the contrary in principle design of a contemporary and minimalist style will be encouraged within ACA's provided it does not detract from the character of the area. It is considered that new buildings should be of their own time in appearance and should not replicate the style and detailing of heritage buildings. The replication of historic architectural styles is considered to be counter-productive to heritage conservation in principle as it blurs the distinction between what is historic and what is contemporary and can lead to the emergence of poorly considered and inauthentic buildings.

BBACA 12: The council accepts that it is necessary to encourage the continued growth and development of Bennettsbridge. However in doing so the council will have regard to the presence of protected structures and features contained within the designated Architectural Conservation Area. Any new development will be carried out in line with the Architectural Heritage Protection Guidelines published by the Department of the Environment Heritage and Local Government.

BBACA 13: The use of materials such as stone, slate, timber windows and doors, and decorative render work are often vernacular in nature and reflect indigenous craftsmanship and resources. They often reflect the simplicity and modest scale used in the execution of finishes to buildings. Their importance should not be underestimated in their contribution to the make up and aesthetic appearance of an ACA. The council will support the retention, repair and re-use of such materials.

BBACA 14: The council will have regard to the Heritage Protection Guidelines as published by the Department of the Environment Heritage and Local Government in regard to any work to protected structures located within Bennettsbridge Architectural Conservation Area.

BBACA 15: As part of the continued development of Bennettsbridge the council will promote the re-use of derelict buildings and sites located within an Architectural Conservation Area, as a means to further enhance its preservation.

Section 8.3.6.6 Gowran ACA

Description and Historical Background

Gowran developed as a settlement in Norman times. It was granted a charter by Theobald Fitzwalter in 1206. It was one of County Kilkenny's walled towns, having defences with stone gatehouses by the early 15th century. The principal evidence of medieval Gowran lies in the ruins of the collegiate church of St. Mary's in the centre of the town which was built in 1275.

Gowran continued to grow in the 18th century in a typical urban linear pattern with the construction of single and two-storey buildings. The Fair Green is in effect a small Georgian Square and other contemporary structures such as Byrne's opposite the green and Loughlin's at the junction for Kilkenny attest to the prosperity of the town at the time. The influence of the benevolent landlord of Gowran Demesne is also in evidence in the former Almshouse at the top of the town and later in the estate cottages and picturesque semi-detached houses dispersed along Main Street. The result is a streetscape which unfolds in an interesting and distinctive way as one passes through the town.

ACA Boundary

The boundary is as shown in the 2010 LAP, see Figure 8.9.

Statement of Character

Gowran derives much of its special architectural interest from a curving streetscape with a significant change in level from high ground at its eastern entry point to its lowest level where it crosses the river at the western end of town. This combination of curving streetscape and change in levels brings a lively dynamic of movement and drama to the streetscape as the visitor proceeds from east to west or vice versa. The influence of its topographical setting is enhanced by the four nodal points in the town which encourage the visitor to linger before moving on; these points are: (i) the entrance to Gowran Demesne, (ii) the medieval church of St. Mary's and formal 18th century square with mature trees opposite (Fair Green), (iii) the interesting grouping of curved and corner buildings at the Kilkenny Road junction and (iv) the formal quality of the entry point at the western end of the town. The streetscape is composed of mostly vernacular buildings principally two storeys in height, rendered and painted with classically proportioned window openings and wall to window ration. Timber sash windows, classical timber doors, external painted render, natural slate roofs and early timber shopfronts are significant details which contribute to the character of the area. There is a small number of buildings which depart from this vernacular including the formal stone building beside the entrance to Gowran Demesne (the former Court House), Gowran Castle gate lodge, the Tudor Revival former Curate's House, and several terraces of both single storey and two storey estate workers' houses built by the local Big House owner. The sinuous streetscape and interesting unfolding of buildings is framed within the rich agricultural setting of the County Kilkenny countryside.

An area separate to the main streetscape in both location and character is the grouping of ecclesiastical and educational buildings on the western fringe of the town to the north of the river's flood plain. The school, Catholic Church and presbytery are characterised by their relative isolation on the western edge of town and derive much interest from the sense of open parkland which characterises their setting.

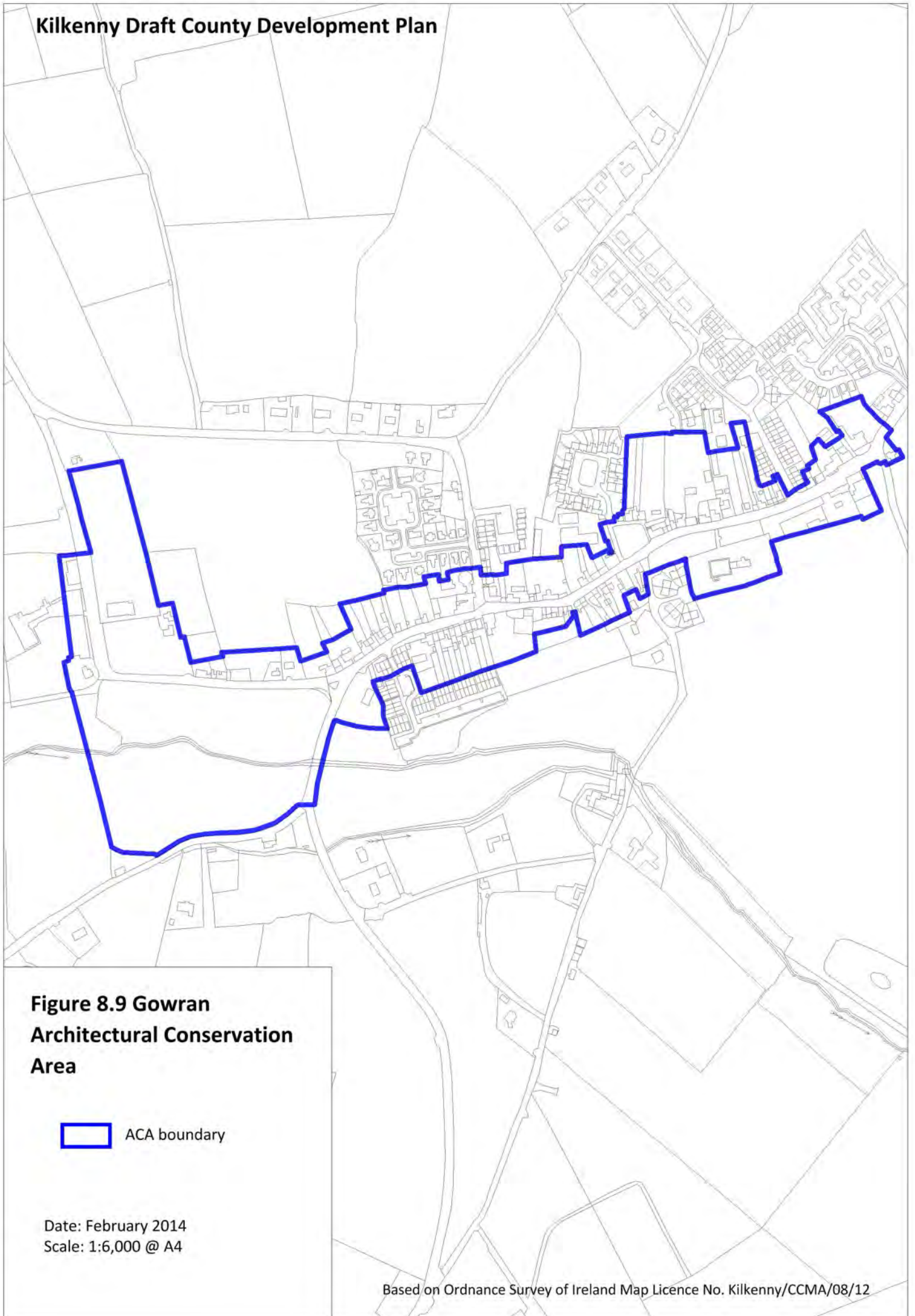
The designation of the area as an ACA is further justified by the special historic interest of the town which retains a very representative collection of buildings spanning the centuries. This includes the 13th century Church of St Mary, a classical courthouse, an urban vernacular streetscape dating to the 18th and 19th centuries, reflective of the prosperity of the area due to the richness of the surrounding agricultural landscape, and picturesque examples of estate village houses indicating the benevolent influence of the improving landlords of the 19th and early 20th centuries.

Development Management Standards based on assessment of special character


GACA1 Details which contribute to the character of the area should be retained. This includes timber sash windows, classical timber doors, external painted render, natural slate roofs and early timber shopfronts. Only timber sash windows should be installed where existing windows are being replaced in vernacular buildings. Where windows were originally of a material other than timber and a design other than sash, the original intended materials and design should be followed. uPVC windows and doors are considered to have a negative impact on the character of the ACA and where an opportunity arises to replace them they should be replaced with more appropriate alternatives. Windows which contribute to the character of the structure should be repaired rather than replaced. All doors which contribute to the character of the structure should be retained and repaired rather than replaced.

GACA2 External renders should not be removed unless failing and then should be replaced with painted lime renders.

GACA3 Where roofs are being repaired/replaced natural stone slate only should be used.



**Figure 8.9 Gowran
Architectural Conservation
Area**

 ACA boundary

Date: February 2014
Scale: 1:6,000 @ A4

GACA4 The creation of visual clutter should be avoided when making proposals for street signage, advertising, street furniture etc.

GACA5 New development should make use of good contemporary design and a strong emphasis should be placed on sensitive integration into the existing character of the area.

8.3.7 Historic Gardens and Designed Landscapes

Development management standard

- *To protect elements of designed landscapes within the attendant grounds of Protected Structures, including boundary features.*
- *To require an architectural heritage impact assessment/conservation method statement for proposed developments within the attendant grounds of country houses which are protected structures.*

8.3.8 Townscapes

Development Management Standard:

- *To protect, conserve and where necessary restore ~~or enhance~~ and manage sustainably the quality, character and distinctiveness of the townscapes of the county, whether or not the townscape has been designated an ACA or forms the setting for protected structures; and to give consideration to its visual amenity and its relationship to its setting.*
- *Support existing framework plans/community action plans including existing Village Design Statements that have been prepared in consultation with the local community, and with relevant agencies as supplementary planning guidance documents. (reinstate same policy under heading 3.3.5 Smaller Towns and Villages).*

8.3.8.1 Kilkenny Farm Villages

Statement of Character:

The farm villages of South Kilkenny are a settlement type consisting of a unique clustering of houses, outbuildings and haggards, and often lacking public buildings like shops, church or post office. According to architects Patrick and Maura Shaffrey in their 1985 publication Irish Countryside Buildings, the settlement patterns in the Irish countryside have been influenced by the tradition of farmers living on their farms, which has meant that in Ireland we tend not to have farming villages, which are common in other parts of Europe. However, there are exceptions [as] in south Kilkenny, where there are clusters of farm buildings grouped together in an informal manner with the physical sense of a village. Only rarely do they include social or community facilities. Dwellings are often string out along a narrow laneway, or street and share a common entrance. Ownership boundaries are blurred and the land associated with the farm buildings may be some distance away and intermixed with other holdings. Shaffrey goes on to say that in the farm villages of south Kilkenny, in places like Licketstown, Glengrant and Corluddy, sometimes the sense of timelessness and history is quite unique. The buildings are huddled together on high ground above the river Suir. Defence considerations may have influenced the location of these groupings, and as this estuary was a probable landing place during Viking and Norman times their foundation may go back a long time indeed. These are among the oldest settlement patterns and are based on the ancient rundale system of farming, whereby strips of land with ill-defined boundaries were owned by different families, but often worked on a co-operative basis. This type of settlement is frequently

located in relatively good farming land, so it is not a question of subsistence or part-time farming, but an old and distinctive settlement pattern²⁰.

In an article on the unique nature of these settlements which was published by historical geographer Jack Burtchaell in 1988,²¹ these villages display a settlement pattern that is broadly different to that of other village types throughout the country. Burtchaell describes the villages as having a 'nucleated and agglomerated' rural settlement pattern. It is likely that this settlement pattern is medieval in origin and that these villages have enjoyed continuous and settled occupation since early medieval times. This phenomenon is likely due to the continued political stability of this part of county Kilkenny particularly during the seventeenth century when the overlordship of the Ormonde Butlers, which spanned almost 400 years from 1319 until the end of the 17th century, provided protection to this part of Kilkenny from the rapid change that was taking place in other parts of the country during this time.

Burtchaell identifies a number of characteristics which he claims are typical of the farm villages of South Kilkenny.

1. Unlike the 'clachan' model, the South Kilkenny farm villages did not house just farmers, but instead displayed a socially varied and economically prosperous cross section of rural society.
2. They display a degree of social segregation between an 'old' village and a 'new' village again which distinguishes them from the 'clachan' model.
3. The 'farm villages are not marginal in either location or function, they are local centrepieces of a rich agricultural heartland. It is the fundamental stability of the areas, accompanied by social diversity, commercial agriculture, medieval roots and geographic location that mark the distinctiveness of these farm villages from the so-called western-type clachan.

These villages display a unique morphology having grown organically over time following the local topography. The houses are often clustered quite close together and arranged in an apparently random configuration, but one which allows each house to retain its own privacy from adjacent farmsteads and shelter from the elements. The villages are often characterised by a network of laneways, roadways and sometimes raised walkways. The high density of this type of housing and its associated network of roads and lanes is very distinctive and has given one of the villages (Listrolin) the name of 'Little London'.²²

Jack Burtchaell identifies 57 villages in south Kilkenny which fit into this category. The following are mentioned by him in his study: Licketstown, Portnahully, Corluddy, Kilmacow, Ballytarsney, Listrolin, Moonveen, Glengrant, Portnascully, Carrigeen, Ballybrasil, Doornane, Pollrone, Clonmore, Killinaspick, Ullid, Aglish, Dunkitt, Rathcurby, Ballygorey, Dungooly, Arderra, Weatherstown, Kilmakevoge, Rathinure, Kilcraggan, Davidstown, Rochestown, Ballykillaboy, Curraghmartin, Ballyfasy, Grange, Bearstown, Ballinorea, Tinnaranny, Carranroe, Killahy, Baunskeha, Rahillakeen, Ballynamuck, Owing, and Boolyglass.

²⁰ Patrick and Maura Shaffrey, *Irish Countryside Buildings, Everyday Architecture in the Rural Landscape*, The O'Brien Press, Dublin 1985, p. 30.

²¹ Jack Burtchaell, 'The South Kilkenny Farm Villages', *Common Ground: Essays on the Historical Geography of Ireland*, ed. William J Smyth and Kevin Whelan, pp. 110-23, Cork University Press.

²² John Cronin and Associates, Cultural Resource Management, *A Cultural Heritage Assessment of Listrolin Village*, April 2004.

These villages are of great historical and social significance and their distinctive physical pattern and visual character should be retained where possible.²³ While this settlement type is not unique to South Kilkenny, it is here that the villages have the strongest links with their medieval origins given the political and social stability of this part of the country during some of the turbulent 16th and 17th centuries. They can therefore be considered to be of National significance.

Farm Villages Development Management Standards:

- *To seek the preservation of the unique morphology of the south Kilkenny Farm Villages, the unique clustering of buildings, outbuildings and haggards, their relationship to the public spaces between and the scale of the buildings which make up the villages.*
- *To protect the special character of the spaces between the various elements of these villages; created by the relationship between buildings and their outhouses and between the outbuildings and the public roadways, paths and laneways through and around these settlements.*
- *To seek the retention of the vernacular quality of the buildings and their associated outbuildings and boundary structures including walls, embankments and gates.*
- *To seek the retention of surviving traditional materials used in the construction of the houses and outbuildings – thatch, natural slate, rubble stone walling, traditional wrought iron gates, rendered finishes; and to require the use of traditional building finishes such as lime plasters and mortars, timber windows and doors and natural slates in the repair and refurbishment of existing buildings and in proposed new developments.*
- *New developments in or adjacent to these villages should not dominate their surroundings but should sit comfortably in their setting, respecting the local character, and should be of good quality contemporary design using a palate of good quality materials which complement the traditional setting.*
- *Extensions to existing structures within these villages should respect their setting in terms of scale, materials and design.*

8.3.9 Street Furniture and Roadside Features

Items of street furniture are an important part of our built and cultural heritage *in both an urban and rural context*. They are also important elements in establishing the character and interest of an ~~Architectural Conservation Area~~ *area, whether designated an ACA or not*. Such items could include the following; lamp standards, seats and benches, bollards, railings, street signs, freestanding or wall mounted post boxes, telephone kiosks, horse troughs, water pumps, drinking fountains, jostle stones, milestones, paving, kerbstones, cobbles and setts, pavement lights, coal hole covers, weighbridges, statues, plaques, gates and other monuments.

Development Management Standard:

- *To protect and enhance manage sustainably historic items of street furniture and roadside features, as appropriate.*

8.3.10 The Vernacular Built Heritage

Development Management Standards:

²³ Patrick and Maura Shaffrey, *Irish Countryside Buildings, Everyday Architecture in the Rural Landscape*, The O'Brien Press, Dublin 1985, p. 30.

- To apply the conservation principles and guidelines in practice as set out in the ICOMOS Charter on the Built Vernacular Heritage (Mexico 1999) when considering proposals to adapt vernacular buildings to meet contemporary living standards and needs. *Link to ICOMOS Charter.*
- To promote the retention and re-use of the vernacular built heritage through increasing public awareness of its potential for re-use and its adaptability to change. *See: 'Re-use of farm buildings, Laura Bowen and Nicki Matthews, Kildare County Council, 2007. and 'National Rural Network Case Study, Conservation of Old Farm Building.*
- *To promote the refurbishment of the vernacular built heritage in rural areas as per development management standard set out under the Rural Settlement Strategy 3.5.3 of this plan: 'where an original structure was not habitable, if an applicant can demonstrate that their proposals will ensure the sensitive restoration of vernacular and traditional buildings in the rural area thereby respecting and maintaining the integrity and scale of the original building, and their proposals do not compromise any other development management considerations, such proposals shall not be subject to the policies in Section 3.5.2 that applies to new dwelling'.*

8.3.12 Floodlighting

Draft guidance "*Guidelines on the Floodlighting of Monuments*" has been prepared by the National Monuments Section of the Department of Arts, Heritage and the Gaeltacht. ~~This Department should be contacted for further details.~~

Development Management Standards

- To require an assessment of the potential visual, heritage and environmental impacts of proposals to floodlight buildings and structures.
- To ensure the protection of the special character and setting of protected structures, ACAs and Recorded Monuments, and protected species when considering proposals for floodlighting.
- *Floodlighting will be discouraged in rural areas and discouraged as part of advertising schemes in urban areas.*

Chapter 9: Infrastructure & Environment

9.1.3 Water Conservation

Water supplies are a scarce and expensive resource. A Water Conservation Programme is underway across the county at present. The first stage of this project divided the water supply schemes into different zones and installed meters. The second stage is active leakage control, which includes detecting and repairing leaks. The third stage is pipe rehabilitation, which involves the replacement or rehabilitation of those mains deemed to be the source of most leakage. This programme has reduced Unaccounted for water (UFW) to less than 40%, and has resulted in improvements to overall levels of service. The Council will continue to conserve valuable water supplies through the Water Conservation programme. *The Planning Authority will encourage rain water harvesting and grey water recycling in new large scale developments and in smaller schemes where feasible.*

9.1.6 Water Services

Meet in full the requirements of the E.U. [Urban Waste Water Treatment](#) and [Water Framework Directives](#) and the [Drinking Water Regulations](#).

9.2.8.4 Water Quality

Development Management Standard: To have regard to the Groundwater Protection Scheme and to comply with the Water Services Acts 2007 & 2012 in decision making on the location, nature and control of developments and activities in order to protect groundwater.

9.2.9 Flooding

New paragraph under the last paragraph:

The South East Catchment Flood Risk Management Plan (SECFRAM) is being produced at present, and is scheduled for completion in 2016. When finalised, the findings of this will be integrated into the Development Plan Strategic Flood Risk Assessment.

9.2.9.1 Flood Management Objective

To adopt a comprehensive risk-based planning approach to flood management to prevent or minimise future flood risk. In accordance with the [Planning System and Flood Risk Management – Guidelines for Planning Authorities](#), the avoidance of development in areas where flood risk has been identified shall be the primary response.

9.2.11 Development management standards

- Development must, so far as is reasonably practicable, incorporate the maximum provision to reduce the rate and quantity of runoff e.g.:-
 - Hard surface areas (car parks, etc.), should be constructed in permeable or semi-permeable materials,
 - On site storm water ponds to store and/or attenuate additional runoff from the development should be provided,
 - Soak-aways or french drains should be provided to increase infiltration and minimise additional runoff.
 - *The Planning Authority will normally require that all new large scale developments (such as commercial, mixed use and apartment schemes), and in smaller developments where feasible, include rainwater harvesting and/or grey water recycling in their design.*
- For developments adjacent to watercourses of a significant conveyance capacity, any structures (including hard landscaping) must be set back a minimum of 5-10m from the edge of the watercourse to allow access for channel clearing/maintenance. ~~A setback of 5-10m is~~

~~required depending on the width of the watercourse. Any required setback may be increased to provide for habitat protection. See also section 7.3.3.1 of the County Plan for recreational requirements.~~

9.2.12 Waste management of the County

The JWMP was evaluated in 2012 and the outcome of that evaluation is that the Plan needs to be reviewed. The review ~~will take place~~ *commenced* in 2013, under the new Regional structures where Kilkenny ~~will form~~ part of an expanded Southern Region. The replacement plan will have regard to the national waste management policy as outlined in [A Resource Opportunity, Waste Management Policy in Ireland](#)²⁴.

Section 4 of the Waste Management Amendment Act 2001 provides that the Development Plan in force in an area shall be deemed to include the objectives contained in the *relevant* waste management plan ~~made by the local authority.~~

9.3.2 Grid Development Management Standards

Kilkenny County Council will facilitate the provision of energy networks in principle, provided that it can be demonstrated that –

- The development is required in order to facilitate the provision or retention of significant economic or social infrastructure;
- The route proposed has been identified with due consideration for social, environmental and cultural impacts;
- The design is such that will achieve least environmental impact consistent with not incurring excessive cost;
- *That the lines should be planned to avoid areas of high landscape sensitivity;*
- ~~That in urban areas~~ *Preference should be given to undergrounding services where appropriate;*
- *That the proposed infrastructure complies with all internationally recognised standards with regard to proximity to dwellings and other inhabited structures including best practice and new accepted research on the impacts on health;*
- Where impacts are inevitable, mitigation features have been included.

9.4.2.1 Telecommunications Antennae Development Management Standards

- a) the visual impact of the proposed equipment *and access infrastructure* on the natural or built environment, particularly in areas of sensitive landscape (*See Chapter 8: Heritage*) or historic importance.

The Council will discourage proposals for telecommunications masts, antennae and ancillary equipment in the following locations, save in exceptional circumstances where it can be established that there would be no negative impact on the surrounding area and that no other location can be identified which would provide adequate telecommunication cover:

- i) Highly scenic areas or areas specified as such in the landscape character assessment, such as Mount Brandon and the River Valleys; ~~“in the case of telecommunications infrastructure proposals in landscape areas of highly scenic value or greater sensitivity~~ *in such cases* the developer shall demonstrate an overriding technical need for the equipment which cannot be met by sharing of existing authorised equipment in the area and the equipment is of a

²⁴ Department of the Environment, Community and Local Government, [A Resource Opportunity, Waste Management Policy in Ireland](#), 2012

scale and is sited, designed and landscaped in a manner which minimises adverse visual impacts (See section 9.4.2 Telecommunications Antennae).

To avoid proliferation, which could be injurious to visual amenities, the Council will encourage co-location of antennae on existing support structures and to require documentary evidence as to the non-availability of this option in proposals for new structures. The shared use of existing structures will be required where the numbers of masts located in any single area is considered to have an excessive concentration.

Chapter 10: Renewable Energy Strategy

Strategic Aim

To promote and facilitate all forms of renewable energies and *energy efficiency* improvements in ~~energy efficiencies~~ *in a sustainable manner* as a response to climate change.

10.1 Introduction

This renewable Energy Strategy for the County Development Plan was prepared in conjunction with the Carlow-Kilkenny Energy Agency, having regard to the [Sustainable Energy Authority of Ireland, Methodology for Local Authority Renewable Energy Strategies, Draft for Public Consultation, 2012 2013](#).

Amended Figure 10.2: Map – Area 1 has been reduced and Area 5 has been enlarged.

10.4.1 South East Regional Authority Bioenergy Implementation Plan

At regional level, the [Bioenergy Implementation Plan 2013-2020](#) has been produced by the South East Regional Authority. This set a target of 16% ~~5%~~ of Total Final Consumption in the region to be provided by bio-energy by 2010, ~~to increase to 17% by 2020~~. This plan is being updated at present. The overall objective of the project is to raise awareness and to increase the production and consumption of bio-energy in the Region. *Individual sectoral targets for heat, electricity, and transport have been established with the emphasis on bioenergy consumption for heating and transport purposes.*

10.5.1 Current status

To date, a total of 7 windfarms have permission in Co. Kilkenny, ~~three~~ *four* of which....

| No. | Planning Ref. no. | Wind Farm name | Applicant | Townland | No. Turbines | Built? | Status/Gate app. ref. |
|-----|-------------------|---------------------|--------------------------------------|----------------------|--------------|----------------------|-----------------------|
| 5 | 07/2141 10/576 | Ballymartin Phase 2 | Bord Gáis Energy/ART Generation Ltd. | Smithstown Tullogher | 4 | No Yes | <i>BUILT</i> |

10.5.3 Development Management Guidance

Landscape Impact Assessment

All applications shall be accompanied by a Landscape Impact Assessment Report, as set out in Appendix 3 of the Wind Energy Development Guidelines, *to include an assessment of the impact on any existing rights of way and established walking routes. Applicants should refer to Development Management Standards in Section 8.2.10.6 Views and Prospects for further guidance.*

Section 10.5.4 Wind Energy Policy Areas

It is recommended that the following note be inserted in the last section of the Chapter:

Note:

Some restrictions may apply to these exemptions in certain circumstances (Article 9 of the Planning & Development Regulations). It is advisable to liaise with the Planning Department in relation to specific sites prior to availing of the following exemptions.

Kilkenny Draft County Development Plan

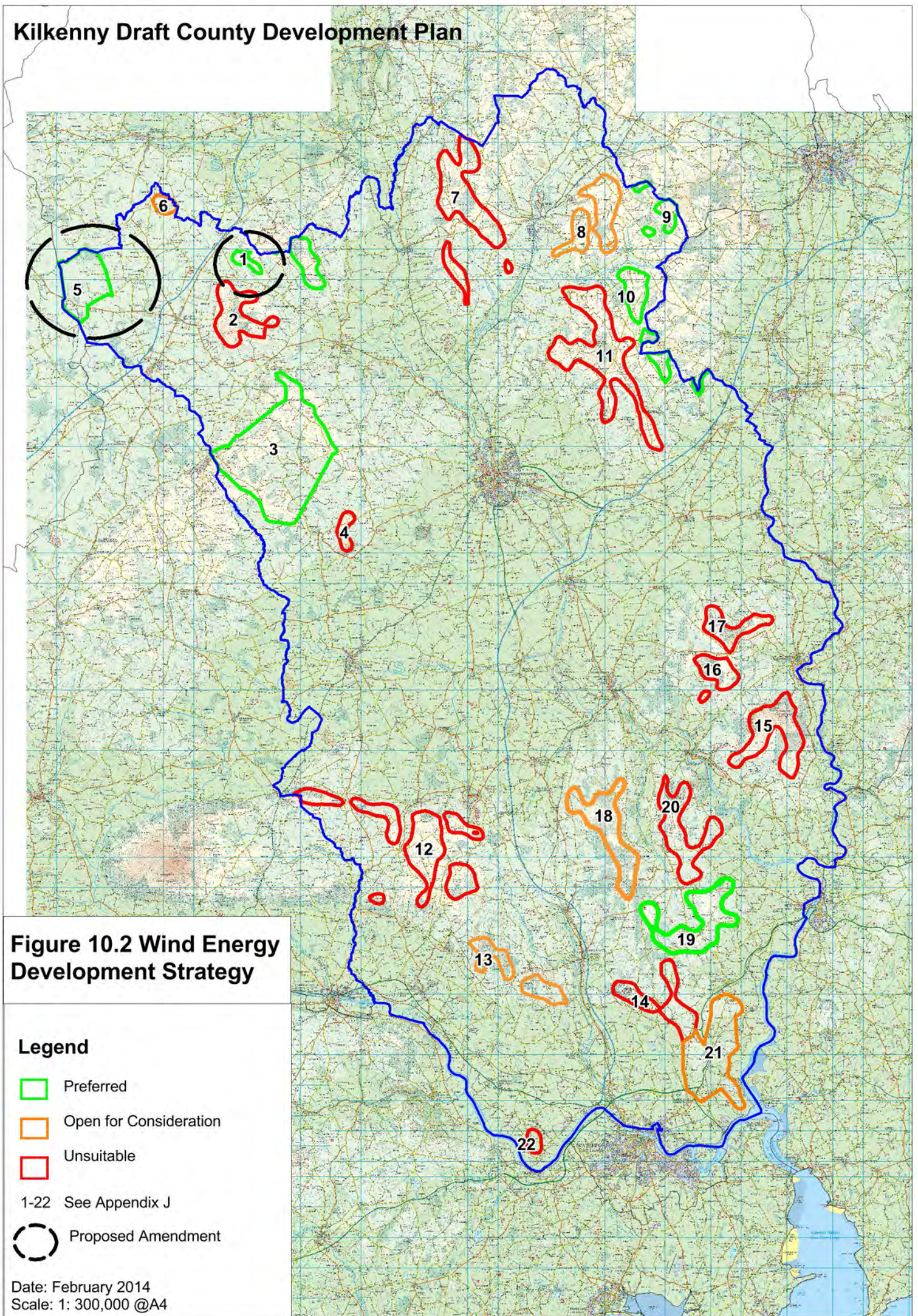


Figure 10.2 Wind Energy Development Strategy

Legend

- Preferred
- Open for Consideration
- Unsuitable

1-22 See Appendix J

 Proposed Amendment

Date: February 2014
Scale: 1: 300,000 @A4

Chapter 11: Transport

Amended Figure 11.1 Proposed Road realignment/improvement lines.

11.7.1 Achievements

Since the last Development Plan *the following projects have been completed,*

- Two motorways; the M8 and M9 have opened, which have resulted in increased accessibility through the county,
- The section of the N25 in the south of the county bypassing Waterford was also completed, including the second River Suir bridge,
- *Completion of the N77/N78 Hennebry's Cross Roundabout*
- *The completion of the Ring Road from the Old N10 Dublin Road to the N77 Castlecomer Road*
- *Completion of the N10 & N76 Ring Road Improvement Scheme.*

11.7.3 Access to National Roads

It is the intention of the Planning Authority to develop and agree a policy for two sites with access off the national roads in conjunction with the NRA; Glanbia at Ballyconra, Ballyragget, *on the N77* and the Leggetsrath roundabout on the N10.

11.7.6 Road Improvement projects

The Council, with the support of the NRA, is progressing/developing a number of schemes within County Kilkenny as follows:

- N24 Mooncoin bypass
- N24 Tower Road Overbridge
- N24 Carrick on Suir bypass
- N25 Waterford – Glenmore &
- N25 New Ross Bypass
- N76 Callan Road realignment
- N77 Ballynaslee
- ~~N77 Hennebry's Cross roundabout~~
- N78 Damerstown Improvement Scheme

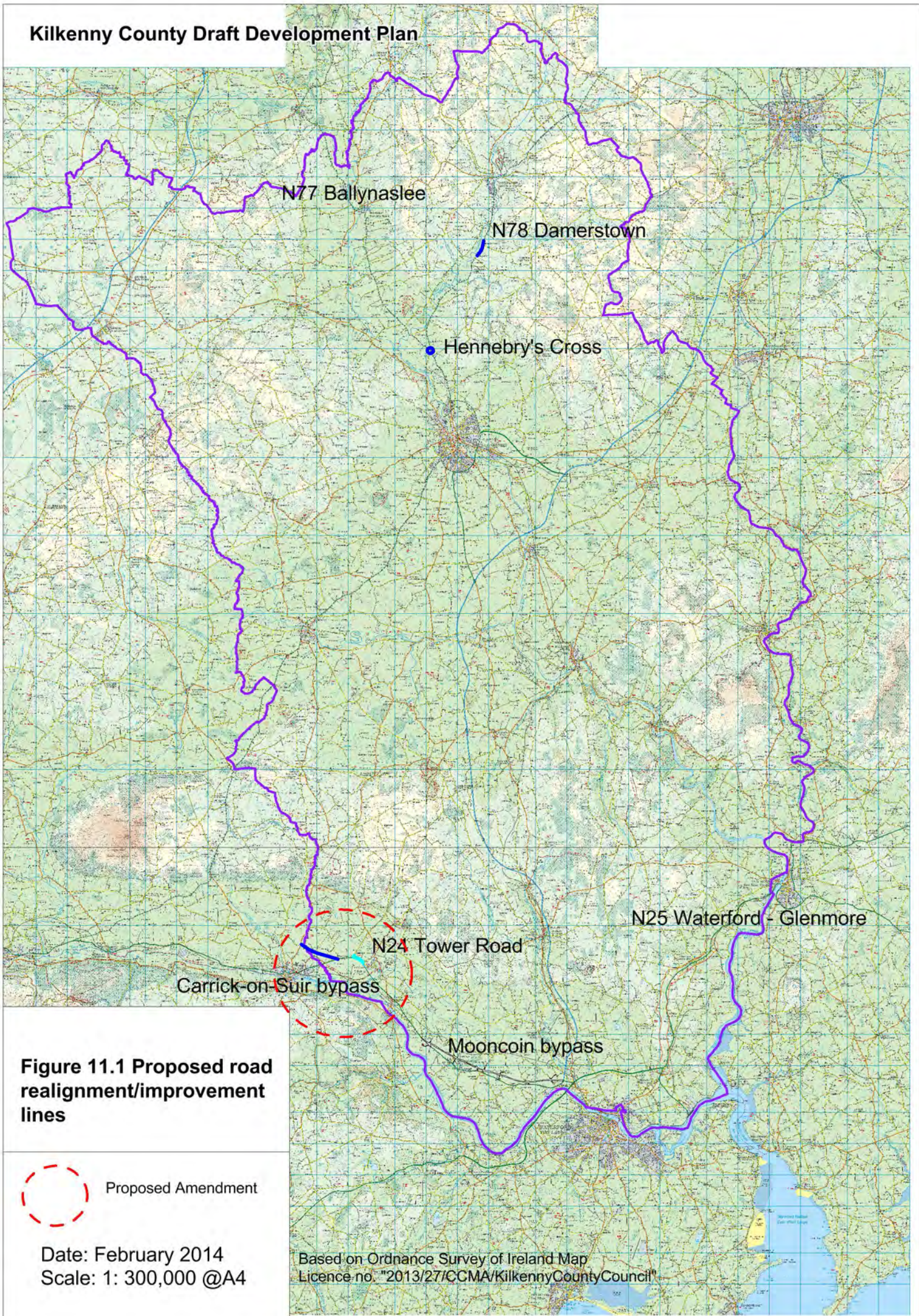
In addition to the above, the Council also has the following priorities:

- A relief road for Thomastown.
- An upgrade of the Kilkenny to Urlingford road (R693) to National Secondary status
- ~~An upgrade of the New Ross to Mullinavat Regional Road (R704) to National Secondary status~~

11.7.8.1 Road Objectives

- Reserve the proposed line of the western bypass for the city from the Castlecomer Road to the ~~Callan~~ Waterford Road free from development.
- *Complete the R697 Kells Road Improvement Scheme.*
- *To improve substandard sections of regional roads throughout the County, in particular those most heavily trafficked, and those providing access to existing or proposed industrial. Residential or commercial developments.*

Kilkenny County Draft Development Plan



Chapter 12: Requirements for Developments

12.8 Open Space in new residential development

Residential planning applications in excess of 200 units will require a recreational needs assessment. Recreation provision should form an integral element of development proposals. The Council will apply the standards as set out in Table 12.6 as a minimum requirement for on-site provision as part of residential development or for off-site provision. *The minimum standards for children's play spaces to be applied are set out in Section 12.8.1 below.* In the interests of meeting strategic needs the Council may pool together the requirements of individual and relatively smaller developments to provide facilities and amenities of a strategic nature at the higher end of the hierarchy. Developer contributions may also be sought and may be applied to improve existing facilities nearby.

| Table 12.6: Amenity Development Thresholds | |
|---|--|
| Site Capacity No. of Dwellings | Minimum quantity and type of leisure facilities required |
| <25 | A minimum of 0.25 hectares must be provided. |
| 25 or over | Open space 2.4 hectares per 1,000 people (a minimum of 0.25 hectares must be provided) |
| 100 – 199 | Public open space One Tone Zone/Outdoor Gym to include a neighbourhood playable space |
| 200 – 499 | Equipped public open space to include: One full size grass sports pitch; One court multi-use games area with Community association/club movement. Two Tone Zones/Outdoor Gyms, One local playable space |
| 500 – 599 | Public space to include: One full size grass sports pitch; Two Tone Zones/Outdoor Gyms, One court multi-use games area; and Two tennis courts / basketball courts etc. One district play area or one local playable space and additional neighbourhood playable spaces |
| 600 + | Equipped public open space to include: Two full size grass sports pitches; Three Tone Zones/Outdoor Gyms, One court multi-use games area, and two tennis courts / basketball courts etc. One district play area or one local playable space and additional neighbourhood playable spaces |
| 1,000+ | One community / leisure Building including full size badminton / basketball court with community association / club movement within. Equipped public open space to include: Three Tone Zones/Outdoor Gyms, Two full size grass sports pitches; One court multi-use games area; and two tennis courts/ basketball courts etc. One district play area or one local playable space and additional neighbourhood playable spaces. |

One piece of multifunctional equipment is to be provided within the Tone Zones/Outdoor Gyms for each 20 residential units or part thereof within the development.

Where a proposed development is located in close proximity to an established park area or zoned open space, the open space requirement may be relaxed depending on the nature and quality of existing provision. However, a financial contribution *will* ~~may~~ be required towards the improvement *and extension* of the existing facility to cater for extra demand.

12.8.1 Play space

The local playable space should include a mixture of rockers, swings, carousels, *junior and senior* multi units, *slides*, space nets and balance beams among other items of fixed equipment suitable for children up to 12 years of age together with the use of sand, water and other materials for creative play.

12.10 Rural Housing

Insert new bullet point:

- *The location for a house may impact on the exploitation of natural resources. Refer to Section 6.4 (Extractive Industries) in this regard.*

Section 10.12.1.1 Rainwater Harvesting

The Planning Authority will normally require that all new large scale developments (such as commercial, mixed use and apartment schemes) include rainwater harvesting and/or grey water recycling in their design.

12.10.11 Signage and advertising

The Planning Authority will strictly control all advertising signs in relation to their location, design, materials and function *and will restrict non essential advertising structures or any advertising structure which would impact injuriously on amenity, the built environment or road safety.*

Amend third bullet point to include *LED* as inappropriate in new signage.

Amend the 6th bullet point:

- Signs will not be permitted where they interfere with the safety of pedestrians, the safety and free flow of traffic or if they obscure road signs. Signs attached to buildings are preferable to those on freestanding hoardings. *The Planning Authority will strictly control roadside signage in the interests of visual amenity and road safety. The [Spatial Planning and National Roads Guidelines](#) provide guidance in this regard, see Section 3.8.*

12.10 Rural Housing

Add following sentence to 'Wastewater Treatment Systems' paragraph:

Water and wastewater systems for new rural developments shall be located within the subject site.

12.11.8 Phase 2

This land will not be released for development during the lifetime of the plan *unless the following criteria are satisfied:*

- *At least 75% of phase 1 lands have been fully committed to development (i.e. where planning permission has been granted) and where construction is underway.*

Objective

To prohibit new residential development of phase 2 lands in the settlements of Bennettsbridge, Kilmacow and New Ross *Environs* during the lifetime of the County Development Plan, *unless the criteria above are met."*

Section 12.11.9 Existing Residential

Section 12.11.11 Phase 1 New Residential (~~Bennettsbridge and Kilmacow~~)

12.12 Non-Conforming Uses

Throughout the County there are uses which do not conform to the zoning objectives for the area. Extensions and improvement of premises accommodating these uses, may be permitted where the proposed development would not seriously injure the amenities of the area or prejudice the proper planning and development of the area. In some cases, the Planning Authority may encourage relocation of permitted incompatible uses, for example by exchange of sites.

Appendix B Housing Strategy

Page 14

The Council will seek to meet the increased demand for social and affordable housing in a number of ways as a housing authority through,

- RAS scheme
- Affordable housing/joint venture schemes,
- the Voluntary Housing Sector *and the Rental subsidy scheme* ,
- long term leasing
- the capital assistance scheme,
- the disabled persons grant,
- the essential repairs grant and other measures, and
- the Homeless Forum initiative.
- ~~the local authority's house building programme,~~
- the sale of sites scheme,
- *Travellers Accommodation programme*

Amend Table 5 in Housing strategy Appendix B for total household s required from 4353 to 3570.

2c) Correct the figure in Table 5 Appendix B to read 2,329 Medical need should have read 108 instead of 8.

2d) Amend figure 468 in second paragraph after Table 5 should read 483.


















Appendix H List of Protected Views

Insert two new views

| | |
|-----|---|
| V31 | <i>Panoramic view of River Nore valley from the Bleach Road</i> |
| V32 | <i>View of River Nore valley to east from Ossory bridge</i> |

Appendix J Wind Energy

Figure 10.2 Wind Energy

| Area | LCA categorisation | Ridge lines/peaks | Settings/backdrops | Tourism/heritage | Existing wind farms | Adjoining county | Summary | Categorisation |
|------------------|---|---|---|---|---|---|--|----------------|
| (1) Cullahill | Slieveardagh Hills North Suitable for development | Cullahill Peak 300m | Ballyragget 5.5 km Freshford 4 km Durrow 6km M8 1km | <i>Cullahill Mountain SAC. Cullahill Mountain looped walk</i> | Yes - 12/172 | Laois - Preferred & Open for consideration | Applying a plan-led approach, and on the basis that this area has no special landscape or heritage significance, this area is considered suitable, as the clustering of wind farms can take place here. | Green |
| |  |  |  |  |  |  | | |
| (2) Spahill | Slieveardagh Hills North Suitable for development | Spahill Peak 349m | Freshford 4km Johnstown 2km Urlingford 4km Ballyragget 9km M8 2.5km | View 14 from Spahill. <i>Spahill and Clomantagh Hill SAC.</i> Megalithic tomb and hillfort. | No | N/A | Spahill forms a significant singular elevated unit in a very gently undulating surrounding landscape. Any development on this would have a very significant visual impact. | Red |
| |  |  |  |  |  | | | |
| (7) Ballyousskil | Castlecomer Plateaux - Special area Suitable for general development | Peak 313m Prominent ridgeline | Castlecomer 1.5km Ballyragget 2km Ballinakill 2.7km Durrow 6km | V19 from Ballyousskil V12 towards Ballyragget & Castlecomer | No | Laois no designation | This area is very prominent in the landscape and is in very close proximity to a number of towns. On the basis of the Laois designation, and given that there are no windfarms in the area, this area is considered unsuitable for windfarm development. | Red |
| |  |  |  |  |  |  | | |
| (8) Coon | Castlecomer Plateaux - Special area Suitable for general development | Peak 270m | Castlecomer 2km Carlow 13km | Castlecomer Discovery Park Coan Bog NHA | No - one in Co. Laois - Gortahille | Laois - Open or Permitted | This is an elevated area, but it is situated in the context of surrounding elevated lands. There is a permitted wind farm located approx. 4.5km away in Co. Laois. There are no special heritage or landscape considerations in this area. | Yellow |

| | | | | | | | | |
|--------------------------------------|--|---------------------------------------|---|--|---|--|--|--|
| | | | | | | | | |
| (9) Cruttenclo gh | Castlecomer Plateaux – Special area <i>Suitable for general development</i> | Peak 300m | Carlow (9km) Castlecomer (8.5km) | | No – in Co. Laois – Gortahi le on border | Laois - Open or Permitted | The nearest settlement to this area is Castlecomer, at 8.5km away. There are no special landscape or heritage considerations. There is a windfarm permitted at Gortahile on the Laois border. In the interests of clustering, this area is considered preferred. | |
| | | | | | | | | |
| 10) Coolcullen | Castlecomer Plateaux – Special area <i>Suitable for general development</i> | Peak 280m, not prominent | Old Leighlin 5km Kilkenny city 11.5km | View 13 into Carlow | No | Carlow – some preferred areas | The nearest settlement to this area is Old Leighlin, 5km away. There are no special landscape or heritage considerations. | |
| | | | | | | | | |
| (11) Mounnug ent/Johns well | Castlecomer Plateaux – Special area <i>Suitable for general development</i> | Peak 334m Mounnuge nt | Kilkenny city 6.5 km | View 13 | No | N/A | This area forms the backdrop for Kilkenny City and is highly visible from the eastern part of the city. There are views from this area of the City, and the converse applies. There are no windfarms permissions in this area. | |
| | | | | | | | | |
| 16) Coppenag h | Brandon Hill – Special and sensitive area <i>Highly Scenic</i> | Coppenagh 365m, high prominence | Graiguenamanag h 4km Inistioge 5km Thomastown 5.5km | South Leinster Way Kilkenny East Cycling Route Views 8 View from Brandon (proposed) | No | N/A | This area of Brandon Hill was identified in the LCA as being special and sensitive. The Coppenagh, Croghan and Freagh hills form a visual envelope with Brandon hill. The view of this valley and the hills behind from the Leinster Way (on Brandon Hill) is proposed as a protected view. The heritage attractions of this area render it unsuitable | |
| | | | | | | | | |

| | | | | | | | | |
|----------------------------------|---|---|---|---|---|------------------------------------|--|--|
| | | | | | | | for wind farm development. | |
| (17) Croghan and Freagh | Brandon Hill – Special and sensitive area <i>Highly scenic</i> | Croghan 328m and Freagh 265m, high prominence | Graiguenamanagh 4km Inistioge 7km Thomastown 8km <i>Gowran and M9</i> | South Leinster Way Kilkenny East Cycling Route View 8 View from Brandon (proposed) | No | N/A | The Coppengh, Croghan and Freagh hills form a visual envelope with Brandon hill. The view of this valley and the hills behind from the Leinster Way (on Brandon Hill) is proposed as a protected view. This area of Brandon Hill was identified in the LCA as being special and sensitive and is perceived as picturesque and visually pleasing and considered to have high amenity value. The heritage attractions of this area render it unsuitable for wind farm development. | |
| | ● | ● | ● | ● | ● | | | |
| 22) Corluddy | Brandon Hill – Special and sensitive area <i>highly scenic</i> | No 80m – Licketstown, Corluddy | Waterford City 3km Mooncoin 3.5km | Suir Valley V21 from Grannagh | Not in Kilkenny – Portlaoise 7.5km away | Co. Waterford - Permitted | This area is located adjacent to the Suir River Valley. There is a protected view from Grannagh over the River Suir to the Comeraghs. On this basis this area is not considered suitable. | |
| | ● | ● | ● | ● | ● | ● | | |

Appendix I Record of Protected Structures

| <i>ADDRESS</i> | <i>DESCRIPTION</i> | <i>DETAILED DESCRIPTION</i> | <i>LOCATION</i> | <i>NIAH REF</i> | <i>RPS REF</i> |
|--|------------------------------|---|--------------------------------|------------------------|-----------------|
| Talbot's Inch | Model Village | Built in 1904 for Lady Desart by Professor William A. Scott. Consists of several rows of houses and a supervisor's house, built around an open space. All houses are slightly different from each other and built in an art nouveau idiom | | 12308005-37 | C217 |
| (Moved to City & Environs Plan) | | | | | |
| Freshford Lots | Cascade, Building | Immediately west of Freshford on the Nuenna River, a rubblestone building with shuttered concrete extension, all now fire gutted, but with most machinery intact: overshot waterwheel (dated 1869). Great spurwheel gearing and four sets of stones. | On the Nuenna River | N/A | D34 |

Removed from the Proposed Additions to the RPS

| Additions Ref. | NIAH Ref. | Structure name and address |
|-----------------------|------------------|---|
| ADD/104/13 | 12326016 | Mullinavat railway bridge |
| ADD/078/13 | 12315024 | House, Rathduff (Bayley), Kells |
| ADD/114/13 | 12325017 | Former National School, Main Street, Piltown. |
| ADD/054/13 | 1232046 | Mausoleum, Inistioge. |
| ADD/045/13 | 12323027 | House, High Street, Inistioge |
| ADD/197/13 | 12402806 | Farmyard complex, Mount Juliet |
| ADD/198?13 | 12402807 | Kennels Complex, Mount Juliet |
| ADD/115?13 | 12325018 | Old School House, Piltown |
| ADD/106/13 | 12326018 | Former Saw Mill, Mullinavat |
| ADD/094/13 | 12328012 | Farmhouse, Pollrone, Mooncoin |

Appendix K Statement outlining compliance with Ministerial Guidelines

Section 28 of the Planning and Development Act 2000 (as amended) requires a Planning Authority to append a statement to a Development Plan which includes information which demonstrates how the Planning Authority has implemented the policies and objectives of the Minister contained in Section 28 Guidelines when preparing the Plan. Where the Planning Authority has decided not to implement certain policies or objectives of the Minister contained in the Guidelines, the statement must give the reasons why.

The following statement has been prepared which details how the Council has implemented Section 28 Minister Guidelines in the Plan (Listed alphabetically):

1. [Architectural Heritage Protection-Guidelines for Planning Authorities \(2004\)](#)

These Guidelines are referenced in Chapter 8, Heritage. The guidelines have informed the objectives relating to protection of the county's architectural and archaeological heritage.

2. [Architectural Heritage Protection for Places of Public Worship - Guidelines for Planning Authorities \(2003\)](#)

These guidelines have informed the objectives relating to the protection of the county's places of worship and the Record of Protected Structures.

3. [Childcare Facilities Guidelines \(2001\)](#)

Chapter 5 includes policies in relation to the most appropriate locations for childcare facilities and development management standards for new facilities based on the provisions of the Guidelines.

4. [Development Plan, Planning Guidelines for Planning Authorities \(2007\)](#)

The Planning Authority had regard to these Guidelines in preparing the Development Plan.

5. [Development Management; Guidelines for Planning Authorities \(2007\)](#)

The Plan contains numerous Development Management Standards both in relevant sections and in Chapter 12 of the Development Plan. While these Guidelines refer predominantly to the process of development management, they have been instrumental in formulating concise and clear policies and objectives in the plan to assist the development management process.

6. [Implementation of SEA Directive \(2001/42/EC\): Assessment of the Effects of Certain Plans and Projects on the Environment; Guidelines for Regional Authorities and Planning Authorities \(2004\)](#)

These guidelines informed the preparation of the Strategic Environmental Assessment (SEA) of the Development Plan.

7. [Landscape and Landscape Assessment –Guidelines for Planning Authorities, 2000](#)

These guidelines were incorporated in Chapter 8: Heritage, Section 8.2.10 Landscape.

8. [Provision of Schools and the Planning System; A Code of Practice for Planning Authorities \(2008\)](#)

Regard was had to these guidelines in the formulation of the policies and objectives, including the zoning objectives of the Plan.

9. [Quarries and Ancillary Activities-Guidelines for Planning Authorities, 2004](#)

Chapter 6: Rural Development contains Section 6.4 on Extractive Industries which has had regard to the Guidelines.

10. [Retail Planning Guidelines for Planning Authorities and Retail Design Manual; A Good Practice Guide \(2012\)](#)

Chapter 4, Economic Development, sets out the Council's retail strategy with a number of policies and objectives that have been informed by the Guidelines.

11. [Spatial Planning and National Roads \(2012\)](#)

Chapter 11: Transport has had regard to these Guidelines.

12. [Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities \(2007\)](#)

Section 12.5 sets out guidelines for new apartments. This section was prepared having reference to these Guidelines.

13. [Sustainable Residential Development in Urban Areas; Guidelines for Planning Authorities \(2009\) and Best Practice Urban Design Manual, Part I & II \(2009\)](#) (Companion document to the Guidelines)

These Guidelines are referenced in numerous chapters throughout the plan; Chapter 5, 10 and 12. These chapters have been prepared having specific reference to the Guidelines and detail specific policies and objectives in relation to high quality sustainable development in urban areas.

14. [Sustainable Rural Housing; Guidelines for Planning Authorities \(2005\)](#)

Section 3.5 Rural settlement strategy, relates to rural housing. The Development plan sets out a number of objectives that were informed by the Guidelines.

15. [The Planning System and Flood Risk Management; Guidelines for Planning Authorities \(2009\)](#)

Chapter 9, Infrastructure and Environment, Section 9.2.9 relates to Flood Risk Management. The Planning Guidelines introduce the principle of a risk-based sequential approach to managing flood risk. A Strategic Flood Risk Assessment was completed and informed the Development plan preparation.

16. [Telecommunications Antennae and Support Structures \(1996\)](#) and [Circular PL 07 12](#)

Section 9.4 sets out the Council's policies on Telecommunications. This section incorporates the relevant guidance.

17. [Wind Energy Development Guidelines for Planning Authorities \(2006\)](#)

These guidelines have informed the preparation of the relevant policies and objectives of the Wind Energy Strategy, contained in Section 10.5 of the Plan.

Appendix L Key Development Plan Objectives

Chapter 1

- To implement the provisions of Articles 6(3) and 6(4) of the EU Habitats Directive.
- To ensure that any plan or project within the functional area of the Planning Authority is subject to appropriate assessment in accordance with the Guidance *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities*, 2009²⁵ and is assessed in accordance with Article 6 of the Habitats Directive in order to avoid adverse impacts on the integrity and conservation objectives of the site.
- To implement the Development Management Standards as set out in the Plan as appropriate.
- To prepare a Climate Change Adaptation plan following the adoption of the Development Plan.

Chapter 3

Strategic Aim: To implement the provisions of the Regional Planning Guidelines and to target the growth of Kilkenny City, Ferrybank/Belview, the District Towns, the other settlements in the hierarchy and rural areas to advance sustainable development.

- To promote the redevelopment and renewal of areas in need of regeneration.
- To implement the [NSS](#) and [South East Regional Planning Guidelines](#) by encouraging developments into the designated Hub of Kilkenny and the environs of the Waterford Gateway.
- To review the County Development Plan in the light of any emerging replacement to the [NSS](#) and [South East Regional Planning Guidelines](#) and vary the Development Plan accordingly if necessary.
- To support the strengthening of critical mass within the catchment of the Waterford Gateway by implementing a co-ordinated approach to the development of New Ross and its environs within County Kilkenny between Kilkenny County Council, New Ross Town Council and Wexford County Council.
- To ensure that the District Towns will in so far as practical be self-sufficient incorporating employment activities, sufficient retail services and social and community facilities.
- Promote enterprise and economic development in Graiguenamanagh in line with the [Graiguenamanagh-Tinnahinch Development and Economic Study, 2006](#)²⁶
- To facilitate development of housing, economic development, services and infrastructure in the smaller towns and villages of the county at a scale and character which is appropriate in order to sustain and renew populations and services in these areas.
- To monitor the trends in rural housing and population during the lifetime of the plan to ascertain if further rural housing policy responses are required during the plan period.

Chapter 4

Strategic Aim: To provide a framework for the implementation of the Council's economic strategy and the protection of the environment and heritage, to position the county for sustainable economic growth and employment.

- To increase co-operation between Kilkenny Local Authorities existing third level institutions and the proposed Technological University for the South East to support employment creation, innovation and lifelong learning.

²⁵ *ibid*

²⁶ Carlow County Council and Kilkenny County Council, [Graiguenamanagh-Tinnahinch Development and Economic Study](#), 2006

- To ensure the highest standards of environmental protection in the assessment of planning applications for all development proposals.
- To ensure an adequate amount of employment land on a campus type environment is available within the County for ICT and technology office based industry at the appropriate strategic locations.
- To deliver and implement the 6 projects associated with the Medieval Mile proposals during the lifetime of the Plan 2014 – 2020 for the city and county.
- To continue the development of major flagship tourism projects within the county to enhance the tourism product for the county.
- To ensure that an adequate quantity and range of land is available for enterprise development and that the appropriate infrastructure is provided.
- To deliver high speed broadband to the Belview port area within the lifetime of the Plan.
- To assist in the provision of natural gas supply to the port area within the life time of the plan
- To review the Ferrybank Belview Local Area Plan in 2015 continuing with the policy of partnership with the local community.
- To ensure the sustainable development of the District towns in the County to achieve their target populations and enhance their capacity to attract new investment in employment, services and public transport for the benefit of their own populations and that of their rural hinterlands.
- To promote a diverse and sustainable local economy through the designation of sufficient lands for employment related uses, including facilities, to promote SME growth through the local area plans for the District towns.
- To review the local area plans for the District towns in 2015 following the adoption of the county development plan.
- The Local Authority will prepare an urban framework document to assist in the development of the Smithwick's site and adjacent lands including lands along Bateman Quay.
- No further retail parks will be granted permission in and around the City and Environs over the period 2014 – 2020. In this regard, a cautious approach will be taken regarding further such developments over the period of the strategy.
- To engage with the other relevant local authorities within the region in the preparation of a joint retail strategy for the greater Waterford City area.
- To sustain and enhance the vitality and viability of the role and potential of the four District Towns.
- To improve convenience market share retained within the county to 80% post 2020²⁷
- To improve comparison market share retained within the county to 75% post 2020
- To increase convenience trade draw from 8% to 15% post 2020
- To maintain comparison trade draw at 58% post 2020

Chapter 5

Strategic Aim: To integrate the planning and sustainable development of the county with regard to the housing, social, community and cultural requirements of the county and its population.

- To implement the Housing Strategy contained in Appendix B.
- To require 20% of the land zoned for residential use, or for a mixture of residential and other uses, be made available for the provision of social housing.

²⁷ Not taken into account in the capacity assessment. These are targets to be achieved should proposals come forward for significant retail development that would affect inflow and outflow patterns.

- To require that a mixture of residential unit types and sizes are developed to reasonably match the requirements of different categories of households within the city and county.
- Complete the review of the Traveller Accommodation programme.
- To implement the Kilkenny Travellers Horse project
- To redevelop the Wetlands halting site as a group housing scheme.
- To implement the provisions of the Traveller Accommodation programme
- The Council will facilitate the provision of childcare and early childhood education facilities in a sustainable manner in appropriate locations which include the following: larger new housing estates, industrial estates and business parks, in the vicinity of schools, neighbourhood and district centres and adjacent to public transport facilities.
- The Council will liaise with the Department of Education and Skills, and all providers of education, to assist where possible in the development of adequate education centres, and to identify and facilitate of suitable sites for new educational facilities.
- To increase co-operation between Kilkenny Local Authorities and existing third level institutions and the proposed Technological University for the South East to support employment creation, innovation and lifelong learning.
- To integrate the planning and sustainable development of the county with regard to the social, community and cultural requirements of the county and its population.
- To progress and achieve the completion and opening of the new City Library at County Hall.

Chapter 6

Strategic Aim: To manage rural change and guide development to ensure vibrant and sustainable rural areas *whilst conserving and sustainably managing our environment and heritage.*

Chapter 7

Strategic Aim: To protect and improve recreational, tourism and arts facilities for the benefit of residents and for the promotion of tourism.

- The Council shall seek the preservation and improvement of amenities and recreational amenity facilities, and shall facilitate and provide for the extension of recreational amenities in the county where appropriate, subject to environmental *and* heritage ~~and financial~~ considerations.
- The Council will continue to assist with and support the development of the Nore Valley Walk and protect its route from encroachment by unsympathetic development.
- To develop a walking and cycling strategy within the life of this plan.
- To protect the New Ross to Waterford railway line from encroachment by development and to retain its continuity.
- To protect the Kilkenny to Portlaoise former railway line and spur line to Castlecomer from encroachment by development and support the development of a trail if feasible.
- The Council shall preserve and protect existing public rights of way which give access to seashore, uplands, riverbank or other places of natural beauty or recreational use (*A list of existing known rights of way in the county are included as on Appendix D to this plan and are shown on Figure 7.1).*
- To undertake a survey ~~of~~ *to establish any additional* existing public rights of way in the county and establish a register within the life of the Plan.
- Complete the development of the River Nore Linear Park within the lifetime of the Plan.
- *To establish an environmental management plan for the River Nore Linear Park.*
- To develop an arts venue within the county to fulfil a multiplicity artistic uses.
- To implement the Kilkenny Local Authorities Arts Strategy

Chapter 8

Strategic Aim: To seek the protection and sustainable management ~~and where possible, enhancement of heritage of the county's heritage~~ for the benefit of current and future generations; ~~and to promote increased awareness of heritage through policies and actions to encourage the collection of knowledge to inform it's protection; and promote access to, awareness of and enjoyment of heritage.~~

- To *prepare and* implement, in partnership with the Kilkenny Heritage Forum and all relevant stakeholders, a County Heritage Plan and County Biodiversity Plan.
- To protect and, where possible, enhance the ~~plant and animal species and their habitats that have been identified under European Legislation (EU Habitats Directive, EU Birds Directive)~~ *natural heritage sites designated under EU Legislation and National Legislation (Habitats Directive, Birds Directive, European Communities (Birds and Natural Habitats) Regulations 2011 and Wildlife Acts). This protection will extend to any additions or alterations to sites that may arise during the lifetime of this plan.*
- To protect and, where possible, enhance the ~~natural heritage sites designated under national legislation (The Wildlife Acts and The Flora protection Order). This protection will extend to any additions or alterations to sites that may arise during the lifetime of this plan~~ *plant and animal species and their habitats that have been identified under European legislation (Habitats and Birds Directive) and protected under national Legislation (European Communities (Birds and Natural Habitats) Regulations 2011 (SI 477 of 2011), Wildlife Acts 1976-2010 and the Flora Protection Order (SI94 of 1999).*
- To prepare and support the implementation of a Green Infrastructure Strategy for County Kilkenny ~~as resources allow.~~
- To protect and where possible enhance wildlife habitats and landscape features which act as ecological corridors/networks and stepping stones, such as river corridors, hedgerows and road verges, and to minimise the loss of habitats and features of the wider countryside (such as ponds, wetlands, trees) which are not within designated sites. Where the loss of habitats and features of the wider countryside is unavoidable as part of a development, to ensure that appropriate mitigation and/or compensation measures are put in place, to conserve and enhance biodiversity and landscape character and green infrastructure networks.
- Kilkenny County Council will promote the planting of native tree and shrub species, by committing to using native species (of local provenance wherever possible) in its landscaping work and on County Council property.
- To protect and sustainably manage the landscape character of County Kilkenny, having regard to the findings of the landscape character assessment and the development management standards as set out in this chapter for the sustainable development of the county and appropriate conservation of its landscape character.
- To ensure that development within the Landscape Character Areas of Brandon Hill Uplands and the River Valleys of the Nore, Barrow and Suir, which are highly scenic and of significant visual amenity value, are carefully sited and designed and can be successfully assimilated into the landscape.
- To preserve and improve places or areas from which views or prospects of special amenity value exist, as identified in Appendix ~~I~~H and on Figure 8.2.
- Protect archaeological sites and monuments (including their setting), underwater archaeology, and archaeological objects, including those that are listed in the Record of Monuments and Places, and in the Urban Archaeological Survey of County Kilkenny or newly discovered sub-surface and underwater archaeological remains.
- To facilitate and support the implementation of existing (and any further) conservation plans, as resources allow.

- To ensure the protection of the architectural heritage of County Kilkenny by including all structures considered to be of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest in the Record of Protected Structures.
- To carry out a review of the Record of Protected Structures.
- ~~To respond to the Ministerial recommendation to include in the Record of Protected Structures, structures which have been identified as being of Regional, National or International significance in the National Inventory of Architectural Heritage survey of the city and county published in 2006. (move to under NIAH heading)~~
- *To complete digital mapping of the Record of Protected Structures.*
- *To promote principles of best practice in conservation and the use of appropriate materials and repair techniques through the administration of the Conservation Grants Scheme and the Structures at Risk Fund, funded by the Department of Arts Heritage and the Gaeltacht.*
- *To provide assistance to owners of protected structures in undertaking essential repairs and maintenance by the provision of relevant information.*

Chapter 9

Strategic Aim: To provide a framework for the protection of the environment, including water quality, the avoidance of flood risk and the provision of a high quality telecommunications infrastructure.

- Implement the programme as outlined in the Water Services Investment Programme.
- Meet in full the requirements of the E.U. [Urban Waste Water Treatment](#) and [Water Framework](#) Directives and the [Drinking Water Regulations](#).
- To adopt a comprehensive risk-based planning approach to flood management to prevent or minimise future flood risk. In accordance with the [Planning System and Flood Risk Management – Guidelines for Planning Authorities](#), the avoidance of development in areas where flood risk has been identified shall be the primary response.
- To implement the Joint Waste Management Plan for the South East Region.
- To control the following for the purposes of reducing the risk or limiting the consequences of a major accident:
 - The siting of Major Accident Hazard sites
 - The modification of an existing Major Accident Hazard site
 - Development in the vicinity of a Major Accident Hazard site
- To facilitate the delivery of high quality broadband to the District Towns in the county.
- To set up and maintain a register of approved telecommunications structures which will provide a useful input to the assessment of future telecommunications developments and would also be useful from the point of view of maximising the potential for future mast sharing and co-location.

Chapter 10

Strategic Aim: To promote and facilitate all forms of renewable energies and *energy efficiency* improvements ~~in energy efficiencies~~ *in a sustainable manner* as a response to climate change.

- Kilkenny County Council recognises the need to support the development of bioenergy resources. It will support suitable projects and recommends that anyone considering a project should consult the South East Regional Authority of Ireland's current [Bioenergy Implementation Plan](#).
- Facilitate the development of projects that convert biomass to energy.
- In general, direct commercial bioenergy plants to locate on brownfield sites which are adjacent to industrial areas or on lands which are reserved for industrial uses in any development plan. Brownfield sites in rural areas may also be considered.

- Ensure that any commercial bioenergy plant is close to the point of demand and is served by public roads with sufficient capacity to absorb increased traffic flows and adjacent to transport corridors.
- Seek to respond positively to applications for waste to energy projects.
- Facilitate the development of appropriate projects that convert hydro power to energy.
- Have regard to the provisions of the [Guidelines on the Planning, Design, Construction and Operation of Small Scale Hydro-Electric Schemes and Fisheries](#)
- The Planning Authority will support and facilitate the development of passive solar design proposals for the development of houses in rural and urban areas, and will draw on the recommendations of the [Kilkenny Rural House Design Guide](#), and the Guidelines on [Sustainable Residential Development in Urban Areas](#).
- The Planning Authority will make available advice on Passive Solar Design in preplanning consultations for domestic and commercial buildings.
- Consider impacts of overshadowing on the efficiency of existing solar technologies when assessing planning applications.
- Support applications to install solar panels on public buildings and schools within the county should the opportunity arise.
- Support the development of geothermal energy and heat pumps
- To review the progress of the Climate Change Strategy, report on the progress to date, and thereafter develop a new strategy and action plan in line with national policy.
- Encourage high standards of energy efficiency in all building developments and encourage developers, owners and tenants to improve the environmental performance of the building stock, including the deployment of renewable energy.
- Require a provisional BER certificate as part of any planning application, showing how the proposal will comply with Part L of the Building Regulations
- To require that planning applications for large buildings, as defined by the Energy Performance of Building Regulations, demonstrate that due consideration has been given to the technical, environmental and economic feasibility of installing alternative energy systems in the proposed building, and that the use of such systems has been taken into account, as far as practicable, in the design of that building. This shall also apply to applications for ten or more housing units.

Chapter 11

Strategic Aim: To co-ordinate transport and land use planning, reducing the demand for travel and the reliance on the private car in favour of public transport, cycling and walking.

- To investigate the establishment of a Transport Forum to oversee Transport policy of the county.
- The Council will implement the provisions of the [National Cycle Policy Framework](#) where possible.
- To facilitate the provision of bus shelters as appropriate.
- To facilitate parking provision for tourist buses in towns and villages and at tourist attractions.
- To develop and agree an appropriately planned policy response to access for Glanbia and the Leggetsrath roundabout in conjunction with the National Roads Authority.
- To develop and agree an appropriately planned policy response to access from the N29 Port road to industrial zoned lands in the Belview area in conjunction with the National Roads Authority.
- To support the implementation of the NRA projects as outlined above.
- To preserve free from development proposed road realignment/improvement lines and associated corridors where such development would prejudice the implementation of National Roads Authority or County Council plans (See Figure 11.1)

- To seek an upgrade of the R700 between New Ross and Kilkenny to National Secondary status and to provide a relief road for Thomastown.
- To seek an upgrade of the Kilkenny to Urlingford Road (R693) to National Secondary status and to improve the road realignment in its entirety.
- To seek an upgrade of the New Ross to Mullinavat Regional Road (R704).
- Reserve the proposed line of the western bypass for the city from the Castlecomer Road to the ~~Callan~~ Waterford Road free from development.
- *Complete the R697 Kells Road Improvement Scheme.*
- *To improve substandard sections of regional roads throughout the County, in particular those most heavily trafficked, and those providing access to existing or proposed industrial, Residential or commercial developments.*

Chapter 12

Strategic Aim: To encourage the creation of living and working environments of the highest quality by ensuring a high quality of design, layout and function for all development under the Planning Acts and Regulations, to conserve and build upon positive elements in the built and natural environment, and to protect amenities.