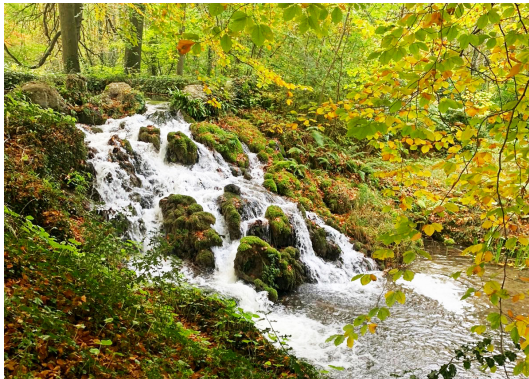


Chief Executive's Report

On Submissions/Observations Received on
Proposed Material Alterations
to the Draft Naas Local Area Plan 2021 - 2027



Planning Department, Kildare County Council
16th September 2021



Planning Department
Kildare County Council
Áras Chill Dara, Devoy Park,
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Section 1. Introduction

1.1. Background

This report relates to submissions and observations received from the public and prescribed bodies following the publication of the Proposed Material Alterations to the Draft Naas Local Area Plan 2021 – 2027 under Section 20 of the Planning and Development Act 2000 (as amended).

1.2. Public Consultation

Notice of Proposed Material Alterations to the Draft Naas Local Area Plan 2021-2027 was published on the 23rd July 2021 in the Irish Independent national newspaper. A second advert was placed in the Leinster Leader newspaper on the 27th July 2021. Kildare County Council Social Media channels (Facebook and Twitter) were also used as mechanisms in promoting awareness of the Proposed Material Alterations to the draft Plan.

The Proposed Material Alterations were placed on public display and submissions and observations were invited for a period of 4 weeks from Friday 23rd July to Monday 23rd August 2021 inclusive.

Copies were made available for inspection at the public counter of Planning Department in Áras Chill Dara, Devoy Park, Naas. The Proposed Material Alterations (alongside accompanying documents) were also available to view on Kildare County Council's Consultation Portal: <https://consult.kildarecoco.ie/en/browse>

The following environmental documents were published with the Proposed Material Alterations:

- A SEA Environmental Report pursuant to the SEA Directive and Planning and Development (Strategic Environmental Assessment) Regulations 2004-2011.
- A Screening Report for the purposes of Appropriate Assessment (AA) pursuant to the EU Habitats Directive (92/43/EEC) and Planning and Development Act 2000 (as amended).
- An addendum to the Strategic Flood Risk Assessment (SFRA) prepared in accordance with the Section 28 Guidelines for Planning Authorities on '*The Planning System and Flood Risk Management*' (DoEHLG, 2009).

Prescribed bodies, including government departments and other agencies, as required by the Planning and Development Act 2000 (as amended), were notified that the Proposed Material Alterations were on display and available on the dedicated online public consultation portal.

1.2.1. Submissions and Observations Received

Submissions/Observations were invited over the public consultation period. In total 160 submissions/observations were received. This included one from the Office of the Planning Regulator and 11 from other prescribed authorities. The Members are advised that all submissions are available for public viewing on the Council's public consultation portal at:

<https://consult.kildarecoco.ie/en/node/2817/submissions>

1.3. Content of the Chief Executive's Report

Under the provisions of Section 20(3)(l) of the Planning and Development Act 2000 (as amended) the Chief Executive's Report must:

- List the persons who made submissions or observations.
- Provide a summary of the recommendations, submission and observations made by the Office of the Planning Regulator, and the submissions and observations made by any other persons.
- Contain the opinion of the Chief Executive in relation to the issues raised, and their recommendations in relation to the Proposed Material Alteration to the Draft Local Area Plan, including any change to the Proposed Material Alteration that they consider appropriate, taking account of the proper planning and sustainable development of the area, the statutory obligations of any local authority in the area and any relevant policies or objectives for the time being of the Government or of any Minister of the Government.

The Chief Executive's Report is set out as follows:

Section 1: Introduction

Section 2: List of persons or bodies who made submissions/observations.

Section 3: Summary of issues raised in submissions/observations from the Office of the Planning Regulator (OPR) and the Chief Executive's opinion and recommendations in response to the issues raised.

Section 4: Summary of issues raised in submissions/observations from Prescribed Bodies and the Chief Executive's opinion and recommendations in response to the issues raised.

Section 5: Summary of issues raised in submissions/observations on the Proposed Material Alterations from all other persons or bodies and the Chief Executive's opinion and recommendations in response to the issues raised.

Section 6: Noting of submissions/observations which do not (or partially) relate to a particular Proposed Material Alteration, to which no opinion or recommendation have been made.

Section 7: Overview of Chief Executive's Recommendations.

Appendix 1: Summary of all submissions/observations received.

Appendix 2: Proposed Material Alterations (No. 1-76).

Appendix 3: Submission from the Office of the Planning Regulator.

1.4. Next Steps

Within six weeks of receiving the Chief Executive's Report, the Elected Members of Kildare County Council must consider the Proposed Material Alterations and the Chief Executive's Report and decide whether to make the Naas Plan LAP with all, some or none of the Material Alterations as published.

A further modification to the Material Alteration may be made where it is **minor** in nature and therefore not likely to have significant effects on the environment or adversely affect the integrity of a European site. A further modification to the Material Alteration may not be made where it refers to an increase in the area of land zoned for any purpose, or an addition to or deletion from the record of protected structures.

Chief Executive's Report on Submissions/Observations Received on Proposed Material Alterations to the Draft Naas Local Area Plan 2021-2027

In making the Naas Plan, the elected members, acting in the interests of the common good and the proper planning and sustainable development of the area, must, in accordance with the '*Code of Conduct for Councillors*' (July 2019) prepared under the provisions of the Local Government Act 2001, carry out their duties in a transparent manner, must follow due process and must make their decisions based on relevant considerations.

Section 20(3) of the Planning and Development Acts 2000 (as amended) states that the Members of the Council are restricted to considering:

- The proper planning and sustainable development of the area.
- The statutory obligations of the local authority.
- Any relevant policies or objectives for the time being of the Government or any Minister of the Government.

The 'statutory obligations' of the local authority includes the obligation to ensure that the local area plan is consistent with:

- The objectives of the development plan.
- The national and regional planning objectives specified in the National Planning Framework (2018) and the Regional Spatial and Economic Strategy 2019 - 2031; and
- Specific Planning Policy Requirements specified in guidelines issued by the Minister under Section 28 of the Planning and Development Act 2000 (as amended).

Section 2. List of Persons/Bodies Who Made Submissions

During the public consultation period a total of 160 submissions and observations were received. The list of persons, prescribed bodies, groups and stakeholders who made submissions is listed in Table 2.1. Kildare County Council would like to take the opportunity to thank those who made written submissions during the public consultation period.

Table 2.1 Persons/Organisations who made Submissions/Observations

Submission	Author
KCC-C37-1	N/A (Test)
KCC-C37-2	Environmental Protection Agency
KCC-C37-3	David Monaghan
KCC-C37-4	Emmet Kelly
KCC-C37-5	Joanne Pender
KCC-C37-6	Department of Environment, Climate and Communications
KCC-C37-7	Meath County Council
KCC-C37-8	Caroline McLoughlin
KCC-C37-9	Transport Infrastructure Ireland
KCC-C37-10	Claudia Stone
KCC-C37-11	Department of Transport
KCC-C37-12	Roisin Stewart
KCC-C37-13	Riognagh Bracken
KCC-C37-14	Riognagh Bracken
KCC-C37-15	Transport Infrastructure Ireland
KCC-C37-16	HSE Environmental Health
KCC-C37-17	Eddie Lenehan
KCC-C37-18	Mountain View Residents' Association
KCC-C37-19	National Transport Authority
KCC-C37-20	Lena Lenehan
KCC-C37-21	Pat Breen
KCC-C37-22	Kathleen Moran
KCC-C37-23	Carole Frost
KCC-C37-24	Kevin Greene
KCC-C37-25	Kevin Greene
KCC-C37-26	Kevin Greene
KCC-C37-27	Mark Noonan
KCC-C37-28	John Kehoe
KCC-C37-29	Cairn PLC
KCC-C37-30	Applegreen Service Areas Ltd
KCC-C37-31	Barry Redmond
KCC-C37-32	C.M. Redmond
KCC-C37-33	Eoghan Redmond
KCC-C37-34	Padraig Redmond
KCC-C37-35	Keith Proctor
KCC-C37-36	Naas Combined Residents Group

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KCC-C37-37	Louise Donnelly
KCC-C37-38	Yvonne Codd
KCC-C37-39	Carol Byrne
KCC-C37-40	Janice McGrath
KCC-C37-41	Aidan Doorey
KCC-C37-42	Antoinette Doorey
KCC-C37-43	Dave Caffrey
KCC-C37-44	Cormac Ahern
KCC-C37-45	Maria Hutchin
KCC-C37-46	Brian McAdam
KCC-C37-47	Kingsfurze Avenue Residents Association
KCC-C37-48	Robert Kennedy
KCC-C37-49	Colm Kenny on behalf of Kildare Green Party Branch
KCC-C37-50	Pat Breen
KCC-C37-51	Kevin Mullaney
KCC-C37-52	R Burke
KCC-C37-53	Fiona & Cathal Carville
KCC-C37-54	Debby Bernadette
KCC-C37-55	Orla Ahern
KCC-C37-56	Fiona Masterson
KCC-C37-57	Gilmar Uyema
KCC-C37-58	Donal Higgins
KCC-C37-59	Donal Higgins
KCC-C37-60	Niall Purcell
KCC-C37-61	Karen English
KCC-C37-62	Sunday's Well Resident's Association
KCC-C37-63	Carmel Geissel
KCC-C37-64	Carmel Geissel
KCC-C37-65	Carmel Geissel
KCC-C37-66	John Lennon
KCC-C37-67	John Lennon
KCC-C37-68	Joy Herron
KCC-C37-69	Miriam Colleran
KCC-C37-70	Brendan Kenny
KCC-C37-71	Conor Prasad
KCC-C37-72	Margharita Solon
KCC-C37-73	Ravi Prasad
KCC-C37-74	Karen McCarthy
KCC-C37-75	Colm Byrne
KCC-C37-76	Zachary McCann
KCC-C37-77	Edmund Murphy
KCC-C37-78	Ian d'Alton
KCC-C37-79	Irish Water
KCC-C37-80	Teresa Behan
KCC-C37-81	An Post
KCC-C37-82	Mary Taaffe
KCC-C37-83	Ricardo Paco

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KCC-C37-84	Gerard Byrne
KCC-C37-85	Cormac O'Donovan
KCC-C37-86	Office of Public Works
KCC-C37-87	Gavin McDermott
KCC-C37-88	Gavin McDermott
KCC-C37-89	Aisling Twomey
KCC-C37-90	Ballymore Group
KCC-C37-91	Aisling McCormack
KCC-C37-92	Stephen O'Brien
KCC-C37-93	Edelvale Property Ltd
KCC-C37-94	Westar Group
KCC-C37-95	Bridget Armstrong
KCC-C37-96	James Lawless TD
KCC-C37-97	Pádraig McEvoy
KCC-C37-98	John Collins
KCC-C37-99	Kings Court Residents' Association
KCC-C37-100	Maureen Boylan
KCC-C37-101	Patrick Solon
KCC-C37-102	Derek Leahy
KCC-C37-103	Abbey Bridge and Canal Residents Group
KCC-C37-104	Les Kelly
KCC-C37-105	Noel Geary
KCC-C37-106	Gail Mooney Collins
KCC-C37-107	Majella O'Keefe
KCC-C37-108	Claire Prasad
KCC-C37-109	Ian Baker
KCC-C37-110	Mark Hendrick
KCC-C37-111	Bob Quinn
KCC-C37-112	Padraig O'Brien
KCC-C37-113	Venturis Investments
KCC-C37-114	Queally Group
KCC-C37-115	Una & Seamus O'Brien
KCC-C37-116	Linda Ryan for Seamus and Linda Dolan
KCC-C37-117	Corcom for Charlton and Leeson Families
KCC-C37-118	Phoebe Dillane
KCC-C37-119	Etienne duPlessis
KCC-C37-120	Audrey Barlow
KCC-C37-121	Ivan Codd
KCC-C37-122	John Walsh
KCC-C37-123	Letitia Foley
KCC-C37-124	Brendan Colivet
KCC-C37-125	Dermot Burke
KCC-C37-126	Christine Murray
KCC-C37-127	Graham Armstrong
KCC-C37-128	Carraig O'scáir Residents Association
KCC-C37-129	Gerard Madden
KCC-C37-130	Pierce Greaney

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KCC-C37-131	Christine Murray
KCC-C37-132	Office of the Planning Regulator
KCC-C37-133	Michael O'Brien
KCC-C37-134	Declan McCormack
KCC-C37-135	Munoo Prasad
KCC-C37-136	Department of Education
KCC-C37-137	Fiona Duigan
KCC-C37-138	Kate O'Riordan
KCC-C37-139	Aonghus Dillane
KCC-C37-140	Adrian Geissel
KCC-C37-141	Adrian Geissel
KCC-C37-142	Diarmuid Parker
KCC-C37-143	Aaron Mac Hale
KCC-C37-144	Aine McDermott
KCC-C37-145	Ciara Breen
KCC-C37-146	Cllr. Anne Breen
KCC-C37-147	Cllr. Seamie Moore
KCC-C37-148	Cormac & Orla Breen
KCC-C37-149	Geological Survey Ireland
KCC-C37-150	Helena Hearne
KCC-C37-151	Hester McAllister
KCC-C37-152	James Dowling
KCC-C37-153	Larry Breen
KCC-C37-154	Mae Leonard
KCC-C37-155	Michaela Piare
KCC-C37-156	Springwood Ltd.
KCC-C37-157	St. Mary's College
KCC-C37-158	The Educena Foundation
KCC-C37-159	Tom McParland
KCC-C37-160	Patricia Gammell
KCC-C37-161	Kieron Gammell

Section 3. Issues Raised from the Office of the Planning Regulator and the Chief Executive's Opinion and Recommendations

This section summarises the issues raised in the submission received from the Office of the Planning Regulator in respect of the Proposed Material Alterations to the Draft Naas Local Area Plan 2021 – 2027. The Chief Executive's opinion and recommendation is also provided.

Recommended deletions to the Draft Local Area Plan are shown ~~in strikethrough blue~~ and recommended new text is shown *in italics red* as per the Proposed Material Alterations. Further minor changes are shown *in green italics*. Original text from the Draft Plan where no amendment has been made remains in black.

3.1. Office of the Planning Regulator (Reference KCC-C37-132)

Main Issues Raised

The submission received from the OPR contained four Recommendations and four Observations.

The OPR acknowledge the Chief Executive accepted the majority of the recommendations and observations made by the OPR at Draft Plan stage. The OPR welcome the extensive work that was undertaken in relation to flood risk management in the material alterations, however, it is highlighted there are some issues that need to be resolved. The OPR also observes that the modal share targets should be considered as minimum targets. The OPR indicate that the quantum of residential land is inconsistent with the core strategy targets and needs to be addressed.

The submission reminds the Council that Section 20(3)(n) of the Act provides the members with scope to make a further modification to an alteration subject to the limitations set out in subsections (p) and (q). They also point out that recommendations relate to clear breaches of the relevant legislative provisions of the national and regional policy framework and/or of the policy of the Government, as set out in the Ministerial guidelines under Section 28, and the Council is required to address these.

1. Core Strategy and Housing Supply Targets

Table 3.5 calculates the total housing yield between 1,800 and 2,222 units which is significantly above the 1,147 units to be delivered in line with the Core Strategy of the CDP. The OPR note that the increase in units arises from the revision to densities in accordance with the Section 28 guidelines and as a result of PMA 73 and 71. The OPR state that the new zonings should be removed.

Recommendation No. 1

Having regard to section 19(2) of the Act which requires that the local area plan be consistent with the core strategy of the CDP, the planning authority is required to remove proposed amendments 71 (site C12) and 73 (site C5).

2. Economic Development and Employment (PMA 72)

The OPR note the extension of the LAP boundary and the zoning of 'un-zoned' land to F(4): Open Space and Amenity with a specific objective for a centre of excellence for equine or sport. The OPR note that this is a rural area on the periphery and the creeping expansion of the boundary has the potential to undermine objectives for compact growth. The OPR state that careful regard should be had to this issue in terms of future extension of the settlement boundary or in relation to a different zoning for the subject lands.

3. Sustainable Transport and Accessibility

3.1 Draft Plan Recommendation 1 (Climate Action and Modal Share Targets)

The OPR acknowledges that modal share targets must be realistic and achievable over the plan period, it is considered that the targets could be reasonably set as minimums, and that the modal share for cycling could be increased to 10% in line with Smart Travel: A Sustainable Transport Future.

Observation No. 1

The Planning Authority is requested to:

- (i) *Revise the modal share targets for walking and cycling in Table 5.1A to minimum targets.*
- (ii) *Increase the minimum modal share target for cycling to 10% of all trips.*

3.2 Observation 2(b) Car Parking Standards

Observation 2(b) by the OPR on the Draft Plan required MTO 4.1 to be amended to clarify residential car parking standards as maximum limits. The OPR notes the rationale in the CE's report for not making this change, and in particular with regard to consistency with the Development Plan. The submission states that the adoption of maximum car parking standards in the forthcoming review of the Development Plan will be important in the context of climate action, and the adoption of maximum parking standards in Development Plan may require the Plan to be subsequently amended.

3.3 Maudlins Interchange (PMA 25 and PMA 46)

Consultation with TII and the NTA has been deleted from Objective EDO 1.4 and Objective URD 1.12 with respect to the traffic modelling and masterplan at Maudlins Interchange. The OPR believe this has arisen from a misunderstanding of the TII's submission that they are not available for consultation with a third party. It is considered that these matters should be agreed with the TII and NTA.

Recommendation No. 2

Having regard to the location of the regeneration and redevelopment lands adjacent to Junction 9 of the M7/ N7 (Maudlins) and the requirements under section 2.7 of the Spatial Planning and National Roads Guidelines, the planning authority is required to amend Objectives EDO 1.4 and URD 1.12 to provide for consultation between the planning authority and the TII and NTA.

3.4 Roads Objectives (PMA 21, 22 and 23)

PMA 21

No evidence basis has been provided to support the future route through Jigginstown, which extends outside of the settlement boundary and has not been subject to any transport assessment. The zoning objective for the site does not

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provide a rationale for the route and is not consistent with objectives for compact growth in the NPF and the RSES.

PMA 23

The Outer Relief Road represents a continuation of a roads and car-based approach to planning and needs to be carefully considered in terms of GHG emissions and climate change. The justification for this objective is not evident.

PMA 22

Objective MTO 3.3 should be amended to state that the re-design of the route should take account of DMURS.

Recommendation No. 3

Having regard to National Strategic Outcome 1 (compact growth) and NPO 54 (reduction in greenhouse gas emissions) of the NPF and Regional Strategic Outcome 2 of the RSES, the planning authority is required to remove proposed amendments MA 21 (possible future route through Jigginstown) and MA 23 (to investigate the feasibility of an outer relief road).

Observation No. 2

The Design Manual for Urban Roads and Streets (DMURS) is the adopted road standards of the Department of Transport and the Department of Housing, Local Government and Heritage and is mandatory within urban areas where the 60kph speed limit or lower applies. The planning authority is requested to amend the wording of MTO 3.3, as inserted by proposed amendment MA22, to require that the redesign of the Gallops Avenue complies with the Design Manual for Urban Roads and Streets (DMURS).

4. Flood Risk Management

4.1 Rezoning of land within the Northwest Quadrant (PMA 61)

PMA 61 changes the zoning objective for the subject land contrary to the recommendation of the SFRA. The OPR note that the SFRA advises that the Strategic Reserve zoning be maintained until completion of the updated flood mapping and the sequential approach can accurately be applied. The SEA also identifies that PMA 61 has the potential to result in a negative impact on environmental factors. The OPR also highlight that a Justification Test has not been carried out for the highly vulnerable New Residential Phase 2 zoning located in Flood Zone A and B.

The OPR state that PMA 61 is premature and inconsistent with the Flood Risk Management Guidelines (2009).

Recommendation No. 4

Having regard to the Flood Risk Management Guidelines for Planning Authorities (2009) the planning authority is required to remove proposed amendment MA 61 in respect of zoning for vulnerable development in Flood Zone A and B.

4.2 Recommendation 2(b) 'Q: Enterprise and Employment' in flood zone

There is an undeveloped area on the periphery of Naas Town, identified as Q (2), which was also referenced in the OPR submission on the Draft Plan and has not been rezoned. Notwithstanding the Justification Test carried out, consideration should be

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given to amending the zoning in Flood Zone A to a water-compatible zoning, such as Open Space.

Observation No. 3

Having regard to the Flood Risk Management Guidelines for Planning Authorities (2009), and the undeveloped and peripheral location of the land identified as Q (2¹), the planning authority is requested to amend the zoning for that part of land which is located in Flood Zone A to a water-compatible zoning, such as Open Space.

4.3 Surface Water Management

The OPR welcomes PMA 45. Section 1.6 Technical Appendices of the Flood Risk Planning Guidelines advise that the SFRA provides guidance on the likely application of different SuDS techniques to manage runoff at key development sites and to identify where integrated and area-based SuDS and green infrastructure are appropriate. The OPR state that the identification of these measures at the plan stage will avoid reliance on individual site solutions at the planning application stage and provide greater clarity and a more co-ordinated approach to future development.

Observation No. 4

Having regard to the Flood Risk Management Guidelines for Planning Authorities (2009), the planning authority is requested to review the SFRA to provide guidance on the likely application of different SuDS techniques to manage runoff on the Northwest Quadrant land and to identify where integrated and area-based SuDS and green infrastructure are appropriate.

5. Environmental Assessment

The OPR state that they are not a competent authority for strategic environmental assessment however they note a Non-Technical Summary has not been included as part of the environmental report.

Summary

Where the authority does not comply with the recommendation of the OPR or otherwise makes the plan in such a manner as to be inconsistent with the recommendations made by this Office, then the Chief Executive shall inform the Office and give reasons for this decision.

Chief Executive's Opinion

The submission from the Office of the Planning Regulator is noted.

Recommendation No. 1 – Core Strategy and Housing Targets

The request by the OPR to remove Proposed Material Alterations 71 (site C (12)) and 73 (site C (5)) which relate to an increase in New Residential lands is noted. The proposed material alterations resulted in an increase of residential units from 1,001 - 1,285 to 1,452 - 1,874 not 1,800 - 2,222 as stated in the submission received. The latter figure represents the combined total including the extant permissions which were already deducted from the 2027 unit-target as detailed in Table 3.4 of the Draft Plan and were provided for illustrative purposes only in Table 3.5.

¹ Clarification has been sought from the OPR due to a typographical error in the submission which referred to Q (3) in the recommendation rather than Q (2) as per the narrative.

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Notwithstanding the foregoing, the Council acknowledge that revisions to the Table 3.5 exceeds the unit target of 1,145 units, as a result of amendments to the overall densities and the additional New Residential lands under C (5) and C (12).

The site with the identifier C (5) categorised as a Tier 1 site in the Sustainable Planning and Infrastructural Assessment (SPIA), was zoned New Residential Phase 2 in the Draft Plan as the site is not required to meet the Core Strategy population projections for Naas. There are alternative sites that are either more appropriately sited, have extant planning permissions, or are state owned and have active proposals to deliver the unmet social housing demand which has been identified in Table 3.4. These sites have been prioritised to ensure compliance with the Core Strategy. Accordingly, the Chief Executive agrees that the removal of the additional lands under Proposed Material Alteration 73 would be appropriate to ensure compliance with the Core Strategy as set out in Variation No. 1 to the Kildare County Development Plan 2017-2023.

The lands which are subject to Proposed Material Alteration No. 71 propose a modest extension of the New Residential lands at C (12). These lands are located within the defined CSO settlement boundary for Naas, with well-established residential developments to the east and west. Overall, the lands present well in terms of sequential development, aligning with the NPFs strategic outcome for promoting and encouraging compact growth and provide for a logical development framework for this area. The proposed extension consists of ca. 1.2 ha which would deliver an additional ca. 40 units (max estimate given the density of the existing development in the receiving environment) over the lifetime of the Plan, which is not considered to materially contravene the core strategy set out in the Kildare County Development Plan.

Recommendation No. 2 – Sustainable Transport and Accessibility

The contents of Recommendation 2 are noted and were raised also by the National Transport Authority (NTA), who are eager to be consulted in relation to traffic modelling at Maudlins Interchange (see submission KCC-C37-19). It is agreed that a minor change be made to both proposed material alterations 25 and 46 relating to Objective EDO 1.4 and Objective URD 1.12, to include for consultation with both the NTA and TII.

Recommendation No. 3 – New Roads

The request to remove PMA 21 (which relates to a possible future route through Jigginstown, extending the route indicated through the P: Data Centre zoned lands) is noted. It is therefore agreed that all mapping reference to the extension to the route should be omitted. However, the original route as contained in the Draft Plan will remain and it is considered prudent in the interests of clarity for the additional text under Objective MTO 3.2 to remain.

In relation to Proposed Material Alteration 23, it should be noted that the Chief Executive's Report on the submissions/observations received to the Draft Plan (dated 31st May 2021) stated that the analysis undertaken as part of the Naas/Sallins Transport Strategy which informed the Draft Plan, found that the outer relief road is not an optimal solution as it would have limited positive impact on the town centre. It

is therefore agreed that the removal of the proposed objective MTO3.9 is acceptable and appropriate.

Recommendation No. 4 – Flood Risk Management within the Northwest Quadrant.

The recommendation to remove Proposed Material Alteration 61 in respect of zoning for vulnerable development in Flood Zone A and B is noted. However, to remove the area in Flood Zone A and B would require an increase in the F: Open Space and Amenity zoning. In accordance with the provisions of Section 20(3)(q)(I) of the Planning and Development Act 2000 (as amended), '*a further modification to the material alteration shall not be made where it refers to an increase in the area of land zoned for any purpose*' at this stage of the local area plan process. Therefore, in order to address this issue, the removal of proposed material alteration 61 in its entirety is recommended to avoid flood risk in this regard.

Observation 1 – Climate Action and Modal Share Targets

The contents of Observation 1 to set the modal shift targets proposed as minimum targets and to increase the minimum modal share target for cycling to 10% of all trips are noted. In this regard it is agreed to update Table 5.1A to reflect the suggested changes.

Observation 2 – DMURS

The contents of Observation 2 to amend the wording of Objective MTO 3.3 to require that the redesign of Gallops Avenue complies with DMURS is noted and accepted. It is proposed to make a minor amendment to Objective MTO 3.3 in response to this observation.

Observation 3 – Flood Risk Management Q (2²) lands

The request by the Office of the Planning Regulator to amend the zoning on the land identified as Q (2) which is zoned Q: Enterprise and Employment to F: Open Space and Amenity cannot be made as, under the provisions of Section 20(3)(q)(I) of the Planning and Development Act 2000 (as amended), '*a further modification to the material alteration shall not be made where it refers to an increase in the area of land zoned for any purpose*' at this stage of the local area plan process.

As stated in the Chief Executive's report (dated 31st May) and the SFRA Addendum Report, Millennium Park (Q (2) lands) are referenced in RPO 4.51 of the Regional Spatial and Economic Strategy (RSES) with an objective to strengthen the local employment base through the development of inter alia Millennium Park. As detailed under PMA 42 all development proposals within the area identified as 'Flood Risk Assessment' on LUZ SFRA Map 9.1, where Justification Tests have been carried out as part of the SFRA, are to be the subject of a site-specific flood risk assessment appropriate to the nature and scale of the development being proposed which is considered sufficient in this regard. Furthermore, PMA 43 updates objective IO3.4 to ensure that if a proportion of a site is at risk of flooding, the sequential approach must be applied to ensure that there is no encroachment onto, or loss of, the flood

² Clarification has been sought from the OPR due to a typographical error in the submission which referred to Q (3) in the recommendation rather than Q (2) as per the narrative.

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plain, and only water compatible development such as open space should be permitted for the lands which are identified as being at risk of flooding within that site.

Observation 4 – Surface Water Management

The request to provide guidance on the likely application of different SuDS techniques to manage runoff on the Northwest Quadrant land and to identify where integrated and area-based SuDS and green infrastructure are appropriate is noted. This will be addressed in the final SFRA.

Economic Development and Employment (PMA 72)

The comments made in relation to proposed Material Alteration 74 and the extension to the F: Open Space and Amenity zoning on the periphery of Naas are noted. The proposed zoning at this location carries a specific objective for a centre of excellence for equine or sport. The development of the site will be tightly managed in this context as not to undermine the existing employment and residential land use zoning objectives across the wider Plan area. The Draft Plan was informed and accompanied by a Social Infrastructure Audit (SIA) which identified a shortfall in sporting facilities in Naas. The development of a centre of excellence at this location will support the growth and development of facilities to the benefit of the residents of Naas and of the wider community.

Observation 2(b) Car Parking Standards

The comments made by the OPR regarding the adoption of maximum car parking standards in the forthcoming review of the Development Plan being important in the context of climate action is noted and accepted. Objective MTO 4.1 requires that parking standards in the Kildare County Development Plan shall be applied to developments in Naas, thereby removing the need to subsequently amend the local area plan after the adoption of the Kildare County Development Plan for 2023-2029.

Environmental Assessment

The OPR's reference to a Non-Technical Summary not being included as part of the environmental report is noted. A non-technical summary will be prepared for the final SEA Environmental Report.

Chief Executive's Recommendation

The following recommendations are shown in the order they appear in the Chief Executive's Opinion above. It is important to note that the recommended deletions to the Draft Local Area Plan are shown ~~in strikethrough blue~~ and recommended new text are shown *in italics red* as per the Proposed Material Alterations. Further minor changes recommended in response to the issues raised in the submissions are shown *in green italics*. Original text where no amendment has been made remains in black.

Proposed Material Alteration No. 71 (OPR Recommendation 1)

It is recommended that Proposed Material Alteration No. 71 should be adopted by the Elected Members to promote and encourage compact growth and to facilitate the delivery of significant and strategic movement interventions to progress the regeneration of the town centre.

Proposed Material Alteration No. 73 (OPR Recommendation 1)

It is recommended that Proposed Material Alteration No. 73 should not be adopted by the Elected Members to ensure compliance with the Core Strategy as set out in Variation No. 1 to the Kildare County Development Plan 2017-2023.

Proposed Material Alteration No. 25 and 46 (OPR Recommendation 2)

It is recommended that Proposed Material Alteration No. 25 and 46 should be adopted by the Elected Members with minor changes that will provide for greater clarity for the overall development of the area as follows:

Proposed Material Alteration No. 25

Section 6.4.3 Junction 9 (Maudlins Interchange)

These brownfield sites have also been designated as Regeneration Lands within the Plan (see Map 11.1). Proposals for development of these sites shall be of a high standard and quality having regard to their strategic location off the Maudlin's Interchange and as a key gateway site to the town from the M7. A joint approach to the ~~two landholdings~~ *lands zoned Mixed-use* shall be undertaken through the preparation of a ~~comprehensive~~ *masterplan to include a shared/agreed vision* for the overall land parcel to ensure development does not take place in a piecemeal manner and integrates with existing development and infrastructure. It is imperative that development of the lands should not impact on the carrying capacity of the motorway network ~~and consultation with Transport Infrastructure Ireland (TII) is recommended in the preparation of a masterplan for the lands.~~ *In this regard the Council will prepare a Traffic Modelling and Access Strategy for the lands zoned Mixed-use, in consultation with relevant stakeholders including Transport Infrastructure Ireland (TII), the National Transport Authority (NTA) and the owners of the KDA lands. This Strategy will inform the masterplan for the subject lands.* Further details in respect of the overall development of these lands are set out in the Development Framework detailed in Chapter 10. It should be noted that Chapter 10 also contains two specific objectives (URD 1.12 and URD 1.13) to protect the integrity of the existing road network.

EDO 1.4 Facilitate the regeneration and redevelopment of the lands to the east of the Dublin Road roundabout, in particular the Key Development Area at Junction 9 (Maudlins) (the former Donnelly Mirrors and Cemex Concrete sites), through a joint approach for the ~~two overall~~ *landholding* through the preparation of a comprehensive masterplan comprising of an overall high-quality design in recognition of its location as a key gateway site. ~~Consultation with Transport Infrastructure Ireland (TII)~~ *Adherence to the Design Framework set out in Chapter 10* is required in the preparation of any masterplan for these lands ~~and adherence to the Design Framework set out in Chapter 10.~~ *which will be informed by the Traffic Modelling and Access Strategy (Objective URD 1.12, refers).*

Proposed Material Alteration No. 46

- URD 1.12** ~~Carry out preliminary~~ *Prepare a Traffic Modelling and to produce an Access Strategy for lands zoned Commercial Mixed-use at the Junction 9 (Maudlins) Key Development Area within 12 months of the adoption of the local area plan, in consultation with relevant stakeholders including Transport Infrastructure Ireland (TII), the National Transport Authority (NTA) and the owners of the KDA lands. ~~in consultation with relevant stakeholders including Transport Infrastructure Ireland (TII) and the National Transport Authority (NTA).~~*
- (i) ~~This Strategy~~ *These* will identify the *use, quantum and intensity* of development that can be facilitated at the location, complementary to safeguarding the strategic function and safety of the national road network, in accordance with the provisions of official policy outlined in the Section 28 Ministerial Guidelines 'Spatial Planning and National Roads Guidelines for Planning Authorities' (DoECLG, 2012).
 - (ii) The *Strategy study* will also identify any improvements required to the local transport network *to facilitate development at this KDA.* ~~accommodate the extent of development proposed.~~
 - (iii) ~~The~~ *masterplan* required under URD 1.13 shall not be ~~finalised be prepared for the subject lands~~ *until such time as the Council has completed and agreed the traffic modelling with the stakeholders identified above.*

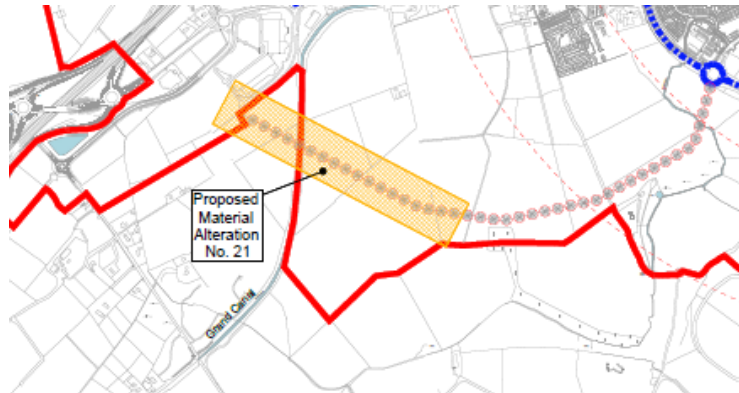
Proposed Material Alteration No. 21 (OPR Recommendation 3)

There are two parts to Proposed Material Alteration 21 to be considered. It is recommended that the additional text inserted under Objective MTO 3.2 (excerpt below) should be adopted by the Elected Members to provide clarity to the overall development strategy of the area and consistency with Map 5.1, 5.2 and 5.4 in the Draft Plan.

- MTO 3.2** Support the implementation of the following road schemes/projects (as detailed on Map 5.4), subject to the availability of funding, the relevant legislative process and appropriate environmental assessment and where necessary to preserve the identified routes free from development:
- (i) The Gallops Avenue.
 - (ii) Upgrade of Murtagh's Corner junction.
 - (iii) Millbridge Street.
 - (iv) Roadway linking Aldi Distribution Centre to Millennium Link Road.
 - (v) Town centre HGV restrictions.
 - (vi) Upgrade signalised junctions to MOVA or SCOOT as appropriate.
 - (vii) Possible future route through the lands at Jigginstown.*

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It is recommended that in respect to the road extension as illustrated on Map 5.1, 5.2 and 5.3 (excerpt below) in the Proposed Material Alteration Report dated the 23rd July 2021 that it should not be adopted by the Elected Members as per the Recommendation by the OPR.



Proposed Material Alteration No. 23 (OPR Recommendation 3)

It is recommended that Proposed Material Alteration No. 23 should not be adopted by the Elected Members as there is no evidence base or justification to support the objective.

Proposed Material Alteration No. 61 (OPR Recommendation 4)

It is recommended that Proposed Material Alteration No. 61 should not be adopted by the Elected Members to ensure consistency with the Flood Risk Management Guidelines for Planning Authorities (2009).

Proposed Material Alteration No. 11 (OPR Observation 1)

It is recommended that Proposed Material Alteration No. 11 should be adopted by the Elected Members with the minor changes as follows:

It is important to note that the recommended deletions to the Draft Local Area Plan are shown ~~in strikethrough blue~~ and recommended new text are shown *in italics red* as per the Proposed Material Alterations. Further minor changes recommended in response to the issues raised in the submissions are shown *in green italics*. Original text where no amendment has been made remains in black.

Section 5.1.1 Modal Shift Targets

Achieving significant modal shift is dependent on a wide range of factors, much of which is outside the remit of Kildare County Council such as national economic performance, Government investment in sustainable transport infrastructure, private bus service provision and willingness to embrace change. Kildare County Council have identified a number of interventions for the town of Naas which will assist in delivering this modal shift, such as the provision of new permeability links, cycling measures and public transport measures.

Kildare County Council will endeavour to deliver a reduction in private car usage broadly in line with 2035 targets set out in the NTA's Transport Strategy for the Greater Dublin Area and also informed by Smarter Travel: A Sustainable Transport Future. These target mode shifts have been adapted to

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reflect the plan period (to 2027) and are outlined in the tables below, which contain ambitious targets for travel to work and school. The proposed modal shift targets are minimum targets only.

Table 5.1A: Minimum Modal shift targets for work trips in Naas

Mode share for work trips	2016 Baseline %	2027 Target %	2035 Target %	Overall % Change
Car	79.6%	69.8%	62.6%	-17%
Public Transport	7.9%	14.8%	19.9%	+12%
Walking	9.8%	10.38%	10.8%	+1%
Cycling	2.7%	10.5%	6.7%	+4%

Table 5.1B: Minimum Modal shift targets for education trips in Naas

Mode share for education trips	2016 Baseline %	2027 Target %	2035 Target %	Overall % Change
Car	48.6%	43.3%	39.6%	-9%
Public Transport	18.4%	21.3%	23.4%	+5%
Walking	30.6%	31.7%	32.6%	+2%
Cycling	2.4%	10.3.6%	4.4%	+2%

Proposed Material Alteration No. 22 (OPR Observation 2)

It is recommended that Proposed Material Alteration No. 22 should be adopted by the Elected Members with the following minor change to ensure compliance with DMURS.

MTO 3.3 *To comprehensively re-examine the design of the Gallops Avenue (R410 to R445 - Blessington Road to Dublin Road). The focus of the redesign would be on providing a route which focuses on green initiatives such as expanded footpaths and cycle ways, providing a safe route for pedestrians and cyclists. The new route would be designed to have the appearance of a street, avenue or boulevard which would provide a generous tree lined verge, including segregated cycle lanes and pedestrian paths in accordance with the Principles of Sustainable Safety to offer a safe environment for all road users including cyclists.*

The redesign shall be carried out after consultation with local residents, stakeholders and other interested parties. The redesign will take account ~~comply with~~ of best practice design

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guidance for sustainable infrastructure, such as the Design Manual for Urban Roads and Streets (DMURS) and the NTAs National Cycle Manual. The redesign shall include, but not be limited to, examination of the following:

- *Delivery of protected junctions with consideration for raised tables where appropriate.*
- *Delivery of island bus stops in line with guidance provided in the NTAs National Cycle Manual (or any successor to same in terms of best practice).*
- *Examination of a HGV ban on the Gallops Avenue.*
- *Examination of a dedicated Greenway as part of the detailed design.*
- *Consider providing an alternative route located on a corridor to the east of the Racecourse.*

Section 4. Issues Raised by Prescribed Bodies and the Chief Executive's Opinion and Recommendations

This section of the report summarises the issues raised in the 12³ submissions/observations received in respect of the Proposed Material Alterations to the Draft Naas Local Area Plan 2021 – 2027 from the prescribed bodies. The Chief Executive's opinion and recommendation is set out under each submission.

Recommended deletions to the Draft Local Area Plan are shown ~~in strikethrough blue~~ and recommended new text are shown *in italics red* as per the Proposed Material Alterations. Further minor changes recommended in response to the issues raised in the submissions are shown *in green italics*. Original text where no amendment has been made remains in black.

4.1. Environmental Protection Agency (Reference KCC-C37-2)

Main Issues Raised

Proposed SEA Determination

The submission from the EPA notes the determination regarding the need for Strategic Environmental Assessment (SEA) of the Alterations. The submission states that for land use plans at a county and local level the EPA provide a self-service approach through the guidance document '*SEA and Local Authority Land-Use Plans – EPA Recommendations and Resources*' and should be considered as appropriate and relevant to the alterations.

Sustainable Development

Kildare County Council should ensure that the Plan, as amended, is consistent with the need for proper planning and sustainable development. Adequate and appropriate critical service infrastructure should be in place, or required to be put in place, to service any development proposed and authorised during the lifetime of the Plan.

The Council should consider the need to align with national commitments on climate change mitigation and adaptation, as well as incorporating any relevant recommendations in sectoral, regional and local climate adaptation plans. Alterations should also be consistent with key relevant higher-level plans and programmes.

Specific Comments to be Considered

Alterations identified as having potential for likely significant environmental effects, justification should be given for proceeding with those alterations. The Plan should also consider and integrate the relevant recommendations into the SEA.

Future Modifications to the Draft Plan – Where further changes are proposed, these should be screened for likely significant effects in accordance with SEA Regulations.

³ Two from Transport Infrastructure Ireland (TII).

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SEA Statement – Information on the Decision – The submission sets out a summary of what should be contained in the contents of a SEA statement once the Plan has been made, a copy of which should be sent to any environmental authority consulted during the process.

Environmental Authorities – The submission outlines the bodies that should be consulted under the SEA Regulations.

Chief Executive's Opinion

The contents of the submission received from the EPA are noted. It is considered that the Draft Plan complies with relevant Ministerial Guidelines issued under Section 28 of the Planning and Development Act 2000 (as amended), the NPF and the RSES for the Eastern and Midlands Region.

Kildare County Council in accordance with Section 20 of the Planning and Development Act 2000 (as amended), has screened the Proposed Material Alterations and determined that a Strategic Environmental Assessment (SEA) was required with respect to two of the proposed material alterations (No's 21 and 61) which have the potential to result in significant environmental effects. The SEA Addendum report provided an assessment with respect to the proposed material alterations and a SEA Screening Report, SEA Screening Determination and SEA Environmental Report pursuant to the SEA Directive and Planning and Development (Strategic Environmental Assessment) Regulations 2004-2011 were prepared. These documents were published alongside the Proposed Material Alterations Report and made available for public inspection. The Addendum Report detailed that site-specific environmental assessment will be carried out, as required which will include the incorporation of site-specific detailed mitigation measures to ameliorate the potential for significant environmental effects.

However, the OPR have required the planning authority to remove the possible future route through Jigginstown as illustrated under Proposed Material Alteration 21 and the Chief Executive has recommended that the extension to the route should not be adopted by the Elected Members. Similarly, the OPR have made a recommendation that requires the planning authority to remove Proposed Material Alteration 61 in the context of prematurity and inconsistency with the Flood Risk Management Guidelines for Planning Authorities. The Chief Executive has recommended that Proposed Material Alteration 61 should not be adopted by the Elected Members.

In accordance with the provisions of Section 20(3)(r) of the Planning and Development Act 2000 (as amended), should the Elected Members decide not to accept the Recommendation of the Chief Executive in relation to a Proposed Material they are required to give reason for this decision.

An SEA statement (with Non-technical Summary) will be prepared upon the final adoption of the Local Area Plan.

Chief Executive's Recommendation

No further change recommended.

4.2. Department of the Environment, Climate and Communications (Reference KCC-C37-6)

Main Issues Raised

The submission has been received on behalf of the Waste Policy and Resource Efficiency Division of the Department. It states that the local authority should consult directly with the respective Regional Waste Management Planning Office regarding the local area plan.

Chief Executive's Opinion

Having regard to Article 14E(2) of the Planning and Development Regulations 2001 (as amended) state that the notice under Section 20(3)(a) of the Act shall, in addition to the authorities specified in Article 14, be sent to the environmental authorities specified in article 13A(4), as appropriate. Article 13A(4)(ii) refers to the Minister for the Environment, Community and Local Government. Therefore, it is considered necessary in order to comply with the regulations to send notice to the Department of the Environment, Climate and Communications.

Chief Executive's Recommendation

No further change recommended.

4.3. Meath County Council (Reference KCC-C37-7)

Main Issues Raised

Meath County Council have no further comments and wish Kildare County Council well through the statutory process.

Chief Executive's Opinion

The submission received from Meath County Council is acknowledged with thanks.

Chief Executive's Recommendation

No further change recommended.

4.4. Transport Infrastructure Ireland (Reference KCC-C37-9 & 15)

Main Issues Raised

The submission received from the TII states that the N/M7 is part of the EU TEN-T Core Network where it is an objective to safe, secure high standards for road users and freight across Europe. The Spatial Planning and National Road Guidelines (2012) state that the primary purpose of the national road network is to provide strategic transport links and any local transport function must continue to be secondary. The submission states that the Naas/Sallins Transport Strategy and the GDA Transport Strategy both acknowledged congestion on the strategic national road network. There is a need to ensure that congestion and the prevention of unsustainable private car dependency does not negatively impact and/or undermine the recent investment in the N/M7.

A. Strategic National Road Network

TII welcome Proposed Material Alteration No. 20.

Maudlin Interchange Key Development Area

TII have serious concerns regarding amendments and the nature of associated material alterations to Proposed Material Alterations 25, 44, 46, 47, 53 and 55. It is stated that the area at Maudlins has significant potential to impact the M7 and also to undermine the associated investment made on the road network.

Proposed Material Alteration No. 53 and 55 – Maudlins will be subject to a masterplan and is also designated as Regeneration lands. A masterplan is required to be prepared for the overall land parcel however unlike the Northwest Quadrant the Plan does not clearly outline the process nor the legal standing for its formulation.

Proposed Material Alteration No. 25 (amended narrative and an objective EDO 1.4). TII state that the developers are to prepare a comprehensive, non-statutory plan. The masterplan is not subject to consultation with TII as a developer-led, non-statutory forward planning approach through the development management process is proposed.

Proposed Material Alteration No. 44 requires a masterplan but does not outline the process nor the legal standing for its formulation.

Proposed Material Alteration No. 46 which relates to the preliminary traffic modelling and access strategy to be undertaken within an area critical to national transport infrastructure but is to be carried out without any reference to relevant stakeholders, including TII and NTA as it appears it is to form part of a planning application.

TII considered that PMA no. 47 and 48 complicates matters as they refer to the modelling informing the masterplan, use, quantum and intensity of development that would be appropriate for the site. PMA 48 indicates a requirement for use of a development management application to be accompanied by a shared/agreed vision of the KDA through the preparation of a comprehensive masterplan and by a comprehensive Traffic and Transport Assessment. TII believes this approach to be confusing and haphazard. They consider it to be inappropriate treatment to the area which is an important gateway to Naas and has the potential to adversely impact one of the heaviest trafficked areas of the national road network. TII consider that the approach taken is not in keeping with the requirements for evidence base planning and careful management required by the Spatial Planning and National Road Guidelines.

TII advise an Area Based Transport Assessment (ABTA) is the most appropriate mechanism for integrated land use and transport planning at this location within a statutory framework.

TII Recommendation:

The Maudlins masterplan should contain the same statutory linked planning approach as advocated for in the Northwest Quadrant. In this regard TII considers that Material Alteration No. 25, 44,46,47,48, 53, and 55 require review and redrafting.

Junction 10 (Naas South)/Newhall

TII notes the inclusion of Proposed Material Alteration No. 66⁴. No case has been made to include lands in the Draft Local Area Plan in proximity to Junction 10. The historical pattern of development at Newhall required the upgrade of Junction 10 as part of the M7 Naas-Newbridge Bypass Upgrade Scheme. No evidence base of traffic and transport analysis is presented. The inclusion of the lands does not represent a considered framework for the Plan area.

TII Recommendation:

Review policies and objectives to demonstrate that development proposals can proceed complementary to safeguarding the investment in and the strategic function of the national road network.

Chief Executive's Opinion

The comments from the TII and the two recommendations are noted.

In relation to the Maudlins Interchange KDA site, it is considered that a different approach is required to that used for the Northwest Quadrant. The Maudlins site differs considerably from the significant land bank at the Northwest Quadrant which comprises of a substantial amount of undeveloped land that is currently awaiting finalisation of the initial stage of the Flood Relief Scheme for Naas before evidence-based decisions can be made on the overall development strategy for the area. Maudlins represents a key brownfield site on the approach to Naas which is currently lying vacant and in need of regeneration. Cognisant of the site's proximity to the motorway network and the analysis carried out in the Naas/Sallins Transport Strategy, it is considered that the most suitable approach to the development of this site is as follows:

- In the first instance, a Traffic Modelling and Access Strategy will be carried out by Kildare County Council in conjunction with TII and the NTA. This will determine the use, quantum and intensity of the development that would be appropriate for the site.
- On completion of the Traffic Modelling and Access Strategy, the owners/developers of the two sites located at the Maudlins Interchange shall prepare a Masterplan for the KDA, which shall be informed by the Traffic Modelling and Access Strategy, and this will then be submitted to the Planning Authority for consideration in the form of a planning application.

In response to the submission received from the OPR (KCC-C37-132) and the NTA (KCC-C37-19) consultation with the NTA and TII will form part of the Traffic Modelling and Access Strategy which will be reflected in a minor change to Proposed Material Alteration 25 and 46 (see Chief Executive's Recommendation in Section 3). It is considered that the Traffic Modelling and Access Strategy will provide guidance to the owners/developers of the site in preparing a masterplan which will form part of any application for development. TII as a nationwide statutory consultee under planning legislation will be referred the planning application once it is lodged, for further comment.

⁴ The revised submission received from TII (KCC-C37-15) updated a clerical error from PMA 6 to PMA 65. However further clarification was sought via email and was further amended to PMA 66.

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In relation to the concerns raised over Proposed Material Alteration 66, planning permission has been granted under 20/714 and 20/715 for the construction of freezer warehouse, marshalling area, loading docks, administration office and staff facilities on the lands to which Proposed Material Alteration 66 refer. The lands are located immediately adjacent to an existing industrial warehousing type complex and is accessed through same. A Transportation Assessment Report was submitted in response to a Further Information request under both applications and this was a material consideration in determining these applications. The land use zoning (and Plan boundary) is proposed to be amended to reflect the permitted development on these lands.

Chief Executive's Recommendation

It is recommended that Proposed Material Alterations 25 and 46 should be adopted by the Elected Members with the minor amendments included to require consultation with the NTA and TII as part of the Traffic Modelling and Access Strategy (see Chief Executive's Recommendation in Section 3).

4.5. Department of Transport (Reference KCC-C37-11)

Main Issues Raised

The Department highlights that there have been important policy developments since the previous plan which should be reflected in Chapter 5 Movement and Transport.

1. National Disability Inclusion Strategy 2017-2022, which includes specific actions for Local Authorities such as dishing of footpaths, accessible infrastructure. The Department welcomes the inclusion of MTO 1.2 to ensure all footpaths are accessible including for people with disabilities.
2. The ratification of the United Nations Convention on the Rights of Persons with Disabilities put an obligation to ensure access for persons with disabilities to the physical environment and transportation.
3. DMURS Interim Advice Note – Covid-19 Pandemic Response which includes guidance on measures to align with the principles of universal design, Government policy on accessibility for people with disabilities and to consult people with disabilities to further appraise measures.
4. A 'whole journey approach' is required for making public transport accessible.
5. The mission statement of the NTA's Local Link Rural Transport Programme Strategic Plan 2018 - 2022', is "to provide a quality nationwide community based public transport system in rural Ireland which responds to local needs." A key priority is the reduction of social exclusion and the integration of rural transport services with other public transport services. A key objective is greater interaction/co-ordination with Local Authorities regarding the assessment of strategic transport needs in the development of proposed transport plans for local areas.

Chief Executive's Opinion

The policy documents raised in the submission by the Department of Transport are noted. The transport measures proposed within the Draft Plan will be subject to a separate statutory procedure which includes for detailed design in accordance with all relevant guidance and legalisation alongside consultation with the relevant statutory stakeholders, members of the public and the necessary environmental assessments where appropriate.

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Chief Executive's Recommendation

No further change recommended.

4.6. Health Service Executive (Reference KCC-C37-16)

Main Issues Raised

The Environmental Health Service of the HSE support and agree with the objectives. The Plan will improve the health and wellbeing of the population of Naas if implemented in full.

Chief Executive's Opinion

The submission received from the Environmental Health Service is acknowledged with thanks.

Chief Executive's Recommendation

No further change recommended.

4.7. National Transport Authority (Reference KCC-C37-19)

Main Issues Raised

Proposed Material Alterations No. 11-20

Welcomes the amendments under material alterations 11-20, in particular, Table 5.1A. However, the NTA consider that given the extensive recommendations and interventions proposed that the mode share for walking and cycling could exceed these targets. The targets should be stated as minimum levels. Based on the targets in Smarter Travel: A Sustainable Transport Future, it is suggested that for urban areas such as Naas, a minimum target for cycling would be appropriate for all trips. The NTA state that in the interest of aligning with statutory timeframes and the likely changing landscape for walking and cycling investment over the coming years, it is recommend that the 2027 target is retained, and the 2035 target is omitted.

Maudlin Lands

The NTA notes that the requirement for consultation with statutory consultees appears to be removed for the masterplan at Maudlins (PMA 25 and 46). The modelling and access strategy is to be carried out without relevant stakeholders. The NTA recommend that they are included in the preparation of the modelling and access strategy.

Jigginstown Lands

The NTA is unclear regarding the requirement for additional zoning of this scale at Jigginstown. In relation to PMA 21 the NTA is unclear regarding the requirement for the possible future route through lands at Jigginstown particularly due to the proposed Data Centre zoning.

PMA 23

The NTA has concerns regarding the objective to investigate the feasibility of an Outer Relief Road. The NTA questions the requirement taking into account the existing road network within the town and the close proximity to the national strategic road network.

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Chief Executive's Opinion

The contents of the submission from the NTA are noted. The submission from the OPR (Observation 1) requested the modal shift targets should be set as minimum targets and to increase the minimum modal share target for cycling to 10% of all trips. The Chief Executive's Opinion and Recommendation propose to update Table 5.1A to reflect the changes in line with those also recommended by the NTA (Section 3, refers).

The submission from the OPR (Recommendation 2) also referred to the removal of references to consultation with the NTA and TII under Proposed Material Alterations 25 and 46. It is accepted that a minor change should be made to both Proposed Material Alterations 25 and 46 relating to Objective EDO 1.4 and Objective URD 1.12, to include for consultation with both the NTA and TII.

The NTA's comments in relation to the Jigginstown Lands are noted. The lands at Jigginstown have been designated primarily for Data Centre development. The National Planning Framework states the data centre sector underpins Ireland's international position as a location for ICT and creates added benefits by establishing a threshold of demand for sustained development of renewable energy sources (NPF, 2018). Regional Policy Objective 8.25 requires local authorities to support the national objective to promote Ireland as a sustainable international destination for ICT infrastructure such as data centres and associated economic activities at appropriate locations. In order to adhere to the national and regional policy framework, and in recognition of Naas' status as a Key Town proximate to electricity and telecommunications infrastructure, two sites were chosen as suitable for data centre development, one located at Jigginstown,

In respect to the road extension as illustrated on Map 5.1, 5.2 and 5.3 under Proposed Material Alteration 21 it is recommended that the extension of the route should not be adopted by the Elected Members. This Chief Executive's recommendation is made in response to the recommendation by the OPR which considered there was no evidence basis provided to support the extension outside of the development boundary and which has not been subject to any transport assessment. Furthermore, the OPR did not consider it consistent with the zoning objective which does not facilitate development of a type that would provide a rationale for such a route or be consistent with compact growth or a reduction in greenhouse gas emissions.

Similarly, to Proposed Material Alteration 21, the OPR made a recommendation that the objective relating to the outer relief road should be removed as it would not be consistent with compact growth or a reduction in greenhouse gas emissions.

Chief Executive's Recommendation

It is recommended that Proposed Material Alterations 25 and 46 should be adopted by the Elected Members with the minor amendments included to require consultation with the NTA and TII as part of the Traffic Modelling and Access Strategy (see Chief Executive's Recommendation in Section 3).

In relation to PMA No. 21, it is recommended that the extension of the route through Jigginstown as illustrated on Map 5.1, 5.2 and 5.3 should not be adopted (see Chief Executive's Recommendation in Section 3).

4.8. Irish Water (Reference KCC-C37-79)

Main Issues Raised

The submission notes the objectives under Proposed Material Alterations No. 41 and No. 45. Proposed Material Alteration No. 41, regarding assessments to be carried out by large water users. Proposed Material Alteration No. 45, regarding the making of a masterplan for the Northwest Quadrant which will include water and wastewater infrastructural assessments and include for SUDs solutions.

Irish Water have no objection or further observations.

Chief Executive's Opinion

The submission received from Irish Water are noted.

Chief Executive's Recommendation

No further change recommended.

4.9. Office of Public Works (Reference KCC-C37-86)

Main Issues Raised

Proposed Material Alteration No. 43

The OPW welcomes the revision to Objective IO 3.4 to ensure sites are managed through the sequential approach without the requirements for further mitigation measures, and only if this cannot be achieved that a Justification Test which demonstrates the appropriate flood mitigation and management measures, is required.

The OPW state that the text within the Justification Tests which states "*it is considered reasonable to zone the lands subject to a stipulation that the areas with the flood risk zone include measures to mitigate against flooding*" should be updated to reflect the revised objective.

Consideration of Climate Change Impacts

The OPW notes that the Chief Executive's report states that "*a review of the Mid-Range Future Scenario and High-End Future Scenario was undertaken to assess the future impact of increased flood risk in the draft Plan. No significant impact on the classification of zonings was identified with respect to the sequential approach. An additional paragraph will be added to the SFRA outlining this in further detail*". The OPW states that this demonstrates that Kildare County Council have taken a precautionary approach to climate change. That while the text has not been proposed as an amendment, its inclusion is welcomed.

The submission states that the Council may consider future scenario mapping to demonstrate the lands/developments that could potentially be affected by climate change to be included.

The OPW welcomes PMA No. 42 that flood risk assessments must assess climate change.

Surface Water and SuDS

The OPW welcomes PMA No. 45 in relation to a surface water management plan and opportunities for SuDS solutions to be included in the masterplan for the Northwest Quadrant. The submission states that the SFRA should provide guidance on the likely applicability of different SuDS techniques for managing surface water run-off at key development sites, and also that the SFRA identifies where integrated and area-based provision of SuDS and green infrastructure are appropriate in order to avoid reliance on individual site by site solutions.

Review of Residual Flood Risk for Granted Planning

The OPW welcome the commentary provided on the residual risks associated with potentially increasing flooding in other areas, referred to in Justification Tests for sites at Blessington Road (14), Kilcullen Road (15) and the Community College (17). However, the OPW state that all three tests rely on regular landscaping maintenance regimes as part of development management to minimise any risk of blockage of culverts. The OPW state that reliance measures which require ongoing maintenance should be avoided, as there is no guarantee that maintenance will be continually carried out.

Enterprise and Employment Lands – Northwest Quadrant

The OPW welcomes Proposed Material Alteration No. 57. To rezone land at risk of flooding. The submission highlights that there is still an area zoned for less vulnerable type zoning which is undeveloped and should be zoned to a water-compatible zoning such as Open Space. The images in the submission show the Q (2) lands relative to the associated flood risk.

Lands to east of Monread Industrial Estate

The OPW welcome PMA 58.

Kilcullen Road

The OPW welcome PMA 60.

Strategic Reserve – Northwest Quadrant

The submission notes the contents of PMA No. 61 which provides for the re-zoning of lands within the Northwest Quadrant. The OPW state that the recommendation within the SFRA should be noted by Kildare County Council that the “current zoning of Strategic Reserve is maintained until completion of the updated flood mapping and the sequential approach can accurately be applied”.

The zoning of lands while a review of flood mapping is underway is premature.

The OPW indicate that the design of the proposed flood relief scheme for Naas will take account of existing properties and communities only. If Kildare County Council proceed with zoning of these lands, then a Plan-making Justification Test will be required for the highly vulnerable New Residential Phase 2 zoning located in Flood Zone A and B.

The lands that are zoned as Strategic Reserve will be the subject of a masterplan and no development will be progressed until the masterplan is complete and integrated into the LAP. When the review of these lands takes place, development in

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flood risk areas should be avoided, by zoning as a water-compatible type such as Open Space or substituted for a lesser vulnerability class.

Tipper Road

The OPW welcomes PMA 71, to rezone lands at risk of flooding to Open Space and Amenity.

Finlay Park

The OPW welcome PMA 59 to rezone New Residential lands as Open Space and Amenity due to the risk of flooding.

Chief Executive's Opinion

The comments contained in the submission from the OPW are noted. In respect of the comments in relation to Objective IO 3.4 the final SFRA will be updated to reflect the revised objective. Similarly, the final SFRA will be updated to reflect previous comments in the Chief Executive's report regarding the review of the Mid-Range Future Scenario and High-End Future Scenario that was undertaken to assess the future impact of increased flood risk in the draft Plan. The inclusion of the future scenario mapping to demonstrate that lands/developments that could potentially be affected by climate change shall also be included.

The comments are noted regarding Surface Water and SuDS. The OPR under Observation 4 also raised the issue of the provision of guidance on the likely application of different SuDS techniques to manage runoff on the Northwest Quadrant land and to identify where integrated and area-based SuDS and green infrastructure are appropriate. This will be addressed in the final SFRA (Reference Section 3, of this report).

The issue raised regarding relying on regular landscaping maintenance regimes as part of development management to minimise any risk of blockage of culverts as part of the Flood Risk Assessment is noted. This is considered to be a strategic issue for the whole of County Kildare and would most appropriately be addressed as part of the County Development Plan review process.

The recommendation to re-zone undeveloped land located in the Northwest Quadrant identified as Q (2) is noted. This issue was also raised in the submission received from the OPR. However, under the provisions of Section 20(3)(q)(I) of the Planning and Development Act 2000 (as amended), '*a further modification to the material alteration shall not be made where it refers to an increase in the area of land zoned for any purpose*' at this stage of the local area plan process. As stated in the Chief Executive's report (dated 31st May) and the SFRA Addendum Report, Millennium Park (Q (2) lands) are referenced in RPO 4.51 of the Regional Spatial and Economic Strategy (RSES) with an objective to strengthen the local employment base through the development of inter alia Millennium Park. As detailed under PMA 42 all development proposals within the area identified as 'Flood Risk Assessment' on LUZ SFRA Map 9.1, where Justification Tests have been carried out as part of the SFRA are to be the subject of a site-specific flood risk assessment appropriate to the nature and scale of the development being proposed, which is considered sufficient in this regard.

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The comments in relation to the prematurity of the land zoning under Proposed Material Alteration 61 while the review of the flood mapping is underway is noted. In response to the submission received from the OPR (Section 3, Recommendation 4) it is recommended that Proposed Material Alteration No. 61 should not be adopted by the Elected Members to ensure consistency with the Flood Risk Management Guidelines for Planning Authorities (2009).

The acknowledgment of Proposed Material Alterations 58, 59, 60 and 71 are noted.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 61 should not be adopted by the Elected Members to ensure consistency with the Flood Risk Management Guidelines for Planning Authorities (2009).

No further changes recommended to the Proposed Material Alterations. Changes are proposed to the final Strategic Flood Risk Assessment (SFRA) to strengthen the overall assessment.

4.10. Department of Education (Reference KCC-C37-136)

Main Issues Raised

Proposed Material Alteration 61

The Department of Education welcomes PMA 61 which relates to the zoning of Council owned land north of Finlay Park for education uses. The Department acknowledge that the development of the site will be subject to the detailed review by the OPW of all flood risk areas in Naas, specifically the Northwest Quadrant.

Proposed Material Alteration 75

The Department notes the reduction in land for the potential future post-primary school. Based on the future population projection for Naas it would be prudent to cater for possible future requirements to zone a suitably located site to cater for a future post-primary school.

The site in the Draft Plan was very well positioned. Given the challenges experienced in getting suitable sites particularly for post-primary schools it is important that the proposed material alteration does not inhibit any future development of a school in terms of size of the site and access.

PMA no. 75 reduces the site significantly. The zoning map appears to suggest the access for a school would be shared with the residents in the new housing development and those using the neighbourhood centre.

The zoning of open space lands beside the school site would be welcome as it would offer the possibility of having a pitch and could be used for out-of-hours use by the community. It would be required to be accessible.

The submission makes reference to two documents in terms of identification and suitability assessments for both primary and post-primary schools. The Department states that it is important the LAP indicates a site that is fully compatible with the technical suitability guidance, particularly concerning access and that careful consideration is given at this stage of the Plan.

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Chief Executive's Opinion

The comments from the Department of Education are noted. In response to the submission received from the OPR (Section 3 of this report, Recommendation 4) it is recommended that Proposed Material Alteration No. 61 should not be adopted by the Elected Members to ensure consistency with the Flood Risk Management Guidelines for Planning Authorities (2009).

The comments from the Department of Education in relation to Proposed Material Alteration 75 resulting in a reduction in the lands zoned E: Community and Education at Jigginstown, are noted. The Draft Plan was supported by a Social Infrastructure Audit (SIA) that highlighted that schools for both primary and post-primary level are currently operating at or above capacity. It is acknowledged in the Draft Plan that a new primary and post-primary school are required to meet the projected population growth to 2027.

The issue of social infrastructure not being delivered in tandem with housing / population growth has also been raised across numerous submissions. It is stated in the Draft Plan that the Department of Education are currently at site acquisition for a new primary school in Naas. It is therefore considered that the development of the lands as zoned in the Draft Plan can provide the opportunity for educational infrastructure to take priority over potential housing under a Phase 2 zoning. Phase 2 zoning cannot be delivered within the lifetime of the Plan, whilst the Department of Education are currently active in acquiring a site for a new primary school. Therefore, in acknowledging the comments raised by the Department of Education, in relation to the challenges experienced in getting suitable sites particularly for post-primary schools it is considered prudent to provide the Department of Education the opportunity, in the first instance, to develop a school campus which is fully compatible with all technical suitability guidance, particularly concerning access, at lands at Jigginstown. Therefore, a precautionary approach to the reduction of E lands at this time is considered warranted until the Department of Education have made their site assessment and can avail of the most suitable site within the larger landholding, to develop a school campus at this location.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 75 should not be adopted by the Elected Members to provide the Department of Education the opportunity to develop the most suitable site for educational and sporting facilities during the lifetime of the Plan.

4.11. Geological Survey Ireland (Reference KCC-C37-149)

Main Issues Raised

Geological Survey Ireland has no specific comment or observations to make.

Chief Executive's Opinion

The submission received from Geological Survey Ireland is acknowledged.

Chief Executive's Recommendation

No further change recommended.

Section 5. Summary of Submission/Observations Themed by Proposed Material Alteration and Themed by Chapter with the Chief Executives' Opinion and Recommendations

Chapter 3: Compliance with Core Strategy

Proposed Material Alteration No. 1

Submissions KCC-C37- 25, 29, 64, 70, 90, 94, 112, 115, 121, 128, 134, 138 refers.

Main Issues Raised

One submission state that given the increase in densities in line with government requirements, then the logical result of this increase should have been a reduction in the amount of land to be zoned for residential purposes (both "existing residential/infill and "New Residential" Zonings). However, the Council appears to be increasing the amount of land zoned for this purpose, from 37.2 hectares to 44.87 hectares. It is submitted that no justification or rationale for this increase can be found in the documents put forward by the Council for consultation.

Submission 64 seeks a justification why the densities were increased in Table 3.5. Another submission states that the amendment proposes a massive increase of 40% over the 1,147-unit target stated in the Draft Plan and is in no way justified. A number of submissions object to the increase in densities considering it overdevelopment, when what is needed is the provision of open spaces. Specific concern has been expressed in relation to the increase in housing and densities in the Devoy Barracks area. Concern is raised that the increase in housing has repercussions in terms of open space provision, access to social/education infrastructure and the impact on traffic and pedestrian safety.

Another submission states an excess of housing is being delivered without infrastructure, even though the Draft Plan acknowledges that Naas has not kept pace with the required infrastructural requirements. It is stated that most residents are totally disenchanted with the lack of childcare provision, and open/playing space in developments. The submission also states that abject failure of the Council to express clear appropriate density quotas has been adjudged by an Bord Pleanála to mean that no standards apply.

One submission requests that masterplanning like that proposed in the Northwest Quadrant be carried out for the Kilcullen Road/Rathasker Road area and the adjacent ring road that runs from the Newbridge Road (Jigginstown Castle/ Chadwicks) to the Kilcullen Road, rather than on the basis of the land ownership of large blocks of land or by the major developers operating in the area.

Another submission believes densities as high as 50 units per hectare are being considered for sites such as C(12) Tipper Road/Blessington Road which would be completely incongruous to the nature and character of the area and possibly not achievable when the existing mature trees on site are incorporated into a design.

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Submission 121 notes that the location of the 'C (13) Dublin Road' site (as set out in Table 3.5), with a proposed zoning of New Residential does not appear to be shown on the accompanying map (11.1), although it is now proposed to be zoned for up to 55 residential units.

A number of submissions make reference to the Draft Development Plan Guidelines 2021 in the context of Table 3.5. It is stated that the Plan should take account of the 25% additional provision for land use zoning over and above the core strategy population allocation.

One submission from Cairn PLC states that their landholding would be suitable for an increase housing allocation as it would be considered Tier 1 lands and meets the 4-step methodology for integrating the Core Strategy, Settlement strategy and zoning function through the 'Sequential Test for Residential Zoning in Settlements'. They request a re-zoning of land from Agricultural to Residential use.

A submission from the Ballymore Group states that they have commenced work on site C (8) and intend to complete the build out of the 385 houses permitted over the next five years. Therefore, it would be more appropriate to zone the subject lands B: Existing /Infill residential.

A submission from the Westar Group states they are disappointed with the revised and reduced allocation of 2.8 ha in Table 3.5 in respect of site C (3), as the development of the lands will deliver a walkable sustainable area in the heart of Naas and facilitate the bus only route. They consider the sites to be Tier 1 sites and should be prioritised over other alternative sites.

Chief Executive's Opinion

The issues raised in the submission are noted.

The submission received from the OPR under Observation 1: Population and Compact Growth requested the Council to quantify the provision of all zoned residential land, including land zoned for a mix of residential and other uses and to review density assumptions which were at variance to the Sustainable Residential Development in Urban Areas Guidelines and the Sustainable Urban Housing: Design Standards for New Apartments Guidelines 2018. This resulted in a review of the densities in line with Government policy as per the revised Table 3.5 in Proposed Material Alteration 1. Additional sites with potential yield were also incorporated into the Draft Plan; C (13) and C (7) Infill. The introduction of site C (5) (PMA 73) was as a result of motion but forward and subsequent vote at the Council Meeting on the 5th July 2021.

The estimated residential capacity for the sites is indicative only and each site will be considered on its merits in terms of compliance with the development management standards as provided for within the Kildare County Development Plan 2023-2027 or any subsequent plan.

A Social Infrastructure Audit (SIA) accompanies the Draft Plan and identified a number of deficits in the overall social infrastructure provision in Naas in terms of sport facilities, open spaces, education and childcare facilities. The Draft Plan has

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endeavoured to address the under provision across the plan area as provided for under Table 4.3 of the Draft Plan in line with the projected population growth to 2027.

The Draft Development Plan: Guidelines for Planning Authorities (2021) make allowance for 'additional provision' for particular settlements to provide zoned residential sites in addition to those required to meet the settlement housing supply target. However, it must be clearly set out in the core strategy in the Development Plan. As stated in Section 3.1.1 of the Draft Plan in the event that the review of the current Development Plan provides for revised population/housing targets for Naas, the Council commits to amending the Plan through a statutory amendment (Objective CDP 1.1, refers). Furthermore, the Development Plan Guidelines are currently at Draft stage and therefore could potentially be subject to change after the consultation period.

The OPR in their submission in respect of the Proposed Material Alterations have made a Recommendation (No 1) for the planning authority to remove proposed amendments 71 (site C12) and 73 (site C5) to ensure consistency with the core strategy of the County Development Plan (Section 3 of this report refers).

It is the Chief Executive's recommendation that Proposed Material Alteration No. 73 should not be adopted by the Elected Members to ensure compliance with the Core Strategy as set out in Variation No. 1 to the Kildare County Development Plan 2017-2023. However, it is recommended that Proposed Material Alteration No. 71 should be adopted by the Elected Members to facilitate the delivery of significant and strategic movement interventions to progress the regeneration of the town centre. The lands which are subject to Proposed Material Alteration No. 71 propose a modest extension of the New Residential lands at C (12). These lands are located within the defined CSO settlement boundary for Naas, with well-established residential developments to the east and west. Overall, the lands present well in terms of sequential development, aligning with the NPFs strategic outcome for promoting and encouraging compact growth and provide for a logical development framework for this area. The proposed extension consists of ca. 1.2 ha which would deliver an additional ca. 40 units (max estimate given the density of the existing development in the receiving environment) over the lifetime of the Plan, which is not considered to materially contravene the core strategy set out in the Kildare County Development Plan.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration 1 should be adopted by the Elected Members with a minor change to ensure compliance with the Core Strategy as set out in the Kildare County Development Plan 2023-2039 (as revised).

The minor change (which has arisen from a Recommendation from the OPR) will provide for an estimated capacity of new residential units ranging from 1,270 – 1,614 units. The combined total when taken into account the extant permissions provide for a range between 1,618 – 1,962 units across the plan area to 2027.

It is important to note that the recommended deletions to the Draft Local Area Plan are shown ~~in strikethrough blue~~ and recommended new text are shown *in italics red* as per the Proposed Material Alterations. Further minor changes recommended in

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response to the issues raised in the submissions are shown *in green italics*. The deletion of C (5) is shown *in green italics*. Original text where no amendment has been made remains in black.

Proposed Material Alteration No. 1

Site Ref. No.	Location	Site Area (Ha.)	Estimated capacity	Density range
Planned Local Authority Housing Schemes⁵				
C (1)	Old Caragh Road	2.06	73	35
C (10)	Craddockstown Road	0.68	3	4
A (4)	West of Rathasker Road <i>(CRA 4)</i>	1.34	100	75
Private Landholdings				
C (2)	Devoy Barracks	4.37	152 175 -218	35 40-50
C (16)	The Racecourse	6.3 ⁶	220 – 252 315	35- 40 50
C (12)	Tipper Road / Blessington Road	2.0 3.2 ⁷	70-80 112-160	35- 40 50
C (19)	Sallins Road / Oldtown	2.56	89 102 -128	35 40-50
C (15)	Craddockstown	4.0	140-200	35-50
C (3)	Finlay Park	3.85 2.8	154-231 112-168	40-60
C (5)	Kilcullen Road	5.2	182-260	35-50
C (13)	Dublin Road	1.1	39-55	35-50
Town Centre Core Regeneration Areas⁸				
	<i>CRA 1: Main Street</i>	-	<i>22/2= 11</i>	-
	<i>CRA 2: Castle Quarter</i>	-	<i>166/2 =83</i>	-
	<i>CRA 3: Corban's Lane</i>	-	<i>12/2 =6</i>	-
	<i>CRA 4: Rathasker Road</i>	-	<i>9/2 =5</i>	-
	<i>CRA 5: Northeast Gateway</i>	-	<i>33/2= 17</i>	-

⁵ Reference Section 3.3.1 Social Housing Requirement

⁶ A reduction of 10% of the overall site has been reduced for the construction of the Gallops Avenue.

⁷ *A reduction of 10% of the overall site for the construction of the Gallops Avenue.*

⁸ Allocated unit capacity of Town Centre Core Regeneration Areas to be reduced by 50%.

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	<i>CRA 6: Canal Quarter</i>	-	<i>143/2=72</i>	-
Total		27.16 28.41	1,001-1,285 1,452-1,874 1,270 – 1,614	
Extant Permissions				
C (6) **	Devoy Quarter (Devoy Link Road)	2.24	152	68
C (7) *	Oak Park	2.49	71	29 ⁹
C (8) **	Blessington Road	5.53	118	21 ¹⁰
<i>C (7) ** Infill</i>	<i>South of Oak Park</i>	<i>1.0</i>	<i>7</i>	<i>7</i>
Total		10.26 11.26	341 348 ¹¹	
Combined Totals		37.42 39.67	1,342-1,626 1,800-2,222 1,618 – 1,962	

⁹ The stated units per hectare represent a portion of an overall residential scheme.

¹⁰ The stated units per hectare represent a portion of an overall residential scheme.

¹¹ These figures differ from the extant figure under Table 3.4 as some of the extant permissions are on sites zoned B: Exiting Residential.

Chapter 4: Homes and Communities

Proposed Material Alteration No. 2

Submission KCC-C37-70 refers.

Main Issues Raised

One submission refers to this proposed material alteration as a positive step albeit belatedly. Reference is made in the submission about the SHD planning application at Devoy Quarter which attempted to ignore the necessary transport infrastructure and reduce laid down necessary car-parking standards.

Chief Executive's Opinion

The content of the submission is noted and accepted.

Chief Executive's Recommendation

It is recommended that PMA No. 2 should be adopted by the Elected Members with no further change recommended.

Proposed Material Alteration No. 3

Submission KCC-C37-70 refers.

Main Issues Raised

Welcomes this objective but considers it too late. Reference is made to Elsmore, Whitethorn and the SHD beside the Osprey Hotel which all fail in the provision of adequate outdoor play areas for young children. High density development planned for Old Caragh Road, West of Rathasker Road and the Devoy Barrack ensure that any opportunity to remedy the loss of open space will be gone forever.

Chief Executive's Opinion

The content of the submission is acknowledged. As detailed in Section 1.2 of the Draft Plan general development standards applicable to the plan area are included in the Kildare County Development Plan. Objective HCO 1.8 merely reinforces the applicable standards that are provided in the higher-level plan.

Chief Executive's Recommendation

It is recommended that PMA No. 3 should be adopted by the Elected Members with no further change recommended.

Proposed Material Alteration No. 4

Submission KCC-C37-70 refers.

Main Issues Raised

The submission received in relation to this alteration states that a mix of housing types is appropriate. This should be observed in the south west quarter of the town when the majority of the social housing is contemplated by the Council. The new residential zonings in the Plan would need to be revisited so that there would be a balance of social housing throughout Naas.

Chief Executive's Opinion

The content of the submission is acknowledged. All housing developments irrespective of tenure will be required to provide a mix of house types and houses size. Naas predominantly consists of detached or semi-detached houses (86.8% in

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Census 2016). A range of housing types and sizes is required to cater for the varied household composition for all of Naas' residents.

Chief Executive's Recommendation

It is recommended that PMA No.4 should be adopted by the Elected Members with no further change recommended.

Proposed Material Alteration No. 5

Submission KCC-C37-70 refers.

Main Issues Raised

The submission received notes that the issue of childcare provision is a regrettable failure and needs to be addressed rather than developers being allowed drive their own agendas through.

Chief Executive's Opinion

The content of the submission is noted. It is considered that the proposed material alteration will ensure the delivery of childcare facilities in tandem with the delivery the housing units in all new residential schemes.

Chief Executive's Recommendation

It is recommended that PMA No. 5 should be adopted by the Elected Members with no further change recommended.

Proposed Material Alteration No. 6, 7, 8, and 9.

Submission KCC-C37-70 refers.

Main Issues Raised

One submission has been received in respect of the above referenced material alterations. The submission states that they agree with the proposed alterations across the number of submissions.

Chief Executive's Opinion

The content of the submission is noted.

Chief Executive's Recommendation

It is recommended that PMA No. 6, 7, 8 & 9 should be adopted by the Elected Members with no further change recommended.

Proposed Material Alteration No. 10

Submission KCC-C37-70 refers.

Main Issues Raised

One submission has been received which states that they agree with the proposed material alteration. They state that the provision of sport and recreational facilities is a proper objective, but developers failing to provide adequate open spaces should not be ignored when pursuing the objective.

Chief Executive's Opinion

The content of the submission is acknowledged. The proposed action as detailed under the Proposed Material Alteration is an action for Kildare County Council to investigate the feasibility of Municipal Pitches to address the shortfall in the provision

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of sport and recreation facilities in Naas, which was identified in the Social Infrastructure Audit accompanying the Plan.

Chief Executive's Recommendation

It is recommended that PMA No. 10 should be adopted by the Elected Members with no further change recommended.

Chapter 5: Movement and Transport

Proposed Material Alteration No. 11

Submissions KCC-C37 ending - 14, 49, 56, 111, 75 and 92 refer.

Main Issues Raised

Submissions state the targets are incredibly unambitious, inadequate and disappointing in the context of our national climate targets and the switch required to active travel. Reference is made that the targets appear to be based on the GDA Transportation Strategy. Another submission states that this is currently under review and the Plan should clearly state that targets will align with future GDA Transport Strategy as it evolves based on the 2021 Climate Action Bill Amendment and future targets and funding sources. Another submission states an increase of the targets to 30% by 2030 for cycling is required. While another states the targets for cycling cannot be achieved given the cycle routes being proposed.

There are concerns over the pedestrian and cycling routes proposed in the Plan that they do not take the most direct route and are likely to remain underutilised. Concern is raised that there will not be a great uptake in active travel as a result, as most walkers and cyclist tend to take the quicker/shorted route to their destination, thereby the targets will not be met. It is stated in one submission that the routes should reflect safer routes to, walkways, cycleways and public transport that do not expose families to unsafe access to HGV routes as planned in Jigginstown Green. It has been suggested in one submission that the 'Avoid-Shift-Improve' approach to integrating land use and transport planning should be used and the focus needs to be on the 10-minute commute concept, which brings pedestrians and cyclists along natural desire lines.

The cycle measures are considered unappealing to commuters of school children as they are not direct or safe. It has been stated that the cycling infrastructure needed to prioritise bicycles over cars and trucks and that the construction of a cycling network on all our roads and lanes is required. It has been suggested that family friendly cycle lanes are required on the Newbridge Road.

One submission state that safe routes to school zones should be included in the Plan and highlights the Holy Child National School in Ballycane has been selected for the first round of the programme. Concern is also raised that the greenway is the main cycle route for all commuter journeys from the Jigginstown area, which is not sufficient, as the route will not incentivise travel towards cycle journeys to school and work as it will add too much time to these journeys and prove unsafe in winter months.

Chief Executive's Opinion

The comments in relation to Proposed Material Alteration 11 are noted.

An objective of the pedestrian measures contained in the Plan is to enhance access to homes, jobs, schools and services by providing convenient, efficient routes to key trip attractors and reduce walking trip distances to give non-motorised modes a competitive advantage over private cars. Particular focus was placed on facilitating direct routes along desire lines between homes and key destinations for work (industrial estates, town centre), retail (supermarkets, local shops), education

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(schools) and recreational (GAA club, greenway) trips. Connecting neighbourhoods and trip destinations to the planned greenway was a key consideration given that it is completely segregated from vehicular traffic thereby addressing the safety concerns many people had in relation to children travelling to school. The measures proposed increase the 1km catchment of schools, the 500m bus catchment for existing bus stops and expand the 1km sports amenity catchment across the plan area thereby providing opportunities for residents to reach their destinations via a quicker, more convenient route. It is important to note that all new pedestrian measures included in the Plan will also be accessible for cycling. However, only measures which provide some 'strategic' function in the context of the overall cycle network have been included as cycle network options.

As stated under Proposed Material Alteration 11 achieving a significant modal shift is dependent on a wide range of factors much of which is outside the remit of Kildare County Council, such as public transport provision, funding, and the willingness of a community to embrace change. The Draft Plan contained a number of connectivity measures that will be developed over the lifetime of the Plan and beyond to make the change to active travel more attractive in Naas. The targets proposed are based on the data available from Census 2016 and the NTA's Transport Strategy for the GDA which Kildare forms part. In this context the targets are considered ambitious and realistic targets at this time, until progress is made on the implementation of the proposed interventions across the Plan area. This Plan is seen as a transitional plan in terms of setting out targets for a modal shift and measuring the progress made. The targets as proposed are considered fluid and it is hoped that the targets as expressed in the Plan when measured under the next Census will far exceed those as stated.

However, the submission from the OPR acknowledges that the targets must be realistic and achievable over the plan period and have stated that given the strong commitment of Kildare Council to sustainable settlement and transport patterns as evidenced by the Naas/Sallins Transport Strategy, the OPR consider that the modal share for cycling and walking could be reasonably set as minimums, and that the modal share for all trips could be increased to 10% for cycling in line with Smarter Travel: A Sustainable Transport Future.

In this regard the OPR make the following Observation:

Having regard to Smarter Travel: A Sustainable Transport Future and the guiding principles expressed in the transport strategy for the RSES, and in particular the behavioural change interventions promoted to encourage and support a shift to sustainable modes of transport, the planning authority is requested to:

- (i) revise the modal share targets for walking and cycling in Table 5.1A for the plan period to minimum targets; and*
- (ii) increase the minimum modal share target for cycling to 10% of all trips in line with Smarter Travel: A Sustainable Transport Future.*

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Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 11 should be adopted by the Elected Members with a further minor change in response to the submission from the OPR and the NTA (see Section 3 and 4 of this report).

Recommended deletions to the Draft Local Area Plan are shown ~~in strikethrough blue~~ and recommended new text are shown *in italics red* as per the Proposed Material Alterations. Further minor changes recommended in response to the issues raised in the submissions are shown *in green italics*. Original text where no amendment has been made remains in black.

Section 5.1.1 Modal Shift Targets

Achieving significant modal shift is dependent on a wide range of factors, much of which is outside the remit of Kildare County Council such as national economic performance, Government investment in sustainable transport infrastructure, private bus service provision and willingness to embrace change. Kildare County Council have identified a number of interventions for the town of Naas which will assist in delivering this modal shift, such as the provision of new permeability links, cycling measures and public transport measures.

Kildare County Council will endeavour to deliver a reduction in private car usage broadly in line with 2035 targets set out in the NTA's Transport Strategy for the Greater Dublin Area and also informed by Smarter Travel: A Sustainable Transport Future. These target mode shifts have been adapted to reflect the plan period (to 2027) and are outlined in the tables below, which contain ambitious targets for travel to work and school. The proposed modal shift targets are minimum targets only.

Table 5.1A: *Minimum* Modal shift targets for work trips in Naas

Mode share for work trips	2016 Baseline %	2027 Target %	2035 Target %	Overall % Change
Car	79.6%	69.8%	62.6%	-17%
Public Transport	7.9%	14.8%	19.9%	+12%
Walking	9.8%	10.38%	10.8%	+1%
Cycling	2.7%	<i>10.5%</i>	6.7%	+4%

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Table 5.1B: *Minimum* Modal shift targets for education trips in Naas

Mode share for education trips	2016 Baseline %	2027 Target %	2035 Target %	Overall % Change
Car	48.6%	43.3%	39.6%	-9%
Public Transport	18.4%	21.3%	23.4%	+5%
Walking	30.6%	31.7%	32.6%	+2%
Cycling	2.4%	10 3.6%	4.4%	+2%

Proposed Material Alteration No. 12

No submissions/observations were received in respect of Proposed Material Alteration no. 12.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 12 should be adopted by the Elected Members.

Proposed Material Alteration No. 13

No submissions/observations were received in respect of Proposed Material Alteration no. 13.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 13 should be adopted by the Elected Members.

Proposed Material Alteration No. 14

Submissions KCC-C37 ending – 92, 96, 134 refer.

Main Issues Raised

There is support for proposed objective MTO 1.15 to investigate the feasibility of a greenway/cycleway to the Naas Rugby Club. It is considered that it will be beneficial to health and wellbeing.

One submission suggests that the Tipper Road would be a suitable candidate for the greenway route, but the development of C (16) and C (12) would hinder the development due to the extra traffic volumes.

Chief Executive's Opinion

The comments in relation to the proposed new objective are acknowledged. The feasibility study will examine a range of elements such as technical, economic and operational feasibility. Safety of the end-users and an evaluation of alternatives will be a crucial element of the overall feasibility analysis. It is therefore premature to comment on the viability of a route along the Tipper Road.

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Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 14 should be adopted by the Elected Members, with no further change recommended.

Proposed Material Alteration No. 15

Submissions KCC-C37 ending – 96 and 147 refer.

Main Issues Raised

Submission number 96 supports this link and considers that it will be beneficial as it is a positive environmental policy and will benefit health and well-being. Submission 147 requests the text to be amended that the link would be located on the site side of the wall.

Chief Executive's Opinion

The comments in relation to the proposed new objective are acknowledged. The location of the link will be determined during the design stage for the development of the residential zoned land which will be subject to a planning application and related consultation. It would be unreasonable in a land use plan to be over prescriptive in terms of the location of transport link within a specific development of this scale.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 15 should be adopted by the Elected Members with no further change recommended.

Proposed Material Alteration No. 16

Submissions KCC-C37 ending – 92 and 96 refer.

Main Issues Raised

Two submissions support the proposed new objective. It is considered that it will be a positive environmental policy and also benefit health and well-being.

Chief Executive's Opinion

The comments in relation to the proposed new objective are noted.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 16 should be adopted by the Elected Members with no further change recommended.

Proposed Material Alteration No. 17

Submissions KCC-C37 ending – 49, 56, 92, 107 and 123 refer.

Main Issues Raised

One submission is glad of the promotion of universal in the proposed alteration. Another is dissatisfied with the overall proposed alteration. One submission state while the introduction of the word 'universal' is welcome the cycling infrastructure does not provide universal access as does not reflect natural desire lines compared to that of the walking infrastructure. Another submission states the term 'universal' implies accessibility for all but the measures in the Plan do not reflect universal usage as they do not encourage family, school or work cycle trips. It is submitted that the word 'universal' therefore should be combined with 'direct', as many of the cycling measures appear to go against the natural desire line.

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It is stated in a submission that the Climate Action Plan also places a specific emphasis on the safety of cyclists, but many of the proposed routes are shared with other modes of transport. Monread Road, Newbridge Road, Sallins Road and the Dublin Road are proposed to have either shared street usage with both cars and HGV's, or significant gaps in cycling infrastructure along safe and natural desire lines. There is concern that this disincentivises cyclists and puts further pressure on an overall reduction of carbon emissions by leaving car usage as the safest and easiest option for access to the targeted destinations.

Chief Executive's Opinion

The submissions received on the proposed material alteration is noted. The application of universal permeability will be a key consideration in the design stage and Part 8 process for both the pedestrian and cycling measures proposed in the Plan.

It is important to note that all new pedestrian measures included in the Plan will also be accessible for cycling. However, only measures which provide some 'strategic' function in the context of the overall cycle network have been included as cycle network options.

The Cycle Network Plan for the GDA acted as a starting point for the development of cycle network option in the Plan and in general, the proposals within the Plan are largely consistent with that document. No distinction has been made between cycle lanes and segregated cycle tracks at this stage. The exact degree of segregation to be provided at different points on these links is best determined at detailed design stage, the overall objective should be to ensure that to the greatest extent possible, the degree of protection provided from vehicular traffic ensures a high level of perceived, as well as actual, safety, as this is an essential component of achieving modal shift.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 17 should be adopted by the Elected Members with no further change recommended.

Proposed Material Alteration No. 18

Submission KCC-C37 ending – 117 refer.

Main Issues Raised

One submission was received referring to both Proposed Material Alteration 18 and 19 in the context of zoning of land outside of the Naas LAP area, which cannot be considered at this stage of the LAP process having regard to the provisions of the Planning and Development Act 2000 (as amended). This may be considered under the forthcoming County Development Plan 2023-2029.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 18 should be adopted by the Elected Members with no further change recommended.

Proposed Material Alteration No. 19

Submissions KCC-C37 ending – 103, 117 and 127 refer.

Main Issues Raised

The submission received for the Abbey Bridge and Canal Residents Association is concerned over the lack of information in relation to the bus-only route. The reference it as a 'future thought process' which leaves matters very unsatisfactory.

Another submission states the route should be removed and bus routes should be located away from residential areas and on an outer orbital route. Concern is also raised over the impact on the environment, safety and privacy issues.

Chief Executive's Opinion

The submissions in respect of the proposed material alteration are noted. The Naas Local Area Plan is a land use plan, with the purpose of guiding, managing and directing the future development of an area at a strategic level. The bus-only route is an indicative route for which the detailed design will be developed out through extensive analysis of the area and will form a key element of the masterplan for the Northwest Quadrant. The masterplan will then be incorporated into the Naas Local Area Plan by way of a statutory amendment. This process will be open to public consultation at the various stages, similar to the local area plan process that has been undertaken for Naas. The masterplan will provide greater detail and clarity in relation to this route and the overall development of the Northwest Quadrant.

It is considered that the provision of a bus-only link in the Northwest Quadrant, will have significant benefits for public transport and lead to a reduction in car dependency. To make the modal shift, alternatives to the car need to be attractive and convenient, thereby removing public transport from residential areas and placing on the periphery of a town would not provide the modal shift required to reduce carbon emissions and the dependency on the private car.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 19 should be adopted by the Elected Members with no further change recommended.

Proposed Material Alteration No. 20

No submissions/observations were received in respect of Proposed Material Alteration no. 20. The submission from the NTA supports the inclusion of this PMA (see Section 4 of this report).

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 20 should be adopted by the Elected Members.

Proposed Material Alteration No. 21

Submissions KCC-C37 ending – 29 and 113 refer.

Main Issues Raised

Support is given to the proposed inclusion of the link at Jigginstown under Objective MTO 3.2 which was illustrated on Maps 5.1, 5.2 and 5.4. It is stated that the link should be provided with segregated cycle and pedestrian facilities in line with DMURS and create a safe route for children to the educational zoned lands and to

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the commercial lands. One submission noted that the fact the route is indicative is welcome and necessary as it will facilitate the overall design of the road and site.

Chief Executive's Opinion

The comments in the submissions are noted.

The Office of the Planning Regulator (OPR) states that the proposed amendment under Proposed Material Alteration 21 which includes a possible future route through Jigginstown – extending the route indicated in the draft LAP through lands zoned P: Data Centre. The OPR state that no evidence basis has been provided to support this objective which extends outside of the settlement boundary and has not been subject to any transport assessment. They state that it is not consistent with the zoning objective which does not facilitate development of a type that would provide a rationale for such a route or be consistent with the objectives for compact growth set out in National Strategic Outcome 1 of the NPF and Regional Strategic Outcome 2 of the RSES.

The OPR have made a Recommendation as follows:

Having regard to National Objective 1 (compact growth) and NPO 54 (reduction in greenhouse gas emissions) of the NPF and Regional Strategic Outcome 2 of the RSES, the planning authority is required to remove proposed material alteration 21 (possible future route through Jigginstown).

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 21 should be considered in two parts as follows:

- The amended objective MTO3.2 should be adopted by the Elected Members to reflect the Draft Plan.
- The proposed road extension as illustrated in Map 5.1, 5.2 and 5.3 should not be adopted by the Elected Members as per the recommendation by the OPR.

Proposed Material Alteration No. 22

Submissions KCC-C37 ending – 08, 10, 12, 17, 18, 20, 21, 22, 25, 27, 28, 31, 32, 33, 34, 35, 36, 37, 38, 41, 42, 44, 45, 47, 48, 50, 51, 53, 55, 57, 58, 60, 61, 62, 63, 68, 69, 71, 72, 73, 74, 76, 77, 80, 81, 82, 84, 85, 87, 89, 90, 98, 99, 100, 101, 102, 104, 105, 106, 107, 108, 109, 110, 119, 120, 121, 122, 127, 129, 133, 134, 137, 140, 144, 145, 146, 148, 150, 151, 154, 160 and 161 refer.

Main Issues Raised

Several submissions reject any version of the Gallops Avenue. Submissions state that the route was not previously rejected on design but rather on location. The proposed material alteration does not assuage the serious concerns. Reference is made to the proposed bus-stop that if this is the solution to the calls for more public transport in Naas it is clearly disingenuous. It has also been stated that to say a ring road will have the appearance of a street, avenue or boulevard is insulting. There is also criticism that jumping from one design proposals to another is a waste of funds.

One submission state that given the level of vehicular traffic, and in particular HGV traffic, projected to use the route corridor the feasibility of the proposed road is

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questionable as best practice design in accordance with DMURS may not be achievable.

The main concerns raised in respect of the proposed Gallops Avenue as follows:

- Negative impact on property, devaluation.
- Antiquated / outdated.
- Noise, dust, vibration, pollution, loss of amenity.
- Safety concerns.
- Increase in traffic.
- Issue of speeding.
- Waste of taxpayer money.
- Removal of trees.
- Preserve the Green Lung of the town.
- Utter disregard for greener transport.
- Access/egress problems for existing residential areas.
- Why are the wishes of the vast majority of residents ignored?
- Estates behind 12ft walls.
- Become a highway to serve the additional 2,000-5,000 houses over the coming decades.
- Democratically defeated / rejected previously.
- Affront to local democracy.
- A sham process that will always be rejected by the locals.
- The road prioritises private car usage.
- Impact of HGVs on the area.
- Illegal parking and dumping.
- Anti-climate, anti-democratic, anti-health and welfare.
- Will not maximise carbon reduction, we're in a climate emergency.
- The OPR states that Naas must "*promote a pattern of development that was more conducive to public transport as well as pedestrians and cyclists*", it is considered the Gallops Avenue will not do this.

An Post request that the Council carefully consider the operational requirements of An Post in relation to delivering the road, particularly in relation to access and deliveries, to ensure the proposed road will not impact on same.

Many submissions welcome the phrase 'to consider an alternative route located on a corridor on the east of the racecourse' as part of the PMA. It is stated across many submissions that an alternative route to the east of the racecourse should be the only considered route. A number submission state a route similar to Route 6 under a previous plan. However, it is stated it requires a blank slate review and not just a rehash of old consultants' reports. This alternative route should be the only route receiving consideration given that the proposed Gallops Avenue has been rejected.

Many submissions in the context of PMA 22 refer to the requirement of an Outer Relief Road as a replacement to the Gallops Avenue. Reference is made in a number of submissions to Fishery Lane, where it is stated that there is merit, at a minimum, to widening the existing Fishery Lane through the racecourse where adequate space already exists.

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Some submissions do provide support for the Gallops Avenue and are pleased the link road is being examined. It is stated that the proposed revised layout is excellent and will provide the people of Naas with safe, inclusive designated spaces where cyclists, pedestrians and all vehicles (including HGV'S) can be accommodated. It is also stated that the residences of the Gallop Avenue area purchased their properties in the full knowledge that the relief road was on the plans and would be constructed in the future.

One submission makes reference to funding for the road which it was said would only be available until a certain date but now the funding has been somehow found.

Chief Executive's Opinion

Across the National Planning Framework (Project Ireland 2040) there is a requirement for a more evidence-based approach to planning, ensuring the best available data, information and knowledge are used to underpin statutory plans. The Naas/Sallins Transport Strategy provided the evidence base to the transport and movement objectives across the plan area. The selection and inclusion of roads projects in the Plan need to be based on the evidence available during the plan preparation process. The Council cannot put forward schemes when evidence supports alternatives.

The Transport Strategy has put forward the Gallops Avenue as the preferred route as it scored better in the combined assessment compared to the other options analysed. The route scored positively in terms of economy, integration and physical activity by providing relief of congestion on Main Street and the R455 Dublin Road.

The Transport Strategy examined the option of the Gallops Avenue (Alternative Route), located on a corridor to the east of Naas Racecourse. The analysis undertaken shows that this route will provide some benefits, but not to the same extent as the Gallops Avenue. Its impact in relieving congestion on the Dublin Road (R445) corridor is only half that of Option 1 (Gallops Avenue), as in the year period 2023 AM peak scenario the reduction in traffic on the Dublin Road is 14.9% in Option 1 compared to 5.0% in Option (Alt), while in the year 2023 PM the reduction is 28.1% compared to 19.3%. However, as stated in the Proposed Material Alteration the Council will consider providing an alternative route to the east of the Racecourse as part of the route options contained in any Part 8 application.

As detailed in the proposed material alteration a comprehensive re-design of the route is required. Green initiatives will be a focus of the redesign providing extensively for active travel and facilitating an improved public transport network in the area. National policy supports the movement away from corridors for traffic with an emphasis on streets to be places in which people want to live and spend time facilitating the minimisation of car-borne journeys.

It is important to note in response to one submission that funding was previously secured under the Local Infrastructure Housing Activation Fund (LIHAF). This funding stream is no longer available. The purpose of a local area plan is to guide and manage the sustainable development of an area before establishing and securing funding across many of the proposed objectives. The Council will seek to implement the objectives of the local area plan in a pro-active manner harnessing all

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available public and private funding avenues to support local area plan implementation.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 22 should be adopted by the Elected Members with the minor amendment to the text as recommended in response to the submission from the OPR (in Section 3).

Proposed Material Alteration No. 23

Submissions KCC-C37 ending – 08, 12, 17, 18, 20, 21, 22, 27, 28, 31, 32, 33, 34, 35, 36, 37, 38, 41, 42, 44, 45, 47, 48, 51, 53, 55, 57, 58, 61, 62, 65, 68, 69, 72, 74, 76, 77, 80, 82, 84, 85, 87, 88, 89, 98, 99, 100, 101, 102, 104, 105, 106, 109, 110, 119, 120, 121, 122, 126, 129, 133, 135, 137, 141, 144, 146, 150, 151, 152, 155, 160 and 161 refer.

Main Issues Raised

A large number of submissions stated that the Outer Relief Road should be a stated objective rather than an objective to 'investigate the feasibility of'. It is contended that it is the logical, only intelligent solution and will address bottlenecks. A Key Town needs an Outer Orbital Route. A level of urgency should be applied to this route, that the wording is too 'loose' and 'soft', it should be a priority. It is irresponsible not to include and have it completed within the lifetime of the Plan. The route would take traffic away from residential areas, provide better access to essential services and enable the growth of the town in a sustainable manner.

It is suggested that it should link up with Millennium Road. Other submissions state it should be routed to the east of Naas Racecourse, located on the Naas Ball/Johnstown side, located out of the town. One submission states a full circular road is required.

It is also noted that the route is more suitable as it would take traffic away from residential areas.

Concern has been raised about the reliability of the feasibility study and whether it will be a 'full and proper review' or a 're-hash of previous studies by AECOM and Clifton Scannell'.

Chief Executive's Opinion

The Office of the Planning Regulator (OPR) states that the objective proposed under Proposed Material Alteration 23 regarding investigating the feasibility of an outer relief road 'represents the continuation of the roads and car-based approach to planning which must be carefully considered in terms of the reduction in GHG emissions and climate action consistent with NPO 54¹² of the NPF. The justification for the objective is not evident.

The OPR have made a Recommendation as follows:

¹² Reduce our carbon footprint by integrating climate action into the planning system in support of national targets for climate policy mitigation and adaptation objectives, as well as targets for greenhouse gas emissions reductions.

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Having regard to National Objective 1 (compact growth) and NPO 54 (reduction in greenhouse gas emissions) of the NPF and Regional Strategic Outcome 2 of the RSES, the planning authority is required to remove proposed material alteration 23 (to investigate the feasibility of an outer relief road).

It is important to note that Recommendations issued by the OPR relate to clear breaches of the relevant legislative provisions of the national and regional policy framework and /or of the policy of Government, as set out in the Ministerial guidelines under Section 28. As such the Planning Authority is required to implement and address recommendations made by the OPR in order to ensure consistency with the relevant policy and legislative provisions.

Where the Council decides not to comply with the recommendations of the OPR or otherwise makes the Plan in such a manner as to be inconsistent with the recommendations, the Chief Executive shall inform the OPR and give reasons for the decision.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 23 should not be adopted by the Elected Members.

Chapter 6: Economic Development, Retail and Tourism

Proposed Material Alteration No. 24

Submission KCC-C37-94 refers.

Main Issues Raised

This submission suggests adding a footnote to PMA No. 24 as follows:

To support the sequential development of Naas, delivery of housing and the public transport route, lands in Finlay Park can be brought forward in advance of the preparation of the Northwest Quadrant Masterplan, and detailed review by the OPW of the flood areas in Naas, subject to the preparation of a Site-Specific Flood Risk Assessment including Integrated Catchment Model.

Furthermore, the submission contends that the Westar lands at Finlay Park should not be part of a masterplan and can be planned as part of a development proposal which can deliver the key structuring elements of the Naas Transport Study.

Chief Executive's Opinion

Having regard to the issues raised in the submissions from the OPR and the OPW, particularly regarding flood risk within the Northwest Quadrant Masterplan area, it is not considered appropriate to distinguish the Finlay Park lands from the overall masterplan area, as suggested in this submission, over or above that already shown in the Draft Plan. The initial stage of the Naas Flood Relief Scheme must be completed in the first instance, before a masterplan can be prepared and then integrated into the LAP by statutory amendment, as reflected in the text of Proposed Material Alteration No. 24.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 24 should be adopted by the Elected Members with a minor change to provide for greater clarity over when the masterplan can be prepared.

Proposed Material Alteration No. 24

An objective of the Regional Spatial and Economic Strategy (RSES) for Naas is to strengthen the local employment base through the development of Millennium Park in the Northwest Quadrant, where there is potential for high-quality high-density indigenous and Foreign Direct Investment. Millennium Park is currently home to Kerry Global Centre, Irish Commercials, the HSE and Horse Sport Ireland. The Park forms part of a larger significant land bank in the northwest of Naas, which represents a key area for the growth of the town over the longer-term vision to 2031. *A masterplan is required for the overall land bank in the Northwest Quadrant (see Section 10.7). Kildare County Council will prepare the masterplan which will be finalised once the initial stage of the Naas Flood Relief Scheme for the area is complete. The masterplan will then be integrated into the local area plan by way of a statutory amendment under Section 20 of the Planning and Development Act (as amended) (Objective NWQ 1.1 refers).*

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Proposed Material Alteration No. 25

No submissions, other than submissions from prescribed authorities, were received referring to PMA No. 25.

Chief Executive's Recommendation

Having regard to the submissions received from the OPR and TII, it is recommended that PMA No. 25 should be adopted by the Elected Members with minor amendments as shown in Section 3 of this report.

Proposed Material Alteration No. 26

Submissions KCC-C37-ending 49, 56, 61, 70 and 113 refer.

Main Issues Raised

Submissions No. 49 and 56 raise concerns regarding Data Centres being approved in Naas before the Commission for Regulation of Utilities report has been published. The draw on electricity and water would compromise not only carbon emissions but would adversely impact on domestic, health and business usage. It is also suggested that it is premature to identify key towns as suitable locations for Data Centres as they must be in line with carbon neutral self-sustaining energy sources.

Submission 61 refers to the impact of Data Centres on water resources, especially when water infrastructure in Naas is only catching up with population growth, and questions whether waste heat feasibility studies have been undertaken for the area. It is argued that renewable energy resources should be established first to cater for data centres.

Submission 70 states that data centres are typically eyesores and should be located between Junction 10 and 9a (e.g., Millennium Park) rather than Jigginstown. Environmental impacts of such proposals should be investigated prior to any proposed rezoning for same.

Submission 113 supports the Proposed Material Alteration.

Chief Executive's Opinion

Regional Policy Objective 8.25 requires local authorities to support the national objective to promote Ireland as a sustainable international destination for ICT infrastructure such as data centres and associated economic activities at appropriate locations. In recognition of Naas as a Key Town proximate to electricity and telecommunications infrastructure two sites were chosen as suitable for data centre development, one at Jigginstown. The creation of data centre site in proximity to residential areas and other town centres provide the opportunity to harness the waste heat to be used through a district heating network.

The Draft Plan, and the proposed material alterations, have been subject to Strategic Environmental Assessment, Appropriate Assessment and Strategic Flood Risk Assessment. These assessments conclude that the policies and objectives of the plan can be implemented and mitigated without resulting in significant impacts on the environment. A planning application for any such project would also be subject to a project and site-specific assessment, which would include (but not be limited to) demonstrating compliance with Objective EDO 1.12 (PMA 29) which refers to

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appropriate environmental assessments, heat mapping, transport impact assessments and impact on the electricity network, and Objective IO 1.4 (PMA 41) which refers to Appropriate Assessment and water usage.

While matters in relation to water usage and energy are considered further under PMA 29 below, it is noted that the submission from Irish Water does not raise any concerns in relation to this Proposed Material Alteration.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 26 should be adopted by the Elected Members with no further change recommended.

Proposed Material Alteration No. 27

Submissions KCC-C37-ending 31, 32, 33 and 34 refers.

Main Issues Raised

Submissions refer to the requirement of incentives for the creation of "Living over the Shop" to encourage the revitalisation of the town centre.

Chief Executive's Opinion

The comments are noted. Incentives are a fiscal matter and not a matter for a Local Area Plan. It is considered that Proposed Material Alteration 27 is sufficient in this regard.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 27 should be adopted by the Elected Members.

Proposed Material Alteration No. 28

No submissions/observations were received in respect of Proposed Material Alteration No. 28.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 28 should be adopted by the Elected Members.

Proposed Material Alteration No. 29

Submissions KCC-C37-ending 5, 13, 49, 52, 56, 59, 61, 67, 70, 111, 113, 127, 159 refers.

Main Issues Raised

Many submissions refer to Eirgrid's calculation that by 2028 data centres will be consuming 29% of Ireland's electricity. Concerns have been raised that Data centres will make it impossible to adhere to climate action targets/ emissions levels and that they contravene the transition to a low carbon economy. Some submissions also refer to pollution caused from backup generators.

The significant use of water by data centres is raised as an issue in many submissions. The pre-existing water issues in Naas and electricity blackouts are of concern.

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Some submissions query the location of a Data Centre at Jigginstown, suggesting that the proposed locations need to be reconsidered. It is suggested that outer locations between Junction 10 and 9a, such as Millennium Park, would be more appropriate than Jigginstown. There is a lack of information on site selection and why Jigginstown was identified as a suitable location.

Some submissions indicate that there are very few benefits to the local community and not much employment after construction.

Some submissions suggest that the wording of PMA No. 29 should be amended to ensure that all energy generated on site is renewable and to include certainty for greenhouse emission targets to be met (not by offsets but by providing sustainable green energy onsite). One submission note that the use of the word 'consideration' is too weak without a penalty clause.

Submission 49 suggests that the wording of EDO 1.12 be further amended as follows:

- EDO 1.12 **(a)** Facilitate the location of Data Centre development on land designated P: Data Centre at Caragh Road South and Jigginstown for the identified land use only subject to appropriate environmental **impact assessments, heat mapping, transport impact assessments and consideration of the impact on the electricity network supply capacity assessments and capacity to meet targeted reductions in greenhouse gas emissions.** greenhouse emission targets.
- (b) Any data centre project will be required to include measures to generate energy which should be from renewable sources on site as part of the overall development proposal.**

In relation to (b) above, this submission states that any data centre projects energy source must be self-sustaining on site, as opposed to operating a carbon offset programme. It is also submitted that if a data centre is not capable of operating on a net zero emissions basis, its planning application should be denied. Also states that the level of risk to the domestic, public and industrial electricity supply must be calculated as part of the planning process.

Submission 113 suggests that because of EDO1.12, the zoning objective (for Data Centre) should allow complementary uses, such as research and development, science and technology-based industry, software development and associated office use to be open to consideration. The submission states that the wording to Part (b) of EDO 1.12 could have the effect of requiring proposals for a data centre to generate energy on site from gas when more sustainably generated electricity could be available from the grid. The following revised wording is suggested:

*"(b) Any data centre project will be required to **examine include** measures to generate energy on site as part of the overall development proposal".*

Submission 159 notes that Objective EDO 1.12(b) refers to energy generation on site and therefore the zoning should allow energy generation and storage such as solar farms, battery storage and CDP to be Open for Consideration.

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Submission 5 highlights concerns raised in a consultation document prepared by the Commission for Regulation of Utilities in relation to Data Centre Grid connections. The paper outlines the major impact data centres are having on the Irish electricity system and the rate of growth is unprecedented. Over the last four years EirGrid have seen annual increases in demand usage of around 600 GWh from data centres alone – equivalent to the addition of 140,000 households to the power system each year. The document refers to concerns raised by EirGrid in a letter to CRU in relation to offering further connection offers to connect data centre under the current policy and highlighted the potential impact on the worsening security of supply situation.

The document outlines proposed connection measures, as follows:

- Location, a constrained or unconstrained region of the electricity system.
- The ability to bring onsite dispatchable generation (and/or storage) equal to or greater than their demand, which meets appropriate availability and other technical requirements as may be specified by EirGrid, to support security of supply.
- The ability of each data centre applicant to provide flexibility in their demand by reducing consumption when requested to do so in times of system constraint through the use of dispatchable on - site generation (and/or storage).
- The ability to provide flexibility in demand by reducing consumption when requested to do so in times of system constraint, in order to support security of supply.

Submission 5 calls for stronger language in the Plan, backed up by real oversight and strict implementation in relation to data centres. 'To consider', 'where possible' is too weak and does nothing to protect the energy infrastructure or progress our climate change targets.

The submission proposes the following further amendments (in addition to those proposed under PMA No. 29) to Objective EDO 1.12, as follows (highlighted in red):

- a) Facilitate the location of Data Centre development on land designated P: Data Centre at Caragh Road South and Jigginstown for the identified land use only subject to appropriate environmental assessments, heat mapping, transport impact assessments and consideration of the *cumulative* impact on the electricity network supply capacity and targeted reductions in greenhouse gas emissions.
- b) Any data centre project will be required to include measures to generate *renewable* energy on site *equal to or greater than their demand* as part of the overall development proposal.
- c) *That any data centre project can only be considered if it does not negatively impact or cause to negatively affect the goals/targets/aims set out by Kildare's Climate Change Adaptation Strategy 2019-2024.*

Chief Executive's Opinion

Project Ireland 2040, National Planning Framework, notes that the data centre sector underpins Ireland's international position as a location for ICT and creates added benefits by establishing a threshold of demand for sustained development of renewable energy sources (NPF, 2018).

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Regional Policy Objective 8.25 requires local authorities to support the national objective to promote Ireland as a sustainable international destination for ICT infrastructure such as data centres and associated economic activities at appropriate locations. The Guiding Principles for Investment Prioritisation in Placemaking for Enterprise Development in the RSES requires Local Authorities to align to national strategy and approach for data centres – right location for use and energy demand.

In recognition of Naas as a Key Town proximate to electricity and telecommunications infrastructure two sites were chosen as suitable for data centre development. It is considered that the Objective EDO 1.12 is sufficiently worded and does not use language such as 'to consider' or 'where possible'. The objective as proposed, 'requires' data centre projects to include measures to generate energy on site, which is keeping with the consultation document produced by the Commission for Regulation of Utilities.

In accordance with Article 28(1)(v) of the Planning and Development Regulations 2001 (as amended) planning applications which relate to the development of energy infrastructure, or that may have an impact on energy infrastructure, are to be referred to the Commission for Energy Regulation (Commission for Regulations of Utilities originally established as the CER). In the event of specific connection measures required by the CRU, data centre developments will be required to adhere to these measures, which are outside the remit of a land use plan.

In response to the submissions seeking re-wording of Objective EDO 1.12, only changes that are minor in nature can be made at this point of the local area plan process. The land use and development objectives contained in the Draft Plan seek to integrate climate action consideration into land use planning policy, through objectives which provide for the transition to a climate resilient local carbon society such as those outlined under Objective EDO 1.12. However, it is considered that minor changes can be made in response to the issues raised in this regard.

It is considered that ancillary energy generation on site is provided for in the context of Objective EDO 1.12 and it is not required to be included as an amendment to the zoning matrix in this regard.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 29 should be adopted by the Elected Members with a further minor change recommended.

Recommended deletions to the Draft Local Area Plan are shown ~~in strikethrough blue~~ and recommended new text are shown *in italics red* as per the Proposed Material Alterations. Further minor changes recommended in response to the issues raised in the submissions are shown *in green italics*. Original text where no amendment has been made remains in black.

Proposed Material Alteration No. 29

Proposed Minor Change

- EDO 1.12** (a) Facilitate the location of Data Centre development on land designated P: Data Centre at Caragh Road South and Jigginstown for the identified land use only subject to appropriate environmental *assessments, heat mapping,* transport impact assessments *and consideration of the cumulative impact on the electricity network supply capacity and targeted reductions in greenhouse gas emissions.*
- (b) Any data centre project will be required to include measures to generate energy *(renewable in the first instance)* on site as part of the overall development proposal.

Proposed Material Alteration No. 30

No submissions/observations were received in respect of Proposed Material Alteration No. 30.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 30 should be adopted by the Elected Members.

Proposed Material Alteration No. 31

Submission KCC-C37-24 refers.

Main Issues Raised

Submission 24 states that no more large-scale retail developments should be allowed outside the town centre, and particularly should not be allowed on the 'Mixed Use' zoned site at Maudlins (PMA No. 51 also). The 'District Centre' zoning in 1998 that facilitated Tesco on the Monread Road caused the loss of retail development from the town centre. This submission suggests that the following text should be added to PMA 31:

"In this Mixed-Use zone, the total retail floorspace on the combined lands shall not exceed 1,200 sq metres net retail floorspace, notwithstanding anything in the Retail Planning Guidelines."

Chief Executive's Opinion

The zoning matrix for lands zoned 'T: Mixed Use' specifically indicates that Comparison retailing is 'Not Permitted' and Convenience retailing is only 'Open for Consideration', subject to the following footnote: *Retail development shall be in accordance with the Retail Planning Guidelines for Planning Authorities (2012) or any subsequent guidelines'.*

It is not considered appropriate to include an arbitrary cap, that is not based in policy or Section 28 Guidelines, on retail floorspace at this location. The concerns expressed are noted and it is considered that the policies and objectives of the Draft Plan are sufficiently robust to protect the core retail area and prevent inappropriately located retail developments.

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Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 31 should be adopted by the Elected Members with no further change recommended.

Chapter 7 Natural Environment and Climate Change

Proposed Material Alteration No. 32

Submission KCC-C37 ending – 56 refers.

Main Issues Raised

The submission received notes the amendment from tree line to hedgerows and that the Chief Executive's Report on submissions received to the Draft Plan acknowledged submissions that requested inclusion of omitted hedgerows and tree lines. Requests again that the hedgerows and biodiversity areas in Jigginstown Green are added to Material Alteration No 32.

Chief Executive's Opinion

The Draft Plan was informed by a Habitat Survey for Naas as part of the plan preparation process. The ecological assessment and subsequent mapping of habitats within Naas allowed for the identification of green infrastructure areas and ecological corridors. Habitats of higher ecological value were selected as having the strongest potential for providing ecosystem services. These areas were then overlaid on the linear habitats recorded, such as treelines and hedgerows. The Habitat Survey did not consider the hedgerows and biodiversity areas in Jigginstown Green of higher ecological value and therefore they were not mapped.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 32 should be adopted by the Elected Members with no further change recommended.

Proposed Material Alteration No. 33

Submission KCC-C37 ending – 128 refers.

Main Issues Raised

It is stated that the hedgerow to be removed under Proposed Material Alteration 33 which has been severely damaged recently due to housing construction the remaining elements of the hedgerow are preserved. Request the map is not altered in order to encourage the preservation of the remaining elements of the hedgerow and that replanting of the sections of the hedgerows should take place.

Chief Executive's Opinion

The content of the submission is noted. Sections of the hedgerow have been removed as part of the permitted residential development at this location to facilitate access and permeability. It is considered appropriate that the remaining parts of the hedgerow should be retained in Map 7.1.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 33 should be adopted by the Elected Members with a further minor change.

Proposed Material Alteration No. 33

Amend Map 7.1 to remove *sections of the* 'hedgerow' line along the western section of the Rathasker Road *only to reflect the permitted residential development and access/permeability measures at this location.*

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Proposed Material Alteration No. 34

Submission KCC-C37 ending – 49 refers.

Main Issues Raised

The submission received welcomes the proposal to extend the 'Green Infrastructure Corridor' in the plan.

Chief Executive's Opinion

The submission received is noted.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 34 should be adopted by the Elected Members with no further changes.

Proposed Material Alteration No. 35

Submission KCC-C37 ending – 49 refers.

Main Issues Raised

The submission received suggest additional text (shown in blue) to be included in Objective NE 2.3 as follows:

NE 2.3 To support the preparation of an ambitious and comprehensive Biodiversity Action Plan for all habitat types, including the development of a Community Biodiversity Toolkit. The biodiversity action plan will be in line with the "All-Ireland Pollinator Plan". The plan should also form part of the Naas Town Renewal Plan and be drawn up in line with its public consultation and collaborative process.

Chief Executive's Opinion

The submission received is noted, a minor change to Objective NE 2.3 is proposed in response to the submission.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 35 should be adopted by the Elected Members with a further minor change.

Proposed Material Alteration No. 35

NE 2.3 *To support the preparation of a Biodiversity Action Plan for Naas including the development of a Community Biodiversity Toolkit, in line with all national policy documents that relate to biodiversity. The recommendations of this Action Plan shall inform the Naas Town Renewal Plan.*

Proposed Material Alteration No. 36

No submissions/observations were received in respect of Proposed Material Alteration No. 36.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 36 should be adopted by the Elected Members.

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Proposed Material Alteration No. 37

No submissions/observations were received in respect of Proposed Material Alteration No. 37.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 37 should be adopted by the Elected Members.

Proposed Material Alteration No. 38

Submission KCC-C37 ending – 49 refers.

Main Issues Raised

The submission received considers the alteration should be expanded as it currently limits the greenways as only active travel routes. It is believed that there is an opportunity to develop ecological corridors, by joining up and interlinking the existing hedgerows and microhabitats wildlife corridors which can fan out from the DeBurgh estate. It is submitted that this is a unique opportunity to locate the centre of a biodiversity hub in the heart of the town and the spokes will complement the greenways as ecological, educational and tourist trails.

The submission received suggest additional text (shown in blue) to be included in the Action as follows:

Action: To **prioritise and** progress, **as part of the Biodiversity Action Plan for Naas**, the delivery of **ecological corridors**, pathways, **public amenities**, **tourism and educational** facilities to enable the use by the public of lands in Oldtown Demesne. These would realise the vision for these lands as a future park **and green infrastructure ecological corridors adjacent central** to the route of the canal along the Sallins to Naas Greenway **which links with Proposed Material Alteration No 34 the 'Green Infrastructure corridor' of the Grand Canal, Corbally Branch and key public park areas including Monread Park.**

Chief Executive's Opinion

The comments in the submission are noted. The development of ecological corridors and networks is already addressed in the Green Infrastructure policies of the Draft Plan. However, it is acknowledged that the action under PMA 38 could be updated to acknowledge the tourism and educational amenity that Oldtown Demesne affords.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 38 should be adopted by the Elected Members with further minor changes.

Proposed Material Alteration No. 38

Action: To *prioritise and* progress the delivery of pathways, *public amenities, tourism* and *educational* facilities to enable the ~~use by~~ the public *use* of lands in Oldtown Demesne, *while not compromising the built and natural heritage of the site*, to realise the vision for these lands as a future park *and green infrastructure corridor adjacent* to the route of the canal and the Sallins to Naas greenway.

Chapter 8 Built Heritage

Proposed Material Alteration No. 39

No submissions/observations were received in respect of Proposed Material Alteration No. 39.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 39 should be adopted by the Elected Members.

Chapter 9 Infrastructure and Environmental Services

Proposed Material Alteration No. 40

No submissions/observations were received in respect of Proposed Material Alteration no. 40.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 40 should be adopted by the Elected Members.

Proposed Material Alteration No. 41

Submissions KCC-C37 ending – 49, 56 and 111 refer.

Main Issues Raised

Two submissions request that the requirement for 'full environmental impact assessment' is inserted into Objective IO 1.4. It is stated in the submission that given the demands on already limited capacity on our water supply in the midlands and Greater Dublin Area any proposal for increased water using enterprises should not have the effect of diminishing water supply or increase the risk of further reductions/limitations on our water supply.

Chief Executive's Opinion

An Environmental Impact Assessment (EIA) is required for projects likely to have significant effects on the environment by virtue of their nature, size or location are made subject to a requirement for development consent and an assessment with regard to their effects on the environment. For a project to require an environmental impact assessment, it must come within one of the categories in Annex I or II to the EIA Directive, for which a data centre is not included.

Schedule 5 of the Planning and Development Regulations 2001 (as amended) stipulates the type and classes of development for which an EIAR is required. Part 2 of Schedule 5 states that an EIAR is required for certain Infrastructure Developments where the "urban development would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere". Any Data Centre proposed will be required to have regard to Schedule 5 to determine whether an Environmental Impact Assessment Report will be required as part of the planning application.

However, the future water supply for Naas will be fed from a combination of the Barrow (Srowland) and the Ballymore Eustace Scheme. The Barrow Public Water Supply is abstracted from the River Barrow and River Nore Special Area of Conservation (SAC) (Site Code 002162) at Srowland and, therefore, the water supply to service the future development of Naas may impact on this Natura 2000 site. Therefore, in order to ensure developers are aware of the water supply for the Naas and the potential impact on a Natura 2000 site it was considered prudent to provide Objective IO 1.4.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 41 should be adopted by the Elected Members with no further changes.

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Proposed Material Alteration No. 42

Submission KCC-C37 ending – 49, refers.

Main Issues Raised

Submission 49 recommends that Proposed Material Alteration 42 is retained in its current form.

Chief Executive's Opinion

The comments raised are noted and accepted.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 42 should be adopted by the Elected Members.

Proposed Material Alteration No. 43

Submission KCC-C37 ending – 49, refers.

Main Issues Raised

Submission 49 recommends that Proposed Material Alteration 43 is retained in its current form.

Chief Executive's Opinion

The comments raised are noted and accepted.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 43 should be adopted by the Elected Members.

Chapter 10 Urban Regeneration and Development Strategy

Proposed Material Alteration No. 44

No submissions/observations were received in respect of Proposed Material Alteration no. 44.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 44 should be adopted by the Elected Members.

Proposed Material Alteration No. 45

Submission KCC-C37 ending – 49 refers.

Main Issues Raised

The submission states that this Proposed Material Alteration should be retained in light of climate change and the known significant risk of increase flooding, rainfall and water level increases.

Chief Executive's Opinion

The comment in relation to flood risk and climate change is noted and agreed.

This proposed material alteration is affected by PMA No. 61 and the zoning of land in the Northwest Quadrant. In response to the submission from the OPR and the OPW, it is recommended that lands at the NWQ revert to that shown in the Draft Plan and therefore reference to 'New Residential incl. Phase 2 and Commercial Residential' should be removed.

Chief Executive's Recommendation

No further change recommended. It is recommended that Proposed Material Alteration No. 45 should be adopted by the Elected Members,

Note: Should PMA 61 not be adopted, there will be a consequential amendment to PMA 45 i.e., the following text in red will be removed from part (a): 'New Residential **(inc. Phase 2) and Commercial/ Residential**'.

Proposed Material Alteration No. 46

Submissions KCC-C37 ending – 93, 96 and 147 refer.

Main Issues Raised

It has been requested that the Plan provide a definite timeframe for the proposed traffic modelling, to not hinder the development of the subject lands and to provide for greater clarity. It has been stated that further specifics to the traffic modelling in terms of capacity, parameters and details of the traffic survey should be clearly set out in the Plan. One submission state that significant traffic modelling was undertaken for the Transport Strategy and query whether significant modelling has already been completed and can be included as part of the final Draft Plan.

One submission request that a 'Taking in Charge' clause be applied to an 800-metre access/egress road, following agreed Traffic and Transport Assessment of the site, to remove any priority claims on ownership of the road.

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Chief Executive's Opinion

The comments in relation to the masterplan and the Traffic Modelling are noted. It is considered reasonable to provide greater clarity for the owners/developers of the site by inserting a timeframe into the local area plan.

The comments in relation to the taking in charge of a possible 800m internal road network within the KDA are noted. This is an operational matter for the Council. It is considered to be outside the remit of a land use plan and more appropriately considered at development management stage.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 46 should be adopted by the Elected Members with a minor change to provide for greater clarity on the timeframe for the delivery of the traffic modelling.

It is important to note that the recommended deletions to the Draft Local Area Plan are shown ~~in strikethrough blue~~ and recommended new text are shown *in italics red* as per the Proposed Material Alterations. Further minor changes recommended in response to the issues raised in the submissions are shown *in green italics*. Original text where no amendment has been made remains in black.

Proposed Material Alteration No. 46

- URD 1.12** ~~Carry out preliminary~~ *Prepare a* Traffic Modelling and ~~to produce an~~ Access Strategy for lands zoned ~~Commercial Mixed-use~~ at the Junction 9 (Maudlins) Key Development Area *within 12 months of the adoption of the local area plan, in consultation with relevant stakeholders including Transport Infrastructure Ireland (TII), the National Transport Authority (NTA) and the owners of the KDA lands.*~~in consultation with relevant stakeholders including Transport Infrastructure Ireland (TII) and the National Transport Authority (NTA).~~
- (i) ~~This Strategy~~*These* will identify the *use, quantum and intensity* of development that can be facilitated at the location, complementary to safeguarding the strategic function and safety of the national road network, in accordance with the provisions of official policy outlined in the Section 28 Ministerial Guidelines 'Spatial Planning and National Roads Guidelines for Planning Authorities' (DoECLG, 2012).
 - (ii) The ~~Strategy study~~ will also identify any improvements required to the local transport network *to facilitate development at this KDA. accommodate the extent of development proposed.*
 - (iii) ~~The No~~ *masterplan* required under URD 1.13 shall not be ~~finalised be prepared for the subject lands until such time as the Council has completed and agreed the traffic modelling with the stakeholders identified above.~~

Proposed Material Alteration No. 47

No submissions/observations were received in respect of Proposed Material Alteration no. 47.

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Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 47 should be adopted by the Elected Members.

Proposed Material Alteration No. 48

Submission KCC-C37 ending – 93 refers.

Main Issues Raised

The submission raises concern over clarity around the preparation of the masterplan for the Maudlins KDA. It is requested that the objective clearly outline the relevant parties for completion of the masterplan and a timeline. The submission provided the following wording:

“Require that any application for development within the Junction 9 (Maudlins) Key Development Area (KDA) be accompanied by a shared/agreed vision for the KDA through the preparation of a comprehensive masterplan to be agreed between the two principal landowners and by a comprehensive Traffic and Transport Assessment to be submitted by the applicant.”

Chief Executive's Opinion

The content of the submission is noted and accepted.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 48 should be adopted by the Elected Members with a minor change to define the relevant parties.

It is important to note that the recommended deletions to the Draft Local Area Plan are shown ~~in strikethrough blue~~ and recommended new text are shown *in italics red* as per the Proposed Material Alterations. Further minor changes recommended in response to the issues raised in the submissions are shown *in green italics*. Original text where no amendment has been made remains in black.

Proposed Material Alteration No. 48

URD 1.13 Require that any application for development within the Junction 9 (Maudlins) Key Development Area (KDA) be accompanied by a *Masterplan to include a shared/agreed vision, to be prepared by the owners of the KDA lands and informed by the Traffic Modelling and Access Strategy required under URD 1.12¹³.* ~~through the preparation of a comprehensive masterplan and by a comprehensive Traffic and Transport Assessment.~~

¹³ In the event that the landowners cannot agree the Masterplan, KCC will liaise with the landowners and prepare the necessary studies in consultation with TII and NTA.

Proposed Material Alteration No. 49

Submission KCC-C37 ending – 49, 81 and 111 refers.

Main Issues Raised

The submissions state that the Town Renewal Plan (PMA 49) should include for a public consultation process that is inclusive, community led and communicated in a clear language so that stakeholders are clearly identified and can participate in the process. One submission request that meaningful engagement with ratepayers should be carried out that many of which are not members of the Chamber. It is also stated that the Town Renewal Plan should be based on an internationally tried and tested, best practice mythology.

A submission received from An Post requests engagement throughout the entire process as the Town Renewal Plan will likely contain a number of elements that relate to privately owned land and which may impact on current operational requirements of established businesses. They are concerned that States An Post's services in Naas can continue uninterrupted as a result of the redevelopment of the area through the Town Renewal Plan. They submit that their retail offices and mail sorting offices are central to the operation of a reliable public postal service and their long-term viability should be protected. Other concerns they raise are the provision of car-parking for deliveries and staff along with arrangements for both access/deliveries to their premises on a 24-hour basis.

One submission state that a commitment to high quality retail is a hugely important aspect to the renewal of Naas Town.

One submission state that any committees and groups that are established by the Council as part of the drafting of the Town Renewal Plan should be set up with explicit Terms of Reference/Memorandum of Understanding and should be representative of the wider Naas community. While another submission also states that any groups established shall have a clear-cut Terms of Reference and that legacy groups that do not fulfil this requirement should be disbanded.

The following additional text is suggested for inclusion in the Action referred to under Proposed Material Alteration 49:

Action: To work with relevant agencies and stakeholders, communities and public to prepare a Town Renewal Plan to include a retail health check survey in the town centre and identify actions to support town centre regeneration. The language used in the consultation process must be public-friendly and accessible.

Chief Executive's Opinion

Kildare County Council carry out extensive public consultation on all Town Renewal Plans across the county, which comprise of array of methods to get the public and key stakeholders involved such as online or face to face consultation, interactive workshops, information days, youth surveys. Key groups and stakeholders are targeted specifically such as local businesses and especially younger people to obtain their views. Kildare County Council is committed to providing information and

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services that are fully accessible to all, through both the Council website and written documents.

The detailed urban design and spatial analysis as part of the Town Renewal Plan will provide a baseline analysis of the existing situation on the ground and identify key weaknesses. The Renewal Plan will develop a tailored approach, seeking to overcome the current developmental challenges affecting Naas, whilst also aiming to maximise the potential of its unique built and natural assets in order to instigate transformative place-based change in the town. Specific projects from the Town Renewal Plan will undergo a Part 8 application which is a separate statutory procedure which involves further public consultation.

It is considered that the existing wording as proposed under Proposed Material Alteration 49 is sufficient for a land use plan.

Chief Executive's Recommendation

No further change recommended. It is recommended that Proposed Material Alteration No. 49 should be adopted by the Elected Members.

Chapter 11 Land Use Zoning Objectives & Implementation

Proposed Material Alteration No. 50

Submission KCC-C37 ending – 24, 121, 157 and 158 refer.

Main Issues Raised

Submission 157 and 158 relate to St Mary's College and welcome the proposed material alteration changing 'Not Permitted' to 'Not Normally Permitted'. The submission raised concerns that if the proposed material alteration is not adopted any encroachment of school buildings on land zoned Strategic Open Space would not be permissible. The proposed alteration would provide a more flexible approach to new development proposals where particular land uses are 'Not Normally Permitted' when exceptional circumstances are demonstrated.

Submission ending 24 and 121 are concerned that proposed change under Proposed Material Alteration 50 could allow the Mixed-use zoning at Maudlins KDA to be used for larger out of town retail developments, based on the proposed change permitting certain developments to change from 'Not Permitted' to 'Not Normally Permitted', when exceptional circumstances have been demonstrated. One submission requests a policy prioritising town centre development to prevent a loss of footfall/business from Naas Town Centre. Submission ending 24 states that 'except in very exceptional circumstances' is not defined and is concerned that a developer could prepare a masterplan, with a large shopping centre, with both convenience retail and also potentially comparison retailing, arguing that the need to redevelop these former industrial sites is an exceptional circumstance.

Chief Executive's Opinion

The comments in relation to the proposed alteration are noted. In regard to the Mixed-Use zoning at Maudlins it is important to note that footnote 23 which forms part of Proposed Material Alteration 53 refers to retail development being Open to Consideration on these lands in accordance with the Retail Planning Guidelines (2012). These Guidelines state that there is general presumption against large retail centres located adjacent or close to existing, new or planned national roads / motorways. The Guidelines on Spatial Planning and National Roads also reinforce this requirement. Similarly, there is a presumption against out-of-town retail centres which could impact on the viability and vitality of town centres. The Council are required under the Planning and Development Act 2000 (as amended) to have regard to the Guidelines. Therefore, the change from 'Not Permitted' to 'Not Normally Permitted' would not result in approving development that would be contrary to the Ministerial Guidelines and contrary to the proper planning and development of an area.

The Draft Plan states that the Core Retail Area which forms part of the commercial core, is the preferred area for retailing and the Council will seek to protect and improve its vibrancy and vitality.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 50 should be adopted by the Elected Members with a minor change to provide for greater clarity.

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It is important to note that the recommended deletions to the Draft Local Area Plan are shown ~~in strikethrough blue~~ and recommended new text are shown *in italics red* as per the Proposed Material Alterations. Further minor changes recommended in response to the issues raised in the submissions are shown *in green italics*. Original text where no amendment has been made remains in black.

Proposed Material Alteration No. 50

Amend Table 11.2 Zoning Matrix – Definition of Terms, as follows:

Not Normally Permitted (N)	Land uses which are indicated as 'Not <i>Normally</i> Permitted' in the Land Use Zoning Matrix will not be permitted. <i>are uses which will not be permitted by the Council / local authority, except in very exceptional circumstances where it can be demonstrated and justified that the development does not contravene Section 28 Ministerial Guidelines. This may be due to its perceived effect on existing and permitted uses, its incompatibility with the policies and objectives contained in this plan or that it may be inconsistent with the proper planning and sustainable development of the area.</i>
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Proposed Material Alteration No. 51

Submission KCC-C37 ending – 3 refers.

Main Issues Raised

One submission state that the area zoned A: Town Centre should not be for retail warehousing but rather smaller retail units.

Chief Executive's Opinion

Retail Warehouse Parks grew substantially in the decade prior to the Retail Planning: Guidelines for Planning Authorities were issued in 2012, often having a detrimental impact on town centres indicated by the increasing numbers of vacant units where retail parks existed on the periphery of towns. In response, the Retail Guidelines stated that there should "in general, be a presumption against further development of out-of-town retail parks". The Guidelines also state "many bulky goods stores such as furniture retailers can and are accommodated in city and town centres". Therefore, Proposed Material Alteration No. 51 which amends the Zoning Matrix to provide for retail warehousing as 'Permitted in Principle' on land zoned for town centre uses is in keeping with the Section 28 Guidelines on Retail Planning.

Chief Executive's Recommendation

No further change recommended. It is recommended that Proposed Material Alteration No. 51 should be adopted by the Elected Members.

Proposed Material Alteration No. 52

No submissions/observations were received in respect of Proposed Material Alteration no. 52.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 52 should be adopted by the Elected Members.

Proposed Material Alteration No. 53

Submissions KCC-C37 ending – 30, 93, 96, 97 and 147 refers.

Main Issues Raised

Submission 97 states that given EU and national priorities to reduce climate change the zoning matrix under Mixed Use should preclude new service stations from selling fossil fuels.

Other submissions raise concerns about the land uses under the Zoning Matrix, that the Mixed-use zoning for the Maudlins is mis-leading as there are limited opportunities for the development of the site given the lands uses stated in the Zoning Matrix. This is at odds with a site that is described as a Key Development Area in the Plan. The Zoning Matrix as proposed is considered a barrier to the development of the site. The following are changes requested to the zoning matrix across the various submissions:

- Hotel and Conference Centre, Exhibition Centre – “O”
- Guest House/Hotel/Hostel – from “O” to “Y”
- Industry (Light) – from “O” to “Y”
- Motor Sales – from “O” to “Y”
- Offices – from “O” to “Y”
- Warehouse (wholesale)/Store/depot– from “O” to “Y”
- Warehouse (wholesale)/Logistics/Store/Depot– from “O” to “Y”
- Offices – “O” to “Y”

Submission ending 93 requests that residential should be a component of the site. It is stated that a mixed-use development, with active streetscapes, 24-hour activity, and a component of live-work units, alongside office and other appropriate uses, should be unconditionally supported in the final Plan. The concerns in relation to the national road network are noted, however reference is made a report prepared by Transport Insights which stated that *“residential component in the land use mix in the former Donnelly Mirrors site could contribute to mitigating the overall traffic impact of the full buildout of the site. This would be aligned with the recommendation of the Naas/ Sallins Transport Strategy that “either a reduction in the scale of development or a change in land use purpose with a lower trip generation” in the Maudlins KDA lands be pursued.”*

Chief Executive's Opinion

The comments in relation to the mixed-use zoning and the lands uses are noted. The Naas/Sallins Transport Strategy provided the evidence base to the integration of transport and land use across the plan area. The modelling carried out as part of the Transport Strategy identified the subject lands as a problem zone. A full-build out of the subject lands was forecast, which accounted for 388 additional jobs at this location. The full build-out of the conceptual land-use zoning showed significant queuing at the M7 interchanges. A growth scenario of 50% of the full build-out (194 jobs) did not have an impact on the national road network. Therefore, the Transport Strategy concluded that the Maudlins KDA site should be developed partially.

The evidence base which has supported the plan preparation has resulted in a precautionary approach to the land uses as detailed in the Zoning Matrix for Maudlins Mixed-use zoning. Land uses such as conference centres, exhibition

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centres are considered high trip generators and therefore contrary to proper planning and sustainable development of the area for reasons relating to impacts on the national road network and road safety. Other land uses cannot be Permitted in Principle owing to the large-scale potential impact on the national road network, however they can be considered on their merits and therefore are Open to Consideration. In respect of developing the site for residential development, as stated in the Chief Executive's report dated 31st May, sites which demonstrated compliance with the sequential approach, compatibility with the surrounding uses, and physical suitability to provide for a sense of place were put forward for categorisation under the Sustainable Planning and Infrastructural Assessment (SPIA). The subject lands are removed from the town centre, in close proximity to the heavily trafficked national road network and located adjacent to highly industrialised areas were not considered as more appropriate located sites were located closer to the town centre to meet the target housing target.

Notwithstanding the aforementioned, the Planning Authority is cognisant of the need to regenerate this key site which is currently lying vacant on the primary approach to the county town from the city region and a key arterial route into Naas. As stated in the Draft Plan (Section 10.6.2) it is considered that there is capacity for internal vehicular queuing of up to c. 800 m through an internal road network which would reduce or remove any impacts on the public road network. In this context, the additional Transport Modelling and Access Strategy (Objective URD 1.12, refers) is proposed. This analysis will be carried out by Kildare County Council within 12 months of the adoption of the Plan (PMA 46, as amended).

In relation to Submission 97 stating that the Council should preclude new service stations from selling fossil fuels, it is not considered reasonable to preclude the sale of fossil fuels until such a time as there is large scale decarbonisation of home heating and a higher percentage switch to fully electric vehicles. However, in order to achieve a reduction in greenhouse gas emissions, a footnote is proposed to be inserted that service stations should provide for electric vehicle fast charging and sustainable alternative fuels.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 53 should be adopted by the Elected Members with a minor change of an inserted footnote relating to Service Station under the Mixed-use zoning. Consideration of alternative uses is premature pending the outcome of the Transport Modelling and Access Strategy.

It is important to note that the recommended deletions to the Draft Local Area Plan are shown ~~in strikethrough blue~~ and recommended new text are shown *in italics red* as per the Proposed Material Alterations. Further minor changes recommended in response to the issues raised in the submissions are shown *in green italics*. Original text where no amendment has been made remains in black.

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Proposed Material Alteration No. 53

LAND USE	A: Town Centre	B: Existing Residential	C: New Residential	E: Community & Educational	F: Open Space & Amenity	F2: Strategic Open Space	G: Green Belt	H: Industry & Warehousing	I: Agriculture	K: Commercial/Residential	L: Leisure & Amenity	T: Mixed - Use	N: Neighbourhood Centre	P: Data Centre /Warehouse	Q: Enterprise & Employment	R: Retail/Commercial	U: Utilities/Services
Amusement Arcade	O	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Agricultural Buildings	N	N	N	N	N	O	O	O	Y	N	N	N	N	N	N	N	N
Car Park (other than ancillary)	Y	N	N	O	N	N	N	O	N	O	O	O	N	N	N	O	O
Betting Office	O	N	N	N	N	N	N	N	N	N	N	N	O	N	N	N	N
Cemetery	N	N	N	Y	N	N	N	N	O	N	N	N	N	N	N	N	N
Cinema	O	N	N	N	N	N	N	N	N	O	N	O	N	N	N	O	N
Community / Recreational / Sports buildings	Y	O	O	Y	Y	O	N	N	O	O	Y	O	O	N	N	O	N
Crèche/ Playschool	Y	O	Y	Y	N	N	N	N	N	O	O	O	O	N	O	O	N
Cultural Uses/Library	Y	O	O	Y	O	O	N	N	N	O	O	O	O	N	N	N	N
Dancehall/ Disco	O	N	N	N	N	N	N	N	N	N	O	N	N	N	N	N	N
Data Centre	N	N	N	N	N	N	N	N	N	O	N	O ¹⁴	N	Y	N	N	N
Dwelling	Y	Y	Y	O ¹⁵	N	N	O ¹⁶	N	O ¹⁷	O ¹⁸	N	N	O	N	N	N	N
Emergency Residential Accommodation	Y	O	O	Y	N	N	N	N	N	O	O	O	Y	N	N	N	N
Funeral Homes	Y	N	N	O	N	N	N	N	N	O	N	O	O	N	N	N	N
Garage/Car Repairs	N	N	N	N	N	N	N	Y	N	N	N	N	N	N	N	O	N
Group/Special Needs Housing	Y	Y	Y	O ¹⁹	O	N	N	N	O	O ²⁰	N	N	O	N	N	N	N

¹⁴ A data centre will only be considered on the site at Maudlins Interchange towards the eastern boundary of the site.

¹⁵ Ancillary to health/community use, and/or to meet group/special needs housing.

¹⁶ Subject to Rural Housing Policy as outlined in the Kildare County Development Plan.

¹⁷ Subject to Rural Housing Policy as outlined in the Kildare County Development Plan.

¹⁸ No residential development will be permitted within the Commercial/Residential lands at the Maudlins Interchange.

¹⁹ For further information on group/special needs housing refer to Section 4.4.1 of this Plan.

²⁰ No group/special needs housing will be permitted within the Commercial/Residential lands at the Maudlins Interchange.

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Guest House/ Hotel/Hostel	Y	O	O	N	N	N	N	N	N	O	Y	O	O	N	N	N	N
Heavy Commercial Vehicle Park	N	N	N	N	N	N	N	Y	N	O	N	O ²¹	N	N	O ²²	N	O
Hot food take-away	O	N	N	N	N	N	N	N	N	O	N	O	O	N	N	O	N
Industry (light)	O	N	N	N	N	N	N	Y	N	O	N	O	N	N	O	O	N
Industry (general)	N	N	N	N	N	N	N	Y	N	N	N	N	N	N	N	N	O
Medical Consultant/ Health Centre	Y	O	O	Y	N	N	N	N	N	O	O	O	Y	N	O	O	N
Motor Sales	O	N	N	N	N	N	N	Y	N	O	N	O	N	N	N	O	N
Nursing Home	Y	Y	Y	O	N	N	N	N	N	O	N	O	N	N	N	N	N
Offices	Y	O ²³	O ²⁴	N	N	N	N	O	N	O	N	O	O	N	O ²⁵	O	N
Park /Playground	Y	Y	Y	Y	Y	Y	N	N	O	O	Y	O	O	N	N	N	N
Service Station	N	N	O	N	N	N	N	Y	N	O	N	Y ²⁶	O	N	O	O	O
Place of Worship	Y	O	O	Y	N	N	N	N	N	O	O	O	O	N	N	N	N
Playing Fields	O	O	O	Y	Y	Y	N	N	O	N	Y	N	N	N	O	N	N
Pub	Y	N	O	N	N	N	N	N	N	O	O	O	O	N	N	O	N
Restaurant	Y	O	O	N	N	N	N	O	N	O	O	O	O	N	O	O	N
School	Y	O	O	Y	O	N	N	N	N	O	N	O	N	N	N	N	N
Shop (Comparison)	Y	N	N	N	N	N	N	N	N	N	N	N	N	N	N	O	N

²¹ A heavy commercial vehicle park will only be considered on the eastern side (rear) of the site of Junction 9 (Maudlins) KDA.

²² Any such development within the Northwest Quadrant will need to consider the overall development strategy of high-end office complexes and campus style developments for this area.

²³ Proposals of this nature shall be restricted to a gross floor area of 100sqm.

²⁴ Proposals of this nature shall be restricted to a gross floor area of 100sqm.

²⁵ Proposals of this nature shall be in excess of a gross floor area of 100sqm.

²⁶ Service stations should provide for electric vehicle fast charging and sustainable alternative fuels.

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LAND USE	A: Town Centre	B: Existing Residential	C: New Residential	E: Community & Educational	F: Open Space & Amenity	F2: Strategic Open Space	G: Green Belt	H: Industry & Warehousing	I: Agriculture	K: Commercial/Residential	L: Leisure & Amenity	T: Mixed - Use	N: Neighbourhood Centre	P: Data Centre / Warehouse	Q: Enterprise & Employment	R: Retail/Commercial	U: Utilities/Services
Shop (Convenience)	Y	O ²⁷	O ²⁸	N	N	N	N	N	N	O ²⁹	N	O ³⁰	O ³¹	N	O ³²	Y	N
Stable Yard	N	N	N	N	O	O ³³	O	N	Y	N	N	N	N	N	N	N	N
Tourist Related Facilities	Y	O	O	O	O	O	N	N	O	O	O	O	O	N	O	O	N
Utility Structures	O	O	O	O	O	N	O	O	O	O	O	O	O	O	O	O	Y
Warehouse (wholesale) /Store/Depot	O	N	N	N	N	N	N	Y	N	O	N	O	N	N	N	N	N

Proposed Material Alteration No. 54

Submission KCC-C37 ending – 81 refers.

Main Issues Raised

The submission from An Post welcomes the insertion of the word 'logistics' into the "Warehouse (wholesale)/Store/Depot" land use group, noting the restriction that it is only 'Open for Consideration' in the area between the Western Relief Road and the M7 (footnote No. 27). The submission stated that it is inappropriate to limit the inclusion of the 'Warehouse (wholesale)/Logistics/Store/Depot' land use as 'Open for Consideration' only in the Enterprise and Employment zoned land between the Western Relief Road and the M7. As such, it is requested that the restriction on this land use (footnote No. 27) is removed from Proposed Material Alteration No. 54, and the 'Warehouse (wholesale)/Logistics/Store/Depot' land use be altered to 'Permissible' under this zoning objective. Alternatively, it is requested that the restrictive footnote is amended to include the existing Enterprise and Employment area on Blessington Road.

²⁷ No single unit shall exceed 100sqm. of net retail space.

²⁸ No single unit shall exceed 100sqm. of net retail space.

²⁹ Retail development shall be in accordance with the Retail Planning: Guidelines for Planning Authorities (2012) or any subsequent guidelines.

³⁰ Retail development shall be in accordance with the Retail Planning: Guidelines for Planning Authorities (2012) or any subsequent guidelines.

³¹ No single unit shall exceed 200sqm of net retail space subject to a maximum number of three units. The total net retail space shall not exceed 300sqm.

³² Retail development shall be in accordance with the Retail Planning: Guidelines for Planning Authorities (2012) or any subsequent guidelines.

³³ Extensions to existing facilities only.

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The submission also notes that there are no permissible uses under the Q: Enterprise and Employment zoned lands and requests the inclusion of appropriate land uses as permissible or open for consideration under 'Q-Enterprise and Employment' zoned land, particularly in the context of the established Enterprise and Employment centre on Blessington Road.

Chief Executive's Opinion

The comments in relation to Proposed Material Alteration 54 are noted.

It is accepted that there are no land uses Permitted in Principle' however there are ten different land uses Open to Consideration relating to the Q: Enterprise and Employment lands across the overall zoning matrix. A Zoning Matrix is intended as a general guideline and the uses listed are not exhaustive. The overall objective for lands zoned Q: Enterprise and Employment is to provide for and facilitate the provision of high job-generating uses.

In respect of 'Warehouse (wholesale)/Logistics/Store/Depot' being Permitted in Principle across all Enterprise and Employment lands this is not considered appropriate to provide for this land use on all Q lands given the visually sensitive location of the site or their proximity to residential areas.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 54 should be adopted by the Elected Members.

Proposed Material Alteration No. 55

Submission KCC-C37 ending – 24 refers.

Main Issues Raised

The submission received states that unlike the situation with the Northwest Quadrant, where a statutory amendment to the Plan is proposed, the proposed non-statutory masterplan would have no input by the public at all, and indeed no input by Transport Infrastructure Ireland (despite it being beside the N7/M7 Junction 9).

Chief Executive's Opinion

The comments raised in the submission are noted. The Maudlins site differs considerably from the significant land bank at the Northwest Quadrant which comprises of a substantial amount of undeveloped land that is currently awaiting finalisation of the initial stage of the Flood Relief Scheme for Naas before making decisions on the overall development strategy for the area. Maudlins represents a key brownfield site on the approach to Naas which is currently lying vacant and in need of regeneration. Cognisant of the site's proximity to the motorway network and the analysis carried out in the Naas/Sallins Transport Strategy, it is considered that the most suitable approach to the development of this site is as follows:

- In the first instance, a Traffic Modelling and Access Strategy will be carried out by Kildare County Council in conjunction with TII and the NTA. This will determine the use, quantum and intensity of the development that would be appropriate for the site.
- On completion of the Traffic Modelling and Access Strategy, the owners/developers of the two sites located at the Maudlins Interchange shall prepare a Masterplan for the KDA, which shall be informed by the Traffic

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Modelling and Access Strategy, and this will then be submitted to the Planning Authority for consideration in the form of a planning application.

Submissions can be made for a period of five weeks as part of the development management process and will be considered as part of the application process.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 55 should be adopted by the Elected Members.

Proposed Material Alteration No. 56

Submissions KCC-C37 ending – 70 and 159 refer.

Main Issues Raised

It is questioned why Jigginstown is being considered for a Data Centre. It has been suggested that the outer location between Junction 10 and 9a, or a site in an area more appropriate for such industrial/ business park locations, such as the Millennium Park, would be much more appropriate for a data centre. Siting them to be anyway near to a town centre and residential areas is not considered appropriate.

Another submission is concerned with the restrictive nature of the Data Centre zoning which does not allow any other form of development and further restricted with the removal of 'Warehouse'. The submission requests the Zoning Matrix be amended to allow uses Permitted in Principle and Open to Consideration under Agriculture to be inserted into the table to continue to use as an agricultural holding in the event a data centre isn't developed. It is also stated that a range of uses should be Open to Consideration such as Research and Development, Science and Technology based industry, Software Development and associated Office use allowing the data centre to be part of a larger business/technology campus.

Chief Executive's Opinion

Regional Policy Objective 8.25 requires local authorities to support the national objective to promote Ireland as a sustainable international destination for ICT infrastructure such as data centres and associated economic activities at appropriate locations. In recognition of Naas as a Key Town proximate to electricity and telecommunications infrastructure two sites were chosen as suitable for data centre development, one at Jigginstown. The creation of data centre site in proximity to residential areas and other town centres provide the opportunity to harness the waste heat to be used through a district heating network.

The comments in relation to the removal of the word Warehouse is noted. The Draft Plan did not allow for Warehousing on the subject lands (Data centre development was the only use permitted in the zoning matrix). As a result of Generalised Zoning Types (GZT) across all local authorities, the word 'warehousing' was inserted in the Draft Plan. To provide clarity the word is proposed to be removed as per Proposed Material Alteration 56. There is sufficient land zoned across the Plan area to accommodate a variety of employment scenarios with a strong emphasis on the Northwest Quadrant which at a regional level is seen as an opportunity to strengthen the local employment base.

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Agricultural uses would be considered non-conforming uses as referred to under Table 11.2 of the Draft Plan. These uses are established uses that are inconsistent with the primary zoning objective on the land. Where extensions or improvements to these uses are proposed each shall be considered on its merits in accordance with the proper planning and sustainable development of the area.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 56 should be adopted by the Elected Members.

Proposed Material Alteration No. 57

Submission KCC-C37 ending – 49 refers.

Main Issues Raised

The submission received in respect of Proposed Material Alteration 57 recommends that the alterations related to flood risk areas identified by the OPR and OPW are retained in their current form.

Chief Executive's Opinion

The submission received is noted and accepted.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 57 should be adopted by the Elected Members to ensure consistency with the Flood Risk Management Guidelines for Planning Authorities (2009).

Proposed Material Alteration No. 58

Submissions KCC-C37 ending – 49 and 114 refer.

Main Issues Raised

One submission recommends that the alterations related to flood risk areas identified by the OPR and OPW are retained in their current form.

The other submission strongly disagrees with the amendment to the zoning to reflect flood zones. It is stated that the Business Park has been zoned for employment uses over a number of Naas plans and has been subject to a number of grants of planning permission. Healy Tyres/Haven Hire and Dawn Farm Foods are in close proximity to the site which is proposed to partially re-zone and neither have encountered issues with flooding. The subject site is seen as a strategic sustainable employment location, fully serviced and convenient for active travel to work from neighbouring residential areas. It is suggested that future planning applications would lodge a site-specific flood risk assessment and incorporate mitigation measures.

Chief Executive's Opinion

The submissions received are noted. The OPR made a recommendation in their letter dated 21st April 2021 in respect of the public consultation period to the Draft Plan, which required the removal of Industry and Warehousing zoning from land identified as H4 which is subject to flooding and reconsider identifying such land for water compatible uses. The OPR stated in their submission that there is a high uncertainty regarding flood risk in Naas and therefore a precautionary approach to flooding should be adopted.

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Recommendations issued by the OPR relate to clear breaches of the relevant legislative provisions of the national or regional policy framework and /or of the policy of Government, as set out in the Ministerial guidelines.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 58 should be adopted by the Elected Members to ensure consistency with the Flood Risk Management Guidelines for Planning Authorities (2009).

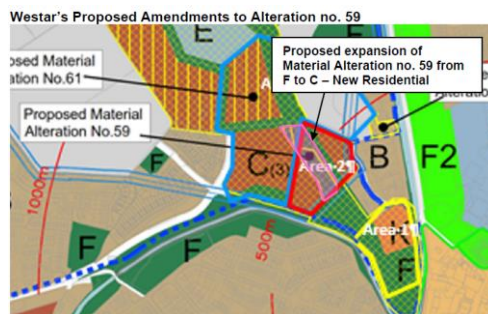
Proposed Material Alteration No. 59

Submission KCC-C37 ending – 49 and 94 refers.

Main Issues Raised

One submission recommends that the alterations related to flood risk areas identified by the OPR and OPW are retained in their current form.

The other submission received, which is supported by a Flood Report prepared by JBA consulting considers the previously indicated New Residential Zoning should be reinstated from the proposed F zoning to reflect the JBA Report Flood Extents.



Chief Executive's Opinion

The submissions received are noted. The OPR made a recommendation in their letter dated 21st April 2021 in respect of the public consultation period to the Draft Plan, which required the removal of residential land identified as C(3) which is subject to flooding and to reconsider identifying such land for water compatible uses. The OPR stated in their submission that there is a high uncertainty regarding flood risk in Naas and therefore a precautionary approach to flooding should be adopted. Recommendations issued by the OPR relate to clear breaches of the relevant legislative provisions of the national or regional policy framework and /or of the policy of Government, as set out in the Ministerial Guidelines.

While details provided in the Flood Report prepared by JBA are noted, it is considered the level of detail is insufficient as no details are provided on how the existing water level of the canal was established, the integrated catchment modelling approach is inconsistent, there are no stormwater networks modelled along the Bluebell stream and the modelling extent does not include the Naas Stream which also discharges into the canal system. Therefore, the development of areas indicted as in Flood Zone A and B as part of the CFRAM mapping is considered the most relevant and development within these areas is premature pending the completion of the hydrology review being carried out as part of the Naas Flood Relief Scheme.

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It is also important to note in relation to the request for the expansion from 'Open Space and Amenity' to 'New Residential', in accordance with the provisions of Section 20(3)(q)(l) of the Planning and Development Act 2000 (as amended), 'a further modification to the material alteration shall not be made where it refers to an increase in the area of land zoned for any purpose' at this stage of the local area plan process.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 59 should be adopted by the Elected Members to comply with the recommendation by the OPR and to ensure consistency with the Flood Risk Management Guidelines for Planning Authorities (2009).

Proposed Material Alteration No. 60

Submission KCC-C37 ending – 49 refers.

Main Issues Raised

The submission received in respect of Proposed Material Alteration 60 recommends that the alterations related to flood risk areas identified by the OPR and OPW are retained in their current form.

Chief Executive's Opinion

The submission received is noted and accepted.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 60 should be adopted by the Elected Members to ensure consistency with the Flood Risk Management Guidelines for Planning Authorities (2009).

Proposed Material Alteration No. 61

Submissions KCC-C37 ending – 26, 49, 62, 94, 103, 118, 121, 125, 127, 139 refer.

Main Issues Raised

One submission recommends that the alterations related to flood risk areas identified by the OPR and OPW are retained in their current form.

A number of submissions raise concern over the zoning of land that was previously Strategic Reserve, before the OPW Flood Relief Plan and masterplan for the full area is complete. It is questioned who is taking responsibility for the rezoning and guaranteeing flood waters will not be displaced. Another submission states that the re-zonings are irrational and specifically advised against the Council's own consultants in the SFRA Addendum Report where it is stated that the "*current zoning of Strategic Reserve is maintained until completion of the updated flood mapping and the sequential approach can accurately be applied.*" While Submission 121 state that with the increase in densities across many sites, it is illogical to add further New Residential Zonings / New Residential Phase 2 and to lose the original zoning for such important requirements as future strategic reserve. Reference is also made to the OPR direction with respect to development at Finlay Park and the Northwest Quadrant should be removed from the Naas Plan until a detailed flood risk assessment has been completed and a flood management plan put in place.

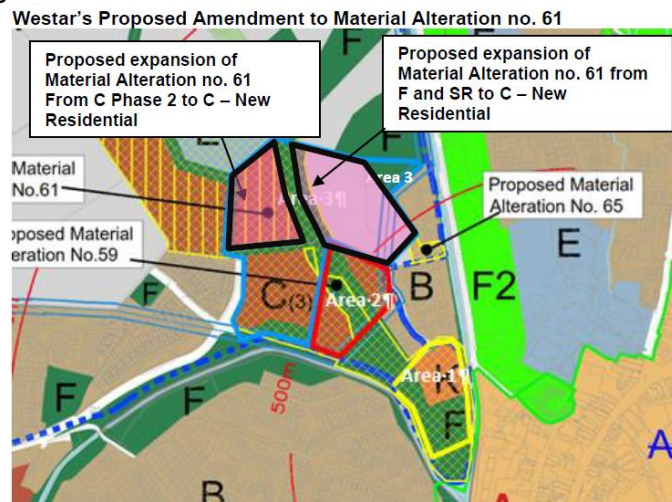
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Another submission refers to the Commercial (K) zoned as part of the alteration, they state there is no clarity on how the Alteration 61 came about. They consider the subject lands should be a centre piece for the further development of the linear park concept/greenway and the enhancement of the Grand Canal for amenity purposes. Concern is raised about the traffic impact on Abbey Bridge, the private road and cul-de-sac.

Submission 125 supports the educational zoning, notes the Phase 2 zoning and requests a similar zoning be applied to the lands to the west of the new educational zone.

Submission 94 makes a number of recommendations in respect of Proposed Material Alteration 61 as follows (see image below):

- Increase New Residential Zoning and omit Phase 2 zoning.
- Expand Open Space and Amenity Zoning and Strategic Reserve to New Residential
- Expand the K: Commercial/Residential zoning and change to Town Centre zoning.



Map 11.1 Extract from proposed material alterations to draft Naas LAP 2021-2027 (Areas 1 outlined in yellow) (Area 2 outlined in red) (Area 3 outlined in blue)

The submission states that the lands should be Tier 1 lands as they do not represent Tier 2 as per the SPIA. They state Proposed Material Alteration 61 is predicated on the recommendation of the OPR which is based on incomplete CFRAM information. The development of the subject lands would be in accordance with NPO 33 a sustainable location, RPO 4.48 improvement of transport network in Naas, RPO 4.49 support the Grand Canal for an amenity and RPO 4.52 delivery of enhanced public transport infrastructure in Naas and Sallins.

The submission states the Town Centre zoning will facilitate mixed use facilities in conjunction with amenity areas. It would enhance user and visitor experience by providing a vibrant canal side destination which is connected to the town centre.

It is stated that the masterplan and the flood risk study will postpone the delivery of housing on the site which is ready to go. Therefore, they seek that the requirement for the masterplan and flood risk study is omitted from Westar landholding.

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Additional text is proposed in the submission to as follows:

To support the sequential development of Naas delivery of housing, proposed school site and the public transport route, lands in Finlay Park can be brought forward in advance of the preparation of the Northwest Quadrant Masterplan, and the detailed Flood Risk Assessment including Integrated Catchment Model.

The submission also states that there is inconsistency where the lands identified on the old Wastewater Treatment Plant for Phase 2 residential development and include a future as yet undetermined compensatory area of flood risk management without evidence to support. These lands are further from the town centre and are identified as being at Flood Risk and despite this have been zoned for residential. The subject lands are not at risk of flooding and sequentially better located.

Chief Executive's Recommendation

The comments in relation to Proposed Material Alteration 61 are noted. It is important to note that under the provisions of Section 20(3)(q)(I) of the Planning and Development Act 2000 (as amended), *'a further modification to the material alteration shall not be made where it refers to an increase in the area of land zoned for any purpose'* at this stage of the local area plan process.

Any submissions seeking to increase land zoning or provide additional land use zonings over and above that published in the Proposed Material Alterations cannot be considered at this time, pursuant to Section 20(3)(q)(I) of the Act.

The SFRA Addendum Report published with the Proposed Material Alterations recommended that the Draft Plan zoning of Strategic Reserve be maintained at this location until completion of the updated flood mapping and the sequential approach can then accurately be applied. The SEA Addendum Report also expressed concern regarding the potential for this Proposed Material Alteration to have significant impacts on the environment and therefore required screening for SEA.

The OPR in their submission dated the 23rd August 2021 made the following recommendation *"having regard to the Flood Risk Management Guidelines for Planning Authorities (2009) the planning authority is required to remove proposed amendment MA 61 in respect of zoning for vulnerable development in Flood Zone A and B"*. To remove the area in Flood Zone A and B would require an increase in the F: Open Space and Amenity zoning. Therefore, in order to address this issue, the removal of Proposed Material Alteration 61 in its entirety is recommended to avoid flood risk in this regard.

It is important to note that once the initial stage (data collection and review) has been completed as part of the Flood Relief Scheme for Naas the masterplan for the Northwest Quadrant can be completed and incorporated into the Local Area Plan by way of a statutory amendment under Section 20 of the Planning and Development Act, 2000 (as amended).

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Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 61 should not be adopted by the Elected Members to ensure consistency with the Flood Risk Management Guidelines for Planning Authorities (2009).

Proposed Material Alteration No. 62

Submissions KCC-C37 ending – 83, 116 and 127 refer.

Main Issues Raised

The submissions received in respect of Proposed Material Alteration 62 are submitted in the context of the proposed Phase 2 zoning in the Northwest Quadrant (PMA 61). One submission object to 100+ social housing proposed in the Finlay Park area that a mix of private and social housing is more inclusive. Another state plans of social housing "schemes" as opposed to providing a mix of private and social housing units in all residential areas, would be a retrograde step in social development that could possibly result in social exclusion of those residents.

Another submission is concerned over social housing adjacent to Finlay Park in terms of the location's proximity to a flood plain adjacent to Finlay Park and that development of any housing schemes or estates need to be supported by proper planning and infrastructure/services. Another submission reinforces this issue that there is an absence of necessary infrastructure, amenities and resources for such a social housing development to be considered at Finlay Park/Northwest Quadrant. It is stated in Submission 127 that providing a "linear park" as part of this development would be contrary to what would be assumed as a basic requirement of residents of a social housing scheme, as a linear park does not cater for nor promote team sports that would be beneficial, not only for physical activity, but for social support.

Chief Executive's Opinion

The comments in relation to Proposed Material Alteration 62 are noted. It is important to note that it is the Chief Executive's recommendation that proposed Material Alteration 61 should not be adopted by the Elected Members to ensure consistency with the Flood Risk Management Guidelines for Planning Authorities (2009). This recommendation removes the New Residential Phase 2 zoning from the Finlay Park/Northwest Quadrant area.

There is considerable unmet social housing demand within the existing population in Naas as detailed in Chapter 3 of the Draft Plan. It is a policy under that Policy HC2 of the Draft Plan to ensure that all new residential development provides for a sustainable mix of housing types, sizes and tenures and that new development complements the existing residential mix. Furthermore, it is considered reasonable to include this footnote to clarify the limitations associated with Phase 2 lands and to allow proposals for social housing to be brought forward on Phase 2 lands where a significant social housing demand is presented and justified.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 62 should be adopted by the Elected Members.

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Proposed Material Alteration No. 63

No submissions/observations were received in respect of Proposed Material Alteration no. 63.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 63 should be adopted by the Elected Members.

Proposed Material Alteration No. 64

No submissions/observations were received in respect of Proposed Material Alteration no. 64.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 64 should be adopted by the Elected Members.

Proposed Material Alteration No. 65

No submissions/observations were received in respect of Proposed Material Alteration no. 65.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 65 should be adopted by the Elected Members.

Proposed Material Alteration No. 66

No submissions/observations were received in respect of Proposed Material Alteration no. 66. A submission was received from the TII in this regard, and this is considered in Section 4 of this report.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 66 should be adopted by the Elected Members.

Proposed Material Alteration No. 67

No submissions/observations were received in respect of Proposed Material Alteration no. 67.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 67 should be adopted by the Elected Members.

Proposed Material Alteration No. 68

No submissions/observations were received in respect of Proposed Material Alteration no. 68.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 68 should be adopted by the Elected Members.

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Proposed Material Alteration No. 69

No submissions/observations were received in respect of Proposed Material Alteration no. 69.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 69 should be adopted by the Elected Members.

Proposed Material Alteration No. 70

Submission KCC-C37 ending – 114 refers.

Main Issues Raised

One submission received referred to the Council not acceding to a request for re-zoning to New Residential at Bluebell when there were a number of material alterations including the change from New Residential Phase 2 on the subject lands to Agriculture as per PMA 70 in the same area as the Bluebell site.

Chief Executive's Opinion

The comments in relation to change in zoning are noted. The subject site was zoned for residential development for many years and no proposals have been brought forward for development. Therefore, as stated in the Meeting Report prepared in advance of the Council Meeting on the 5th July 2021 responding to a motion received, it was considered reasonable to amend the zoning of this site to '1: Agriculture' to reflect the existing established use of the land. The subject lands were zoned New Residential Phase 2, which do not form part of the housing unit requirement to ensure compliance with the core strategy and as such the change in zoning did not result in a housing unit allocation to be redistributed.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 70 should be adopted by the Elected Members.

Proposed Material Alteration No. 71

Submission KCC-C37 ending – 114 and 121 refers.

Main Issues Raised

An Post in their submission are concerned that the zoning change would create conflicts with respect to the integration of additional sensitive land uses adjacent to the already established Enterprise and Employment land uses, including An Post's operations at this location. The submission highlights that the development of the land may impact the operations of An Post to meet the postal needs of the public and agreed service legal agreements with the State. An Post recommend the alteration is not adopted due to the impact on the current and future operational requirements of the existing businesses within the Enterprise and Employment Centre on Blessington Road and also the potential to restrict the potential enhancement/expansion of existing businesses in the future, including An Post.

One submission received refers to the change in zoning to be New Residential Phase 2 which would not allow for immediate residential development and questions the rationale. Argues that re-zoning now simply serves to increase its value to the landowner to no public benefit.

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Submission 121 states that it is illogical to add further New Residential / New Residential Phase 2 zonings to the Draft Plan at Material Alteration stage while the same time, lose the previous zonings on these sites for such important requirements such as Enterprise and Employment. It is submitted that the construction of large numbers of residential units without adequate provision (i.e. zoning of land) for the required essential associated services, employment opportunities and amenities such as those permitted under the previously proposed zonings in the initial draft Plan is surely suboptimal longer term planning.

Chief Executive's Opinion

The comments in relation to the proposed zoning alteration at the Tipper Road are noted. As a point of clarification, the proposed change would result in a New Residential zoning and not Phase 2 as referred to in the submission 26 and therefore can come on stream during the lifetime of the Plan.

The lands which are subject to Proposed Material Alteration No. 71 propose a modest extension of the New Residential lands at C (12). These lands are located within the defined CSO settlement boundary for Naas, with well-established residential developments to the east and west. Overall, the lands present well in terms of sequential development, aligning with the NPFs strategic outcome for promoting and encouraging compact growth and provide for a logical development framework for this area. The proposed extension consists of ca. 1.2 ha which would deliver an additional ca. 40 units (max estimate given the density of the existing development in the receiving environment) over the lifetime of the Plan, which is not considered to materially contravene the core strategy set out in the Kildare County Development Plan.

To avoid an abrupt transition between residential and the adjoining Q zoned lands to the south, it is considered appropriate to include an 'F: Open Space and Amenity' zone on adjoining land that is subject to flood risk. This will ameliorate any perceived conflict between the New Residential zoning and the Enterprise and Employment lands.

The point raised from An Post in relation to their expansion at this location is noted. However, any expansion of existing businesses at this location would be assessed as a non-conforming use. Proposed Material Alteration 50 allows for exceptional circumstances to be taken into consideration for land uses 'Not Normally Permitted'.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 71 should be adopted by the Elected Members.

Proposed Material Alteration No. 72

No submissions/observations were received in respect of Proposed Material Alteration no. 72.

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Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 72 should be adopted by the Elected Members.

Proposed Material Alteration No. 73

Submissions KCC-C37 ending – 26, 114, 124, 128 refer.

Main Issues Raised

One submission state that no rationale has been given for the Proposed Material Alteration 73 and the lands could accommodate a further 182- 260 housing units, according to the revised Table 3.5., and it should be reversed.

Another submission requests that Proposed Material Alteration 73 to revert to its previous status in the Draft Plan in order to achieve a more balanced development strategy for Naas, as this alteration will bring even more housing to the area which is a serious concern.

Submission 114 states that the Council did not accede to their request for residential zoning at Bluebell, but in the same area include the proposed material alterations on C (5) from New Residential Phase 2 to New Residential for up to 260 units.

Submission 124 from the owner of the subject lands welcome the proposed material alteration. It is stated that the change in zoning is appropriate as the SPIA shows that the site is the 6th best from 23 sites, high-level Tier 1 sites should take precedent over Tier 2 sites, close proximity to the town core, within the CSO boundary and quickly deliver much needed housing.

Chief Executive's Opinion

The submissions received are noted. The OPR in their submission in respect of the proposed material alterations make a Recommendation 'having regard to section 19(2) of the Act which requires that the local area plan be consistent with the core strategy of the CDP, the planning authority is required to remove proposed amendment 73 (site C5)'.

As stated in the Meeting Report in advance of the Council meeting on the 5th July, site C (5) although categorised as a Tier 1 site in the Sustainable Planning and Infrastructural Assessment (SPIA) is not required to meet the Core Strategy population projections for Naas. There are alternative sites that are either more appropriately sited, have extant planning permissions, or are state owned and have active proposals to deliver the unmet social housing demand which has been identified in Table 3.4. These sites have been prioritised (at this transitional stage of plan preparation having regard to the need to provide an Infrastructural Assessment) to ensure compliance with the Core Strategy.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 73 should not be adopted by the Elected Members to ensure compliance with the Core Strategy as set out in Variation No. 1 to the Kildare County Development Plan 2017-2023 and to address the Recommendation made by the OPR.

Proposed Material Alteration No. 74

Submissions KCC-C37 ending – 49, 56, 61, 70, 111, 113, 114 and 159 refer.

Main Issues Raised

Submission 113 strongly welcomes the proposed material alteration. Two submissions propose reverting to the original zoning of 'I', Agriculture, where the plan was changed to 'P', sites zoned for Data Centres.

Another submission rejects the proposed alteration, citing the NPF in that it identifies the need to 'integrate environmental considerations into land use planning in a way that responds to the sensitivities and requirements of the wider natural environment'.

The impact on the environment is discussed in a number of submissions, in terms of energy use, greenhouse emissions, impact on water resources, electricity blackouts and nowhere close to a carbon neutral basis. Development levies and commercial rates are the very few benefits to the locality.

Submission 70 cannot understand why Jigginstown is being contemplated for a data centre, that the outer location between Junction 10 and 9a, or a site in an area more appropriate for such industrial/ business park locations, such as the Millennium Park, would be much more appropriate for a data centre. Such facilities are sited in such Business Parks and are not appropriate to be anyway near to a town centre and residential areas.

Submission 114 states that the Council did not accede to their request for residential zoning at Bluebell, but in the same area include the proposed material alterations on the subject lands.

Submission 159 states that the remaining 37ha of the landholding remaining as agriculture is unviable as a modern agricultural landholding. Increasing the P zoning with a complementary high technology campus style development and on-site energy generation would be viable and more attractive to large multi-national corporation. The submission requests that additional land be zoned at this location.

Chief Executive's Opinion

The comments received in respect of the proposed material alteration are noted. Under the provisions of Section 20(3)(q)(l) of the Planning and Development Act 2000 (as amended), '*a further modification to the material alteration shall not be made where it refers to an increase in the area of land zoned for any purpose*' at this stage of the local area plan process. Therefore, while the request to increase land zoning at this location is noted they cannot be considered at this time.

Regional Policy Objective 8.25 requires local authorities to support the national objective to promote Ireland as a sustainable international destination for ICT infrastructure such as data centres and associated economic activities at appropriate locations. In recognition of Naas as a Key Town proximate to electricity and telecommunications infrastructure two sites were chosen as suitable for data centre development, one at Jigginstown. The increase in the Data Centre zoning at this

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location was to facilitate the commercial viability of a data centre project at this location as per the Motion in advance of the Council meeting on the 5th July 2021.

It is considered that Proposed Material Alteration 29 which amends Objective EDO 1.12 will provide for the appropriate environmental assessments and consideration of the impact on the electricity network and for reductions in greenhouse gases. The creation of data centres in proximity to residential areas and other town centres provide the opportunity to harness the waste heat to be used through a district heating network. It is also considered that the additional lands zoned F: Open Space in this Proposed Material Alteration offers potential for new open space and sporting facilities in the future.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 74 should be adopted by the Elected Members.

Proposed Material Alteration No. 75

Submissions KCC-C37 ending – 26, 61, 70, 113, 114, 121, 128 and 138 refer.

Main Issues Raised

Submission 26 states that there is no rationale for the proposed rezoning. Lands are well outside the town and if truly needed as Phase 2, the lands could be zoned in a future Plan, or as a variation if needed. The re-zoning simply serves to increase the value to the landowner, to no public benefit. This sentiment is reiterated in Submission 70 which states that this is a further developer-led effort to try to make windfall profits from such a rezoning whereas Community and Education facilities are poorly allocated to this area of the town. Existing residents should not be sacrificed, social infrastructure is badly needed. Another submission questions why no notable amenities and open space are not being provided at this side of the town rather than 'pouring in' housing. Community infrastructure should be funded and developed in a timely manner.

Another submission states that to increase population growth and economic growth cannot be done without centres for community and education. Taking away land zoned for education and putting in new houses does not comply with access to quality childcare, education and health services strategy as detailed in the NPF. Removing land zoned for education allows unplanned/uneven population growth and removes necessary amenities needed in Naas.

Submission 114 states that the Council did not accede to their requests for New Residential zoning at Bluebell but have made the alteration to reduced Community and Education lands to New Residential Phase 2 and a Neighbourhood Centre at this location. The submission also states that it is unclear what size the site is, or how many units could be accommodated, and why they are not in Table 3.5. The submission states that it is disconcerting and appears inequitable, when the Bluebell lands are ready to go. h

One submission strongly welcomes the Proposed Material Alteration.

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Chief Executive's Opinion

The comments received in respect of the proposed material alteration are noted. The submission from the Department of Education referenced the reduction in the lands zoned E: Community and Education at Jigginstown, in the context of acquiring new school sites for Naas.

The Draft Plan was supported by a Social Infrastructure Audit (SIA) that highlighted that schools for both primary and post-primary level are currently operating at or above capacity. It is acknowledged in the Draft Plan that a new primary and post-primary school are required to meet the projected population growth to 2027.

The issue of social infrastructure not being delivered in tandem with housing / population growth has also been raised across numerous submissions. It is stated in the Draft Plan that the Department of Education are currently at the site acquisition stage for a new primary school in Naas. It is therefore considered that the development of the lands as zoned in the Draft Plan can provide the opportunity for educational infrastructure to take priority over potential housing under a Phase 2 zoning. Phase 2 zoning cannot be delivered within the lifetime of the Plan, whilst the Department of Education are currently active in acquiring a site for a new primary school. Therefore, in acknowledging the comments raised by the Department of Education, in relation to the challenges experienced in getting suitable sites particularly for post-primary schools it is considered prudent to provide the Department of Education the opportunity, in the first instance, to develop a school campus which is fully compatible with all technical suitability guidance, particularly concerning access, at lands at Jigginstown. Therefore, a precautionary approach to the reduction of E lands at this time is considered warranted until the Department of Education have made their site assessment and can avail of the most suitable site within the larger landholding, to develop a school campus at this location.

The subject lands at Jigginstown were specifically identified to address the deficit in educational facilities in Naas. The subject lands are located immediately adjacent to new residential housing developments such as Castlefarm, Elsmore, Whitethorn (under construction) and a recent SHD application for Randalswood, which provides for circa 841 units within a short distance of the subject lands. Locating schools in close proximity to these residential areas will facilitate, active transport modes such as walking and cycling, thereby contributing to meeting the modal shift targets as set out in Proposed Material Alteration No. 7.

It is also important to note in response to Submission 114 that New Residential Phase 2 housing do not form part of Table 3.5 as they represent sites that are not required to meet the housing unit allocation but rather are sites that could potentially meet the housing needs in future lands use plans.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 75 should not be adopted by the Elected Members to provide the Department of Education the opportunity to develop the most suitable site for educational and sporting facilities during the lifetime of the Plan.

Proposed Material Alteration No. 76

Submissions KCC-C37 ending – 26, 97, 121, 142, 147 and 156 refer.

Main Issues Raised

Submission 26 states that the rezoning is based on the landowner concerned offering lands to the GAA for a pitch, and some car parking, in return for the rezoning, and is located in the Walled Garden of Oldtown Demesne.

Another submission states that the decision is irrational and is contrary to the principles set out in the Supreme Court decision of *McHugh v Kildare County Council* (two submission reference this case) which asserted the Council is not legally entitled to take into account, in its decision-making, an offer by a landowner/developer to provide a benefit to a sports club in return for rezoning. It is submitted that while the area of new residential zoning is small (2.2 acres), the principle is, quite simply, wrong, and should not be countenanced.

One submission requests that lands are restored to the F: Open Space and Amenity zoning as there is a strategic shortage of Open Space in Naas and Kildare; expanding 'needs' based on the growing population; decision to materially alter the zoning was preceded by councillors citing purported benefits for a third-party organisation and included the development of separate lands for use by the third-party organisation. Another submission states the land is next to school and high-density housing and there are few places left to use as open space. Monread Park and the GAA are overextended. Submission 121 states it is illogical to lose the previous zonings for such important requirements as Open Space and Amenity.

One submission question whether the sites have been determined in planning approvals.

Submission 156 supports the Proposed Material Alteration.

Chief Executive's Opinion

The comments received in respect of the proposed material alteration are noted.

The planning history for the walled garden indicates:

- The parent permission for The Orchard, Oldtown Demesne, granted by An Bord Pleanála, omitted housing in the Walled garden and conditioned the use of this space as an 'amenity area'. This was subsequently excluded from subsequent planning applications on the site.
- A planning application (17/1451) was lodged to KCC by the landowner for inter alia a half size GAA pitch and tennis court within the walled garden, however the applicant did not respond to a detailed further information request and so the application was withdrawn. There may be implications for built and natural heritage in converting this space into a playing pitch.

Notwithstanding this, the Social Infrastructure Audit (SIA) which accompanies the Draft Plan indicates that there is a shortfall across the plan area for sports facilities and amenity areas. The subject lands are located immediately adjacent to the GAA club where there is a demand for additional sports facilities and where there is opportunity to expand the GAA facility.

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In making the Naas Local Area Plan, and in particular regarding decisions relating to the zoning of land, the elected members, acting in the interests of the common good and the proper planning and sustainable development of the area, must, in accordance with the '*Code of Conduct for Councillors (July 2019)*' prepared under the provisions of the Local Government Act 2001, carry out their duties in a transparent manner, must follow due process and must make their decisions based on relevant considerations.

The following considerations are of note:

- a) The acknowledged shortage of dedicated sporting facilities in Naas.
- b) The expanding local needs for open space and amenity by the growing population of Naas, and
- c) The purported benefits for a third-party as the basis for the material alteration.

It is concluded that this proposed material alteration is not in the interests of the proper planning and sustainable development of the area.

References in a number of submissions to the Supreme Court decision of *McHugh v Kildare County Council* in the context of this Proposed Material Alteration is noted.

Chief Executive's Recommendation

It is recommended that Proposed Material Alteration No. 76 should not be adopted by the Elected Members to provide the shortfall in sports facilities and amenity areas.

Section 6. Submissions/Observations which do not relate to a particular Proposed Material Alteration

6.1. Unrelated Submissions/Observations

Section 20(3)(j)(ii) of the Planning and Development Act 2000 (as amended) states that written submissions or observations with respect to the proposed material alterations of the draft local area plan may be made to the planning authority within the stated period and shall be taken into consideration before the making of any material alteration.

Having regard to the legislation, the public notice relating to the public consultation of the proposed material alterations stated that only submissions or observations made in respect of the proposed material alterations and accompanying documents (including submissions relating to the likely significant effects on the environment of implementing the proposed material alterations) will be taken in consideration before the making of any material alteration to the draft Local Area Plan. Submissions or observations in relation to any other aspects of the draft Local Area Plan cannot be considered at this stage in the process.

The following is a list of submissions that did not relate to a specific Proposed Material Alteration and therefore were not provided with a Chief Executive's Opinion and Recommendation. In some instances, submissions or observations referred to a range of issues, some which related to a Proposed Material Alteration and parts which did not. In this case they have been marked with an asterisk* and the part relating to a proposed material alteration has been considered. However, it is important to note that the submissions/observations which cannot be considered at this time are summarised and contained in Appendix 1 for information only.

Submissions that requested a change to a particular land use zoning should note at this stage of the plan process, a further modification can only be made to a Material Alteration where it is **minor** in nature and therefore not likely to have significant effects on the environment or adversely affect the integrity of a European site. In accordance with the provisions of Section 20(3)(q)(l) of the Planning and Development Act 2000 (as amended), '*a further modification to the material alteration shall not be made where it refers to an increase in the area of land zoned for any purpose*'.

A number of submissions commented on the timing of the public consultation period in August. The statutory timeline for the local area plan process is embedded in the Planning and Development Act 2000 (as amended). Once the Draft Plan has been published, the statutory process takes a minimum of approximately 18 weeks to complete, up to a maximum of 35 weeks allowing for amendments to a draft local area plan. The Council must operate within the set timeframe and cannot make adjustments in respect of holiday periods.

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Table 6.1 Submissions/Observations Not Related to a Proposed Material Alteration (or included Issues Not Related to a Proposed Material Alteration*)

KCC-C37- 4	Emmet Kelly
KCC-C37-14*	Riognagh Bracken
KCC-C37- 31*	Barry Redmond
KCC-C37- 32*	CM Redmond
KCC-C37- 33*	Eoghan Redmond
KCC-C37- 34 *	Padraig Redmond
KCC-C37- 36*	Naas Combined Residents Group
KCC-C37- 39	Carol Byrne
KCC-C37- 40	Janice McGrath
KCC-C37- 43	Dave Caffrey
KCC-C37- 46*	Brian McAdam
KCC-C37- 48*	Robert Kennedy
KCC-C37- 52*	R Burke
KCC-C37- 54*	Debby Bernadette
KCC-C37- 62*	Sunday's Well Residents' Association
KCC-C37- 66*	John Lennon
KCC-C37- 78	Ian D'Alton
KCC-C37- 83*	Ricardo Paco
KCC-C37- 94*	Westar Group
KCC-C37- 95*	Bridget Armstrong
KCC-C37- 100*	Maureen Boylan
KCC-C37- 103*	Abbey Bridge & Canal Resident's Group
KCC-C37- 108*	Clare Prasad
KCC-C37- 114*	Queally Group
KCC-C37- 117	Charlton and Leeson Family via CORCOM
KCC-C37- 118*	Phoebe Dillane
KCC-C37- 123*	Letitia Foley
KCC-C37- 126	Christine Murray
KCC-C37- 127*	Graham Armstrong
KCC-C37- 128	Carraig Oscair Residents Association
KCC-C37- 130	Pierce Greaney
KCC-C37- 131	Christine Murray
KCC-C37- 135	Munoo Prasad
KCC-C37- 142	Diarmuid Parker
KCC-C37- 143	Aaron McHale
KCC-C37- 147*	Cllr. Seamie Moore
KCC-C37- 152	James Dowling

Section 7. Overview of Chief Executive's Recommendations

7.1. Final Recommendations

Having regard to all submissions received, in particular to the submission from the Office of the Planning Regulator and the recommendations contained therein, and to all other material considerations related to the proper planning and sustainable development of the plan area, including SEA, AA and SFRA, it is recommended:

- (i) That the following proposed material alterations **be adopted as published** on the 23rd of August 2021:

Proposed Material Alteration No. 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21³⁴, 26, 27, 28, 30, 31, 32, 34, 36, 37, 39, 40, 41, 42, 43, 44, 45, 47, 49, 51, 52, 54, 55, 56, 57, 58, 59, 60, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72 and 74.

- (ii) That the following proposed material alterations be adopted **with minor amendments as detailed in this report**:

Proposed Material Alteration No. 1³⁵, 11, 22, 24, 25, 29, 33, 35, 38, 46, 48, 50 and 53.

- (iii) That the following proposed material alterations **should not be adopted for the reasons outlined in this report**:

Proposed Material Alteration No. 21³⁶, 23, 61, 73, 75 and 76.

7.2. Conclusion

The Elected Members are advised that approving the Proposed Material Alterations which the Chief Executive has recommended **should not be** adopted would not be in accordance with the proper planning and sustainable development of the area and their statutory obligations in accordance with Section 20 (3) (r) of the Planning and Development Act 2000 (as amended).

Specifically, it should be noted that Section 20(3)(r) of the Act states that in performing their functions at this stage of the Local Area Plan process, *'the members of the planning authority shall be restricted to considering the proper planning and sustainable development of the area, the statutory obligations of any local authority in the area and any relevant policies or objectives for the time being of the Government or of any Minister of the Government.'*

³⁴ PMA 21 refers to the possible route through lands at Jigginstown. It is recommended that the proposed additional text be included in Objective MTO 3.2 to reflect the maps in the Draft Plan.

³⁵ PMA 1 refers to Table 3.5 of the Draft Plan and is subject to change following decisions made related to the zoning of land for residential purposes, i.e., PMA 71 and 73.

³⁶ PMA 21 refers to the possible route through lands at Jigginstown. It is recommended that the proposed road extension shown in Map 5.4 should not be adopted.

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As per the provisions of Section 20(5) of the Act '*statutory obligations*' include, 'in relation to a local authority, the obligation to ensure that the local area plan is consistent with —

- (a) *the objectives of the development plan,*
- (b) *the national and regional development objectives specified in—*
 - (i) *the National Planning Framework, and*
 - (ii) *the regional spatial and economic strategy,**and*
- (c) *specific planning policy requirements specified in guidelines under subsection (1) of section 28.'*

Accordingly, should the Members decide not to accept the Chief Executive's recommendation in relation to any proposed material alteration, the Members must give their reasons for each decision in writing, having regard to the provisions of Section 20(4)(r) and Section 20(5) of the Act.