

**MINUTES OF THE MEETING OF LAOIS COUNTY COUNCIL HELD IN ARAS AN
CHONTAE, PORTLAOISE, ON THE 20TH OF MARCH 2017 TO CONSIDER THE
DRAFT LAOIS COUNTY DEVELOPMENT PLAN 2017-2-23 AND THE CHIEF
EXECUTIVE'S REPORT (CIRCULATED ON THE 12TH OF JANUARY 2017) ON
ISSUES ARISING FROM STAGE TWO CONSULTATION UNDER SECTION 12 OF
THE PLANNING & DEVELOPMENT ACT, 2000 AS AMENDED**

PRESENT: Councillor Tom Mulhall In the Chair

 Councillors William Aird Paddy Bracken
 Ben Brennan John Joe Fennelly
 Catherine Fitzgerald James Kelly
 David Goodwin Jerry Lodge
 Seamus McDonald Paschal McEvoy
 John Moran Brendan Phelan
 Mary Sweeney Noel Tuohy

APOLOGIES: Councillors Pdraig Fleming Caroline Dwane Stanley
 Aidan Mullins John King

IN ATTENDANCE:

Messers John Mulholland, Chief Executive, Kieran Kehoe, Director of Services, Ms Angela McEvoy Senior Planner, Mr Donal Kiely Senior Executive Planner, Mr Dermot Dunne Technican, Ms. Irene Delaney, Administrative Officer & Ms. Michelle McCormack, Executive Secretary.

ADDRESS BY THE CHIEF EXECUTIVE

The Members were circulated with a copy of the Chief Executive's Report on the 2nd Stage of Public Consultation on the Draft Plan. The draft plan was on public display for a ten week period from the 5th of August until the 13th of October 2016 and extended by a further five week period until the 17th of November 2016. Mr. John Mulholland, Chief Executive indicated that a total of 80 no. valid submissions were received. The Members were advised that in considering the matters in the Chief Executive's report they should take account of the following:

- ***any directions of the members of the authority or the committee under section 11(4),***
- ***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 of the Government or of any Minister of the Government and, if appropriate, any observations made by the Minister for Arts, Heritage, Gaeltacht and the Islands***

Ms. Angela McEvoy, Senior Planner outlined progress to date.

It was also outlined that Section 12 of the Planning & Development Act, 2010, as amended required that the Chief Executive's report summarise the following from the submissions or observations made under this Section:-

- (i) Issues raised by the Minister and;
- (ii) thereafter issues raised by any other body or persons.

The report shall summarise the issues raised and recommendations made by the relevant Regional Authority in its written submission prepared in accordance with Section 27B inserted by Section 18 of the Act of 2010, as amended and outline the recommendations of the Chief Executive in relation to the manner in which those issues should be addressed in the Development Plan.

Following consideration of the draft plan and the report of the Chief Executive under Paragraph A where a planning authority after considering a submission of or observation or recommendation from the Minister made to the Authority under this Section or from a Regional Authority made to the Authority made under Section 27B decides not to comply with any recommendation made to the draft plan and report, it shall so inform the Minister or Regional Authority as the case may be as soon as practicable by notice in writing which notice shall contain reasons for the decision.

Ms. Angela McEvoy briefed the Members with a presentation dealing with all the submissions received as follows outlining the following for ease of reference :-

1. Text in **green** is text from the Draft Plan as is.
2. Proposed deletions are shown as ~~striketrough~~ text
3. Proposed additions are shown as **red** text.

The first submission taken was from the DEPARTMENT OF HOUSING, PLANNING, COMMUNITY & LOCAL GOVERNMENT – SUBMISSION NO. 69

Core Strategy

Proposed by Councillor William Aird

Seconded by Councillor Paddy Bracken to include the following:

Objective OBJ₁ in Section 2 of the Draft Plan and re-number other objective accordingly.

OBJ₁ The Planning Authority will undertake a review of the housing strategy subsequent to the adoption of the future Regional Spatial and Economic Strategy [RSES] by the Eastern and Midland Regional Assembly.

Amend original objective OBJ₁ so as to read as follows:

It is an objective of the Council:

OBJ 2 To review the Portlaoise Local Area Plan (2012-2018) and Mountmellick (2012-2018) and the joint Local Area Plans for Portarlington(2012-2018) and the Joint spatial Plan for Greater Urban Area of Carlow / Graiguecullen (2012-2018) [in association with Offaly County Council and Carlow County Council respectively during the period of the Laois County Development Plan

2017-2023. New residential development in the local area plan areas shall only proceed in an orderly and structured fashion and be in accordance with the overall core strategy as set out in the Laois

Settlement Strategy

**Proposed by Councillor Paschal McEvoy
Seconded by Councillor John Joe Fennelly that :**

Ballylynan should be removed from the “Local Service Town” category and re-designated as a “**Newly Emerging Local Service Town**”. Figure 6 to be amended accordingly by inclusion of this category above “Villages >400” category and below “Local Service Town” category.

Retail Development Hierarchy

**Proposed by Councillor Paschal McEvoy
Seconded by Councillor Ben Brennan that:**

The third row is to be renamed *County Town Centre MRPGS: Service Towns* and refer to the following towns: Abbeyleix, Mountmellick, Mountrath, and Stradbally.

Introduce a fourth row named *County Town Centre MRPGS: Local Service Towns* and refer to the following towns Durrow and Rathdowney.

Introduce a fifth row named ***Newly Emerging Local Service Town and*** refer to Ballylynan.

Regeneration Objectives - New Policy on Vacant Sites & Regeneration

**Proposed by Councillor Catherine Fitzgerald
Seconded by Councillor John King that:**

1. Amend CS10 to read:

~~Encourage that areas of vacant, derelict and under-used land within existing built up areas (brownfield sites) be brought into productive use as an alternative to the use of greenfield sites which inevitably involve some loss of natural resources~~

Provide for active and efficient use of derelict sites, vacant premises, neglected lands, disused (brownfield) or underused lands that are zoned and served by existing public infrastructure and facilities, to consolidate the urban form, improve streetscapes, support housing delivery and smarter travel as well as strengthen the vitality and vibrancy of urban areas, by way of the development management process and other mechanisms including the imposition of levies under the Urban Regeneration and Housing Act 2015 and Derelict Sites Act 1990, the preparation of opportunity site briefs and the consideration of incentives in the preparation of Development Contributions Scheme(s).

2. Amend CS12 to read:

~~Utilise the provisions of the Urban Regeneration and Housing Act 2015 to incentivise urban regeneration, tackle land hoarding and dereliction, enhance the economic viability of housing developments, increase the delivery of social housing and encourage integrated mixed tenure developments~~

It is an objective of this Council to increase the delivery of housing units in areas of need and to encourage and facilitate the appropriate development and renewal of areas that are in need of regeneration in order to prevent (i) Adverse effects on existing amenities in such areas, in particular as a result of the ruinous or neglected condition of any land (ii) Urban blight or decay (iii) Anti-social behavior, or (iv) A shortage of habitable houses or of land suitable for residential use or a mixture of residential and other uses

3. Insert new section called **3.3 Implementation of the Urban Regeneration and Housing Act 2015**

The Urban Regeneration and Housing Act 2015 provides for the imposition of a Vacant Site Levy within areas where housing is required and areas in need of renewal.

3.3.1 Vacant Housing Sites

By reference to criteria set out in the 2015 Act as they apply to Laois (set out below), Laois County Council has determined that a need for housing exists in the Towns of Portlaoise, Portarlington, Mountmellick and Graiguecullen. The Planning Authority may determine that a need for housing exists in additional Laois Towns during the Plan period.

- (a) *The projected increase in the number of households as per Core Strategy and Housing Strategy during the period 2017-2023 is significant – Portlaoise (1824), Portarlington (271), Mountmellick (257), Graiguecullen (215)*
- (b) *The cost of house prices and the cost of renting are increasing indicating increased housing need*

| <i>LAP Town</i> | <i>Rent (Source: average monthly rent prtb.ie)</i> | <i>Purchase (Source: Q3 2016 DAFT Report)</i> |
|----------------------|--|--|
| <i>Portlaoise</i> | <i>€597.76 - 2015 €548.21 - 2014</i> | <i>Not disaggregated by town over time. County figures per Daft Report (Q3 2016) Average Price: €152,362 Yr-on-Yr: +11.5% Quarter-on-Quarter: +3.6% From Trough: +46.9%</i> |
| <i>Portarlingto</i> | <i>€537.23 - 2015 €482.28 - 2014</i> | |
| <i>Mountmellick</i> | <i>€499.20 - 2015 €468.67 - 2014</i> | |
| <i>Graiguecullen</i> | <i>€600.26 - 2015 €584.98 - 2014</i> | |

(c) Cited area of choice on social housing waiting list (September 2016) indicate housing need in these Towns – Portlaoise (944), Portarlinton (377), Mountmellick (322), Graiguecullen (63). Note: up to 3 choices of area per household relates.

(d) The number of habitable houses available for purchase and for rent is less than 5% of the total number of habitable houses in the area, indicating housing need.

| LAP Town | Source: daft.ie on 30/09/16 No. properties for sale + rent > or < 2011 Population / Household Size (2.87) / 20 |
|---------------|---|
| Portlaoise | 190 (sale) + 18 (rent) < 350 5% of 7019 - Pop: 20,145 |
| Portarlinton | 48 (sale) + 4 (rent) < 136 5% of 2714 - Pop: 7,788 |
| Mountmellick | 32 (sale) + 1 (rent) < 82 5% of 1650 - Pop: 4735 |
| Graiguecullen | 3 (sale) + 1 (rent) < 69 5% of 1382 - Pop: 3,966 |

3.3.2 Vacant Regeneration Sites

Laois County Council has identified the following Regeneration Area in Portlaoise as being in need of renewal. Additional Regeneration Areas may be identified in Portlaoise or in other Laois towns during the Plan period.



Due to its location, the area benefits from extensive existing public infrastructure including roads, water infrastructure, Portlaoise train station and schools (primary, secondary, further education), existing facilities include a running track, public park, family resource centre in the vicinity, as well as the commercial and civic services available in the Town Centre. Appropriate development of sites in this Regeneration Area has the potential to make efficient use of public infrastructure and facilities, deliver homes, enable smarter travel and sustainable communities as well as contribute to the implementation of the Council’s Core Strategy, Housing Strategy and Retail Strategy in Portlaoise, as set out in this Plan.

The Regeneration Area currently includes disused lands in neglected condition; its streetscapes are marred by inactive gap sites or derelict buildings that detract from its

character, appearance and amenity. There are indications of anti-social behavior in the Area and its vicinity, especially along Harpur's Lane with a number of derelict houses along that Street. In the opinion of the Planning Authority the existence of vacant sites within the Regeneration Area exacerbates anti-social behavior in the area. Appropriate development of sites in this Regeneration Area has the potential to provide passive surveillance and active land uses, enlivening and enhancing the character, appearance and amenity of the area.

Vacant Site Policies

HP₁₃

Maintain the Laois Register of Vacant Sites, entering or deleting Sites from the Register in accordance with the Urban Regeneration and Housing Act 2015 and related Departmental Guidance

HP₁₄

Identify additional Regeneration Area(s) and/or make determinations that a need for housing exists in additional Laois Towns during the Plan period as appropriate

HP₁₅

Implement the provisions of the Urban Regeneration and Housing Act 2015 by entering vacant housing sites on the Laois Register of Vacant Sites and thereafter imposing levies in accordance with the Act within lands zoned Residential 1 or Residential 2 in Portlaoise, Portarlinton, Mountmellick, Graiguecullen and any other Laois towns with an identified housing need, as appropriate

HP₁₆

Implement the provisions of the Urban Regeneration and Housing Act 2015 by entering vacant regeneration sites, located within the Portlaoise Regeneration Area identified herein, or within any other identified Regeneration Area, on the Laois Register of Vacant Sites and thereafter impose levies in accordance with the Urban Regeneration and Housing Act 2015

HP₁₇

Facilitate the development of all classes of dwelling units within the Regeneration Area identified herein in Portlaoise notwithstanding zoning restrictions relating to some classes of dwelling units set out in the zoning matrix of the Portlaoise Local Area Plan 2012-2018, this policy shall become defunct once the Portlaoise Local Area Plan 2012-2018 is superseded.

Economic Development

Proposed by Councillor Catherine Fitzgerald

Seconded by Councillor Mary Sweeney to:

Include a sub-section 5.2 entitled "Industrial and Commercial Zoning" and re-number other sub-sections accordingly.

Laois County Council is proposing extensive industrial and commercial land-use zonings in the draft Plan.

The Council is mindful of the need to ensure that economic development and employment opportunities within the county are maximized so as to cater for the dramatic increase in population that has occurred over the past two decades in particular.

The type and quantum of such zonings are as follows and are listed in order of size:

- Industrial: 242 hectares
- Enterprise and Employment: 229 hectares
- General Business 141 hectares
- Transport and Utilities: 76 hectares
- Tourism: 42 hectares
- Retail Warehousing: 20 hectares

This is a total of 750 hectares [1,852 acres].

By way of comparison this exceeds by a factor of 3, the amount of land earmarked for residential development [240 hectares] in the Core Strategy Table on page 29 of the draft Plan.

In addition other zonings which are more generic in name allow for a certain level of economic development. For example the land use light industry is considered as “open for consideration” [without invoking a material contravention procedure] in Town and Village Centres zonings.

As expected the bulk of the industrial and associated zonings are located in accordance with the settlement strategy which in turn adheres to advice from the Midland Regional Planning Guidelines as to the optimum siting of population growth and employment generation. The Principal Town of Portlaoise, the Key Service Town of Portarlinton and the Service Towns of Abbeyleix, Graiguecullen, Mountmellick, Mountrath and Stradbally collectively account for 487 hectares [65%] of the overall total.

The Council is also mindful of the economic development opportunities presented as a result of recent large scale road and rail infrastructure projects throughout the county such as the M7 and M8 Motorway and various rail upgrades.

This has been of major benefit to Portlaoise following on from its designation in both the NSS and RPGs as an Inland Port and National Transport Node In recognition of this designation, the Council has been pro-active and has serviced and zoned a large landbank at Togher, due south of the town centre and directly adjacent to the M7, for various enterprise and employment activities. The ability of this site to facilitate Foreign Direct Investment development opportunities will be maximised during the Plan period.

Moreover, the Council has allocated economic development and employment generating land use zonings in a number of smaller settlements that benefit from being in close proximity to the improved road and rail transport network. These locations include Borris-in-Ossory, Ballacolla, Ballybrittas and Rathdowney.

Wind Energy

Given that there were a number of submissions that relate to this subject , it was agreed to deal with the item under Section 6: Infrastructure Strategy (Energy and Communications) at a later stage.

The next submission dealt with was from SUBMISSION No 5 : EASTERN AND MIDLAND REGIONAL ASSEMBLY (EMRA)

Core Strategy

Proposed by Councillor William Aird

Seconded by Councillor Paddy Bracken to include the following:

Objective OBJ₁ in Section 2 of the Draft Plan and re-number other objective accordingly.

OBJ₁ The Planning Authority will undertake a review of the housing strategy subsequent to the adoption of the future Regional Spatial and Economic Strategy [RSES] by the Eastern and Midland Regional Assembly.

Amend original objective OBJ₁ so as to read as follows:

OBJ 2 To review the Portlaoise Local Area Plan (2012-2018) and Mountmellick (2012-2018) and the joint Local Area Plans for Portarlington(2012-2018) and the Joint spatial Plan for Greater Urban Area of Carlow / Graiguecullen (2012-2018) [in association with Offaly County Council and Carlow County Council respectively during the period of the Laois County Development Plan 2017-2023. New residential development in the local area plan areas shall only proceed in an orderly and structured fashion and be in accordance with the overall core strategy as set out in the Laois

Settlement Strategy

Proposed by Councillor Paschal McEvoy

Seconded by Councillor John Joe Fennelly that:

Ballylynan should be removed from the “Local Service Town” category and re-designated as a “**Newly Emerging Local Service Town**”. Figure 6 to be amended accordingly by inclusion of this category above “Villages >400” category and below “Local Service Town” category.

Social, Community and Recreational

No suggested changes and the Members agreed with the Chief Executive’s recommendation in relation to this submission

Proposed by Councillor Mary Sweeney

Seconded by Councillor Noel Tuohy

Economic Development

**Proposed by Councillor Catherine Fitzgerald
Seconded by Councillor Mary Sweeney to:**

Include a sub-section 5.2 entitled “Industrial and Commercial Zoning” and re-number other sub-sections accordingly.

Laois County Council is proposing extensive industrial and commercial land-use zonings in the draft Plan.

The Council is mindful of the need to ensure that economic development and employment opportunities within the county are maximized so as to cater for the dramatic increase in population that has occurred over the past two decades in particular.

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In addition other zonings which are more generic in name allow for a certain level of economic development. For example the land use light industry is considered as “open for consideration” [without invoking a material contravention procedure] in Town and Village Centres zonings.

As expected the bulk of the industrial and associated zonings are located in accordance with the settlement strategy which in turn adheres to advice from the Midland Regional Planning Guidelines as to the optimum siting of population growth and employment generation. The Principal Town of Portlaoise, the Key Service Town of Portarlington and the Service Towns of Abbeyleix, Graiguecullen, Mountmellick, Mountrath and Stradbally collectively account for 487 hectares [65%] of the overall total.

The Council is also mindful of the economic development opportunities presented as a result of recent large scale road and rail infrastructure projects throughout the county such as the M7 and M8 Motorway and various rail upgrades.

This has been of major benefit to Portlaoise following on from its designation in both the NSS and RPGs as an Inland Port and National Transport Node In recognition of this designation, the Council has been pro-active and has serviced and zoned a large landbank at Togher, due south of the town centre and directly adjacent to the M7, for various enterprise and employment activities. The ability of this site to facilitate Foreign Direct Investment development opportunities will be maximised during the Plan period.

Moreover, the Council has allocated economic development and employment generating land use zonings in a number of smaller settlements that benefit from being in close proximity to the improved road and rail transport network. These locations include Borris-in-Ossory, Ballacolla, Ballybrittas and Rathdowney.

Proposed by Councillor Catherine Fitzgerald
Seconded by Councillor Mary Sweeney

Infrastructure Given that there were a number of submissions that relate to this subject , it was agreed to deal with the item under Section 6: Infrastructure Strategy (Energy and Communications) at a later stage.

Heritage

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

Proposed by Councillor Mary Sweeney
Seconded by Councillor John King

General location and pattern of development

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

Proposed by Councillor John Joe Fennelly
Seconded by Councillor Brendan Phelan

SEA/AA and SFRA

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

Proposed by Councillor Seamus McDonald
Seconded by Councillor Mary Sweeney

OTHER

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

Proposed by Councillor Seamus McDonald
Seconded by Councillor Mary Sweeney

Following the consideration of the Submissions from the Department of Housing, Planning , Community and Local Government and the Eastern and Midland Assembly, the remaining submissions were dealt with on a section by section basis as per the sections of the Draft County Development Plan for ease of reference.

SECTION 1: INTRODUCTION AND STRATEGIC CONTEXT

Submission No. 39 – Keep Ireland Open

Proposed by Councillor Paddy Bracken

Seconded by Councillor Seamus McDonald

To include the following -

*Section 1.2 - The Planning and Development Act 2000(as amended) requires that a **Development Plan shall**, so far as is practicable, **be consistent with National and Regional Plans, Policies and Strategies** which relate to proper planning and development and is also required to have regard to Guidelines by the Minister for the Environment, Community and Local Government.*

In Section 1.2.1. it is proposed to include the following -

MANDATORY REQUIREMENTS OF THE COUNTY DEVELOPMENT PLAN

1. Be consistent as far as possible with National Plans, Strategies and Policies which relate to proper planning and sustainable development
2. Have regard to the effects implementing the plan will have on adjoining local authorities
3. Set out the overall strategy for the proper planning and sustainable development of County Laois County Council
4. Contain a written statement and a plan or plans indicating the development objectives for County Laois
5. Objectives for the zoning of land for the use of particular areas for particular purposes (whether residential, commercial, industrial, agricultural, recreational, as open space or otherwise or a mixture of such uses) where and to such an extent as the proper planning and sustainable development of the area requires the uses to be
6. Objectives for the provision of infrastructure including transport, energy and communication facilities and water supplies. Objectives for the provision of (or facilitation of provision of) waste recovery and disposal facilities in accordance with the Waste Management Plan made in accordance with the Waste Management Act 1996.
7. Objectives for the conservation and protection of the environment (including, in particular archaeological heritage and natural heritage) and the conservation and protection of European sites.
8. Objectives for the integration of the planning and sustainable development of County Laois with the social community and cultural requirements of the County and its population
9. Objectives for the preservation of the character of the landscape (including the preservation of views and prospects and the amenities of places and features of natural beauty or interest)

10. Objectives for the protection of structures (or parts of structures) which are of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.
11. An objective for the preservation of the character of architectural conservation areas
12. Objectives for the development and renewal of areas in need of regeneration
13. Objectives for the provision of accommodation for travellers and the use of particular areas for that purpose
14. Objectives for the preservation, improvement and extension of amenities and recreational amenities
15. Objectives for the control of the siting of new establishments, of the modification of existing establishments, and of the development in the vicinity of establishments for the purposes of reducing the risk , or limiting the consequences, or a major accident
16. Objectives for the provision of services for the community including in particular schools, crèches and other educational and childcare facilities.
17. Include a strategy for ensuring the proper planning and sustainable development of the County provides for housing of the existing future.

The Planning and Development Act 2010 includes the following additional objectives for

“the encouragement, pursuant to Article 10 of the Habitats Directive, of the management of features of the landscape, such as traditional field boundaries, important for the ecological coherence of the Natura 2000 network and essential for the migration, dispersal and genetic exchange of wild species;

The promotion of compliance with environmental standards and objectives established—

- (i) For bodies of surface water, by the European Communities (Surface Waters) Regulations 2009;
- (ii) for groundwater, by the European Communities (Groundwater) Regulations 2010; which standards and objectives are included in river basin management plans (within the meaning of Regulation 13 of the European Communities (Water Policy) Regulations 2003);”

the provision, or facilitation of the provision, of services for the community including, in particular, schools, crèches and other education and childcare facilities;

The protection of the linguistic and cultural heritage of the Gaeltacht including the promotion of Irish as the community language, where there is a Gaeltacht area in the area of the development plan;

The promotion of sustainable settlement and transportation strategies in urban and rural areas including the promotion of measures to—

- (i) reduce energy demand in response to the likelihood of increases in energy and other costs due to long-term decline in non-renewable resources,
- (ii) reduce anthropogenic greenhouse gas emissions, and

(iii) address the necessity of adaptation to climate change; in particular, having regard to location, layout and design of new development;

the preservation of public rights of way which give access to seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility, which public rights of way shall be identified both by marking them on at least one of the maps forming part of the development plan and by indicating their location on a list appended to the development plan, and

landscape, in accordance with relevant policies or objectives for the time being of the Government or any Minister of the Government relating to providing a framework for identification, assessment, protection, management and planning of landscapes and developed having regard to the European Landscape Convention done at Florence on 20 October 2000

Have regard to the **County Heritage Plan**.*

SECTION 2: DEVELOPMENT PLAN STRATEGY

Submission No: 30 – Yvonne Jackson; Failte Ireland

Proposed by Councillor John Joe Fennelly

Seconded by Councillor Jerry Lodge

To include as follows

Zones D (Timahoe/ Swan) and **Zone E** (Slieve Blooms) have very definite rural and natural amenity with mixed farming and forested uplands. This scenario will lead to low levels of change in this zone – apart from increased pressure due to the development of tourism pursuits based on the natural amenities of these zones – walking, cycling, boating. Visitor attractions such as Abbeyleix Heritage House, Timahoe Round Tower and the Rock of Dunamais are indicated on the “**Irelands Ancient East**” ~~Trail~~ **Initiative** to encourage the growth of the tourism product within this County. It is anticipated that related and complimentary tourism could flourish in this zone subject to environmental and proper planning sustainable development standards.

Submission No: 33 – Environmental Protection Agency

Proposed by Councillor John Joe Fennelly

Seconded by Councillor Jerry Lodge

To amend as follows

OBJ 1 To review the Portlaoise Local Area Plan (2012-2018) and Mountmellick (2012-2018) and the joint Local Area Plans for Portarlington(2012-2018) and the Joint spatial Plan for Greater Urban

*Area of Carlow / Graiguecullen (2012-2018) [in association with Offaly County Council and Carlow County Council respectively] during the period of the Laois County Development Plan 2017-2023. **New residential development in the local area plan areas shall only proceed in an orderly and structured fashion and be in accordance with the overall core strategy as set out in the Laois County Development plan 2017-2023.***

Submission No: 56 – An Taisce

Proposed by Councillor Jerry Lodge

Seconded by Councillor Paddy Bracken

To amend as follows

***Aim9** Facilitate the economic , social and green sustainable development of the County through the provision of adequate transport infrastructure **including walking and cycling infrastructure and initiatives** and optimise the return of investment on infrastructure while preserving the natural and built heritage;*

Aim10** Ensure a good quality of life and good health for the residents of Laois through maintaining and improving waste water treatment and water supplies and to minimise the adverse impacts of development on the environment through policies for the management of waste and emissions **and management and protection of our water quality and seek to achieve our obligations under the Water Framework Directive;

Submission No: 74 – Marc Van Den Bergh & Dave Fingleton

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

Proposed by Councillor John King

Seconded by Councillor Seamus McDonald

Submission No: 64 – Carlow County Council

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

Proposed by Councillor John King

Seconded by Councillor Paddy Bracken

Submission No: 77 – Offaly County Council

Proposed by Councillor John King

Seconded by Councillor Paddy Bracken

To amend as follows –

***OBJ1** The Planning Authority will undertake a review of the housing strategy subsequent to the adoption of the future Regional Spatial and Economic Strategy [RSES] by the Eastern and Midland Regional Assembly.*

Amend original objective OBJ1 so as to read as follows

OBJ2 To review the Portlaoise Local Area Plan (2012-2018) and Mountmellick (2012-2018) and the joint Local Area Plans for Portarlinton(2012-2018) and the Joint spatial Plan for Greater Urban Area of Carlow / Graiguecullen (2012-2018) [in association with Offaly County Council and Carlow County Council respectively] during the period of the Laois County Development Plan 2017-2023. New residential development in the local area plan areas shall only proceed in an orderly and structured fashion and be in accordance with the overall core strategy as set out in the Laois County Development plan 2017-2023.

Submission No: 3 – Brian Stanley, T.D., Councillor Aidan Mullins & Caroline Dwane Stanley

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

Proposed by Councillor Aidan Mullins

Seconded by Councillor Caroline Dwane Stanley

SECTION 3 : HOUSING POLICY

Submission No; 42 – Mary White

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

Proposed by Councillor Jerry Lodge

Seconded by Councillor John King

Submission No: 56 – An Taisce

Proposed by Councillor Ben Brennan

Seconded by Councillor Catherine Fitzgerald

It was agreed to amend DM 11 (Development Constrol Standards to remove the wopr timber from the standard

The side boundaries of rear gardens shall be 1.8m-2m in height and shall be formed by high quality boundary treatments such as concrete block walls or concrete post and ~~timber~~ rail fencing.

SECTION 4: SOCIAL, COMMUNITY & RECREATIONAL STRATEGY

Submission No: 18 – Sean Mullins

Proposed by Councillor John Joe Fennelly

Seconded by Councillor Paddy Bracken

To include as follows

OBJ1 Establish a working committee representing relevant to investigate the feasibility of developing a Greenway Network throughout County Laois, and linking County Laois to regional and national Greenway Networks.

Submission No: 33 – Environmental Protection Agency

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

Proposed by Councillor John King

Seconded by Councillor James Kelly

Submission No: 39 – Keep Ireland Open

Proposed by Councillor Mary Sweeney

Seconded by Councillor Noel Tuohy

To amend as follows

4.2.4 Historic Graveyards and Burial Grounds

Burial Grounds are an important part of local heritage and often contain standing artefacts or sites of earlier structures. Listed Burial Grounds are protected under Sec 12 of the National Monuments(Amendment) Act 1994. Consultation with the NMS of the DoAHG is necessary prior to undertaking works.

The majority of the older/historic burials grounds are listed in the RMP and protected as archaeological monuments by the National Monuments Acts 1930-2004.

Replace Policy BG 3

~~Protect the cultural heritage of historical burial grounds within County Laois and encourage their management and maintenance in accordance with conservation principles~~

with the following wording

Protect, preserve, enhance, conserve and maintain the cultural heritage of archaeological/historic graveyards and historic burial grounds(including those identified in the RMP), and continue to encourage and promote local involvement and community stewardship in the care, maintenance, rehabilitation, management and conservation of these graveyards in accordance with legislation and best conservation and heritage and principles.

4.3 NATURAL AND RECREATIONAL AMENITIES

Amend 3rd para to state the following

Countryside recreation refers to a wide range of activities including horse riding, cycling, walking, picnicking, ~~counrty drives~~, off-road biking, nature trails, bird

watching, painting, photography, field studies, orienteering, para –gliding and hang-gliding, rock climbing, *back-packing, caving, mountaineering, hill walking* and adventure sports, *camping in the wild*, archaeological guided walks and water related activities such as swimming, boating, canoeing and kayaking, **wildlife and heritage trails, bird and animal watching, rafting, hill walking, mountain running, mountaineering, swimming and boating.** Laois County Council continues to work with the adjoining Counties to further develop and coordinate countryside recreation activities in an environmentally sustainable manner.

Include the following policy

NRA 8

Support, promote and facilitate the provision and the development of outdoor activities and seek to preserve, improve and extend recreational amenities.

Include the following objective -

Explore the potential for rural recreational tourism in conjunction with Tourism bodies, Waterways Ireland, Failte Ireland, National Trails Office and National Parks and Wildlife to diversify the range of tourist experience and extend the tourist season.

Include the following new policy

NRA 9

Recognizing the role played by natural amenities and landscape, as part of our heritage and as a major resource both for visitors and local people, support and protect public access to our natural heritage including mountains, uplands moorlands, forests, rivers, lakes, valleys, nature reserves, scenic areas, areas of natural beauty and to the countryside generally .

**Submission No: 50 – Durrow Development Forum c/o Mary Walsh
Proposed by Councillor James Kelly
Seconded by Councillor Brendan Phelan**

To amend as follows

Re-word policies TM14 and TM18 as follows:

*TM 14 Support in principle and investigate the feasibility of, subject to compliance with the Habitats and Birds Directive, developing and marketing off-road Slieve Bloom Mountain Biking Trail by Coillte and **Durrow Green Network Cycle Trail in co-operation with relevant stakeholders including Durrow Development Forum.***

*NRA18 Investigate the feasibility of developing walking and cycling routes [such as the Slieve Bloom Mountains Biking Project, **Durrow Green Network Cycle Trail**] to reflect recreational value and to implement strategic green*

corridors and ensure that any plan or project associated with open space planning, recreation or tourism is subject to Appropriate Assessment Screening in compliance with the Habitats Directive, and subsequent assessment as required.

*TRANS56 Support the designation of forest cycling areas in Laois such as at cycle club trails at **Durrow**, Cullenagh, Fossey and Cullahill Mountain.*

Submission No: 37 & Submission No: 58 – Michael G Phelan, Woodenbridge Paddlers Association

Proposed by Councillor John Joe Fennelly

Seconded by Councillor Noel Tuohy

To amend as follows

Add an additional policy as follows and re-number others accordingly:

TM 23 Subject to compliance with the Habitats and Birds Directives, support in principle the development and marketing of the Erkina River Blueway Trail in association with all relevant stakeholders including Woodenbridge Paddlers Association and facilitate related commercial opportunities in Durrow as well as opportunities to link with other tourist and recreational facilities in the area.

Amend wording of policy Trans48 as follows:

TRANS48

Develop on-road cycle trail with a Rathdowney Trailhead to facilitate sporting and general cycling as well as link points of interest including Donaghmore Workhouse and Museum, Aghaboe Abbey, views of Gortnaclea Castle, Clough Village, Grantstown Lake and River Erkina.

Submission No: 42 – Mary White

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

Proposed by Councillor Willie Aird

Seconded by Councillor James Kelly

Submission No: 70 – Staff Our Libraries Community Group c/o Geraldine Moore

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

Proposed by Councillor James Kelly

Seconded by Councillor Mary Sweeney

SECTION 4: Social, Community & Recreational Strategy (40-64)

Submission No: 73 – Ger Scully

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

Proposed by Councillor Mary Sweeney

Seconded by Councillor Ben Brennan

Submission No: 77 – Offaly County Council

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

Proposed by Councillor Caroline Dwane Stanley

Seconded by Councillor Seamus McDonald

Submission No: 76 – Department of Education & Skills, C/o Veronica Kelly

Proposed by Councillor William Aird

Seconded by Councillor John Joe Fennelly

To amend as follows

State correct departmental title: **Department of Education and Skills**, not ~~Department of Education and Science~~.

Include the following wording at start of Section

4.2.1:

Education is critical to achieving the full socio-economic potential of the study area.

In terms of planning for the provision of education infrastructure in Portlaoise, the primary role of the Planning Authority is to identify and reserve sufficient lands at the most optimum locations within the study area.

In general, where new schools are required, they should be located close to, or within the main residential areas of urban settlements so that as many students [and teachers] as possible can walk or cycle to school. The opportunity should be taken to locate the schools so that they naturally contribute to the development of a sense of community. Proximity to open space areas should also be a factor for consideration as this would allow ready access to these amenities and other aligned facilities by the schools and in the strategic long-term may future-proof these schools for possible future expansion should that be necessary.

School and other educational premises represent a valuable resource in terms of land and buildings, which generally are only used on a partial basis. The dual use of educational facilities, where it does not conflict with the delivery of the education service can contribute to meeting the wider needs of the community, by helping to satisfy demand for a variety of activities.

Section 28 Guidelines entitled The Provision of Schools and the Planning System: A Code of Practice [DoEHLG, 2008] is the pre-eminent guiding document against which applications of this type will be considered.

The Department of Education and Skills Technical Guidance Document TGD-025 Identification and Suitability Assessment of Sites for Primary Schools 2012 will also be consulted.

Add an additional policy SOC 1 and re-number others accordingly as follows:

SOC₁ Encourage, promote and facilitate the provision of education infrastructure and related facilities in accordance with Section 28 national guidelines entitled The Provision of Schools and the Planning System: A Code of Practice [DoEHLG, 2008].

Submission NO: 63 – Marc Van Den Bergh

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

Proposed by Councillor Jerry Lodge

Seconded by Councillor William Aird

Submission No: 68 – Laois Sports Partnership and Laois County Council Sport & Leisure Section

Proposed by Councillor Paddy Bracken

Seconded by Councillor Catherine Fitzgerald

Amend as follows

Laois Sports Partnership and Laois County Council are to continue to facilitate the development of quality and inclusive sport and recreation facilities, programmes and projects through capacity building.

4.3.1 Open Space Provision

Replace NRA9 with the following –

~~Ensure that a range of options are explored for the provision of open space in consultation with the County play strategy;~~

Update the County Play and Recreation Strategy in consultation with the National Play & Recreational Strategies

Add an additional policy as follows and re-number others accordingly:

TM 23 Subject to compliance with the Habitats and Birds Directives, support in principle the development and marketing of the Erkina River Blueway Trail in association with all relevant stakeholders including Woodenbridge Paddlers Association and facilitate related commercial opportunities in Durrow as well as opportunities to link with other tourist and recreational facilities in the area.

Amend wording of policy Trans48 as follows:

TRANS₄₈

Develop on-road cycle trail with a Rathdowney Trailhead to facilitate sporting and general cycling as well as link points of interest including Donaghmore Workhouse and Museum, Aghaboe Abbey, views of Gortnaclea Castle, Clough Village, Grantstown Lake and River Erkina.

NRA 26 – Amend TO Play & Recreational Plan

Devise and adopt, in co-operation with other relevant agencies, a “Play and Recreational Plan for County Laois” setting out strategy for the provision, resourcing and implementation of improved social and play opportunities for children and the youth of the County.

Include the following policy

Develop the potential of Co Laois as an Outdoor Activity Hub.

Amend development management standard 04 to state as follows

DM 04

Public open space shall be clearly defined and be of high quality design and finish which is easily maintained, easy to access from all parts of the development, easy to use including by people with disabilities, has good lighting and natural surveillance and is enjoyable to use, walk and cycle around all year round. These spaces should include **informal play spaces, safe well-lit pathways which will facilitate children learning to cycle, adults able to walk safely and encouraging social interaction between local resident**

SECTION 5 : ECONOMIC DEVELOPMENT

Submission No: 2 – Minister for Agriculture, Food and Marine

No suggested changes and the Members agreed with the Chief Executive’s recommendation in relation to this submission

Proposed by Councillor John King

Seconded by Councillor Jerry Lodge

Submission NO: 7 – Roadstone Limited, c/o SLR Global Environment Solutions

Proposed by Councillor John King

Seconded by Councillor Jerry Lodge

Add the following wording to **Section 5.9:**

“Aggregate extraction can only take place where suitable aggregate resources exist; they are a ‘tied’ resource. It is considered, therefore, that planning policies should be carefully constructed to avoid adverse effects on aggregate resources and the related

extractive industries and added value production that are essential for the built environment, infrastructure and future economic development.

Like many forms of development, extractive industries have the potential to cause harm to the environment, heritage and the landscape if not appropriately designed and managed. However, aggregates are a necessary resource and are of great importance to the economy and society. In addition, well managed and designed quarry sites minimise environmental effects. There is also the potential for habitat creation through the restoration of quarry sites following the cessation of operations.

Include additional policies as follows:

RUR XX -To support the necessary role of the extractive industries in the delivery of building materials for infrastructural and other development and to recognize the need to develop extractive industries for the benefit of society and the economy

and

RUR XX-To secure the long-term supply of value-added products (such as concrete products and asphalt, which are often, but not always, produced in conjunction with aggregate extraction.

Append the following wording to **policy RUR9**:

Investigate the feasibility of mapping the full extent of aggregate resources of the county during the lifetime of the County Development Plan 2017-20213 and Seek to prevent the sterilisation and inappropriate development of aggregate and mineral resources in order to ensure a sustainable supply of these non-renewable resources.

Amend **objective OBJ 2** as follows [in thicker italics] :

*OBJ 2 Recognise the importance of archaeology and National Monuments as part of our heritage and provide public access, subject to reasonable conservational restrictions, **reasonable considerations of public safety and avoidance of adverse effects on extant land uses**, to Archaeological Sites and National Monuments in state, Council or private ownership. Traditional access routes will be designated as public rights of way. In other cases, routes will be acquired either by agreement with landowners or way of compulsory powers. Appropriate signage will be put in place”;*

Amend **objective OBJ2** [Archaeological Heritage] as follows:

*OBJ2 Secure the preservation (in situ) of existing archaeological monuments including the integrity of town defences, town walls, embankments, town gates, bastions or ancillary fortifications or portions thereof. **Preservation by record may also be appropriate in some circumstances [as determined by the Planning Authority] in accordance with Framework and Principles for the Protection of the Archaeological Heritage.***

Amend policy DM53 [Hedgerows] as follows:

Hedgerows define rural landscapes and are valuable for terrestrial forms of wildlife. They are particularly important for birds and woodland plants. They provide commuting and feeding corridors for bats. Where they are found in settlements they are significant habitats and corridors for biodiversity.

Good hedgerows can easily be identified by their structure and location in the landscape. Best quality hedgerows will have all the following characteristics:

- i. a few mature trees,*
- ii. a three tier structure (with trees, shrubs and herbs)*
- iii. few gaps and*
- iv. will not have been cut into a box shape. Shrubs (almost always) include hawthorn, blackthorn or and possibly dog rose.*
- v. The herb layer is found under the shrub layer. It should form a strip of tall grassland along the margin of the hedgerow.*

In dealing with applications for new developments, the Planning Authority will have regard to the following:

- i. Retention of a connected network of good quality hedgerows;*
- ii. The value of hedgerows as green infrastructure (landscape, biodiversity, shelter, supporting services to agriculture/horticulture;*
- iii. The avoidance of the unnecessary removal of hedgerows;***
- iv. If it is necessary to remove a hedgerow, developers should be reminded of their obligations under the Wildlife Acts not to remove or interfere with them during the bird nesting season, between March 1st and 31st August. Also, replacement or compensatory planting of hedgerows using indigenous species such as whitethorn or blackthorn only will be required;***
- v. Proposals to integrate hedgerows into the layout of a new linear feature such as a road/ pedestrian/cycle track;*
- vi. Depending on the potential risks of anti-social activity or requirements for a more garden look the margins of these new hedgerows/woodlands/new shrubberies could be planted with colourful non natives (for amenity) or spiny shrubs to deter vandals. By occasionally mowing the grass margin of hedgerows (or part of it), they will look managed. As litter will accumulate in long grass along their margins arrangements will have to be made to carry out regular clean ups;*
- vii. Encouragement should be given to develop a new linear feature of biodiversity value such as a hedgerow or dry stone wall, particularly if this type of habitat is found adjacent to the development site;*
- viii. The use of native tree and shrub species similar to those found in adjacent hedgerows in new or replacement hedgerows;*
- ix. The wholesale removal of hedgerows to facilitate the achievement of adequate sightline visibility for one-off houses in the countryside will not be encouraged.*

Submission No: 8 – Laois Farm Forestry Group

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

Proposed by Councillor Mary Sweeney

Seconded by Councillor James Kelly

Submission No: 33 – Environmental Protection Agency (EPA)

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

Response : SEA considers likely effects on the environment

Proposed by Councillor John Joe Fennelly

Seconded by Councillor Jerry Lodge

Submission No: 39 – Keep Ireland Open

Proposed by Councillor John Joe Fennelly

Seconded by Councillor Paschal McEvoy

Include the following policies

RUR XX

Protect rural amenities, natural archaeological and natural heritage, visual amenities, eco-systems, conservation areas, landscape and scenic views from adverse impacts of agricultural practices and development particularly in high amenity areas and ensure that it is appropriate in nature and scale, and ensure it does not have an undue negative impact on the visual/scenic amenity of the countryside and identify mitigating measures where required. Integrate into the landscape, including the minimal use of signage.

Include the following policies

RUR xx

Protect access routes to upland walks and rights of way.

RUR xx

Not to permit the convergence of the forest edge and the skylines and avoid geometric shapes particularly in uplands and monitor forestry applications in elevated and prominent landscapes and being conscious of the potentially negative visual impact of forestry development on landscape quality, conservation and harmony and on the surrounding area in terms of its nature and scale (including clear-felling activity), protect from injury scenic and exposed/elevated landscapes, scenic routes, views, prospects and vistas(including to water and valley approaches to the hills), Geological sites, National Monuments, heritage features, Aquatic zones, and in Primary and Secondary Amenity Areas.

Ensure that exclusion zones are applied to sites of archaeological importance and areas of archaeological potential. The Council will seek to have such planting and felling conducted in a manner which takes into account best practice in forestry planting and felling in the context of landscape design so that it integrates into the landscape.

RUR xx

Discourage new forestry development, except for broadleaf in Sensitive Rural Landscapes and Visually Vulnerable Areas, along designated Scenic Routes (Broadleaf forestry will be open to consideration in these areas).

RUR xx

Forest development should follow current best practice and adhere to/be in accordance with Forest Service Guidelines and in respect of Landscape Guidelines where landscape objectives should focus on compatibility and enhancement of existing local landscape character. It should have regard to* FS “Code of Best Forest Practice (2000)”.

OBJ XX

Plan and prepare for the future use of large industrial peatland sites when peat harvesting finishes in conjunction with NPWS, Coillte and ESB/Bord na Mona and other stakeholders.

Mining and Aggregates

Include the following text

The following National Guidelines (as may be superseded and/or updated) should be complied with:

- i. Environmental Management(EPA 2006);
- ii. Quarries and Ancillary Activities: DOECLG Guidelines 2004);
- iii. Environmental Code(ICF 2006);
- iv. Geological Heritage Guidelines(ICF & GSI 2008);
- v. Archaeological Code of Practice((ICF & DOECLG 2009);
- vi. Secs 261 & 261A Planning and Development Acts 2000 – 2013.

DM68

Applications for new development for aggregate extraction, processing and associated processes,

- a) Have regard to* the Landscape Character Assessment / Sensitivity Rating and its recommendations
- b) Include screening proposals
- c) Submit a detailed landscape and visual assessment must be submitted with proposals and will be used to determine the extent of the area of visual influence. The Planning authority will impose strict conditions on planning permissions requiring appropriate mitigation measures to reduce impacts on the surrounding area.

- d) require that development is phased and each phase is rehabilitated to the highest possible standards before the next phase is commenced and the applicant must submit a detailed restoration programme on the manner and timing of restoration and after care/re-use
- e) Carry out processing and storage of extractive aggregates in a manner which minimises the impact on the natural environment.
- f) Recognising that the aggregates and concrete products industry have a particularly sensitive role in relation to the environment and any development of aggregate extraction, processing, delivery and associated concrete production must be carried out in a manner which minimises adverse effects on the environment and has due regard for visual amenities.
- g) Provide details and plans of any other buildings, plant and structures to be erected.

Submission No: 56 – An Taisce
Proposed by Councillor John Joe Fennelly
Seconded by Councillor Jerry Lodge

To make the following amendments

ECN 25 Support the hosting of markets (including farmers markets), events or festivals in town/village centre locations and the running of town-based cultural/learning facilities such as the Dunamase Theatre, the Stradbally Arthouse and Laois’ library network in the interests of vitality and vibrancy

Include the following paragraph

Peatlands are one of the world’s most important ecosystems. Covering a mere 3% of the world’s terrestrial surface, peatlands contain 550 gigatonnes of carbon, making them the most important long term carbon sinks in the terrestrial biosphere. This ability of peatlands to store CO₂ and other greenhouse gas means they have a net cooling effect on the global climate. Our management of peatlands has to be sustainable. The rewetting and restoration of peatland has the capacity to secure existing carbon stock and reinitiate the carbon sequestration capacity of degraded peatlands.

It is proposed to amend policy RUR 4 as follows

Support the appropriate sustainable management of peat extraction and related manufacturing activities subject to environmental, traffic and planning considerations and ensure that any plan or project associated with peatland development is subject to the appropriate assessment screening in compliance with the Habitats Directive, and subsequent assessment if required;

Submission No: 30 – Yvonne Jackson Failte Ireland

Proposed by Councillor Noel Tuohy
Seconded by Councillor Jerry Lodge

INCLUDE THE FOLLOWING text is recommended after the second paragraph in Para. 5.10 –Tourism.

Proposed texts, after second paragraph in Para. 5.10 – Tourism: “Ireland’s Ancient East, established in 2016, has a target growth in visitor numbers of 600,000 (21%) to the region and an additional visitor revenue of €204 million (28%). To offer visitors a compelling motivation to visit the east of Ireland, Failte Ireland has developed a new umbrella destination brand called Ireland’s Ancient East. The brand is rooted in the rich history and diverse range of cultural heritage experiences that are particularly prevalent in the East, South and Midlands regions of Ireland. The new destination brand has been designed to appeal to the key customer segments – namely the Culturally Curious and the Great Escapers – and to present this large geographic area in a cohesive and unified manner. Ireland’s Ancient East offers a personal experience of 5,000 years of Europe’s history. A journey of discovery in a lush green landscape that attracted warring settlers for millennia, illuminated by stories told by the best story tellers in the world. The key strategic objectives of the Ireland’s Ancient East initiative are:

- To drive growth in international visitor numbers, tourism revenue and associated tourism employment in the regions which currently underperform in these areas.
- To move Ireland’s east and south from a transit and day tripping zone to a destination which attracts international overnight visitors. • To develop a world class visitor experience, this delivers fully on the brand promise. To differentiate Ireland’s east, south and midlands destination, within the international tourism marketplace, on the basis of the quality of its heritage experiences and a clear and memorable narrative, this links all experiences within it. Additional contextual information (Para.5.10) ,
- To disperse visitor traffic across the geography by encouraging the exploration of both the well-known attractions (in some cases congested) and lesser known sites and experiences (hidden gems).
- To ensure Ireland’s Ancient East is delivered in accordance with the principles of sustainable tourism, ensuring that economic, social and environmental benefits are delivered in a balanced way.

During the life-time of this Plan there will be a phased roll-out of the branding strategy, with investment in tourism signage and the enhancement of the visitor experience across the programme area. The strategy will develop Ireland’s Ancient East as a destination that is easy for the independent visitor to explore, interpret, understand and appreciate. The implementation strategy will deal with on the ground information as well as promotional aspects of the brand and the accessibility of sites, possibly including mechanisms for pre-booking, ticketing and improved management. The strategy will enhance the visitor experience by promoting innovation in product development including the delivery of information through foreign languages and using digital technology where appropriate.

Proposed text, to be inserted after first paragraph on page 76:

Failte Ireland data indicates that County Laois attracted approximately 57,000 overseas visitors in 2015. This demonstrates Laois’ potential as a tourism destination. Initiatives such as Ireland’s Ancient East aim to further increase the numbers of visitors to the county.

Remove second last paragraph from Para 5.10 as it is out of date.

~~Fáilte Ireland data indicates that County Laois attracts a low number of overseas visitors and less overseas tourism revenue than surrounding counties – revenue of €11 million and overseas visitor numbers of 37,000 in 2012. Despite the absence of a tourism tradition in Laois, Fáilte Ireland recorded an increased level of overseas visitors (40%) and revenue (73%) during *The Gathering 2013*. This demonstrates Laois' potential as a tourism destination.~~

Para 5.1 Add proposed text to end of first paragraph of introductory text.

This section deals with the economic development of Laois including town/village centre management, retail, tourism, inward investment, local entrepreneurship and the rural economy. A sound local economy is fundamental to fostering sustainable communities and a good quality of life. This Development Plan seeks to create the conditions to support the sustainable economic development of County Laois during the Plan period 2017-2023. The Council will engage and collaborate with all relevant stakeholders to ensure the economic potential of the tourism sector is secured for the benefit of the local economy. In addition to the economic benefits associated with the sector, Laois County Council is committed to protecting, promoting and enhancing the natural resources of the County making it a nicer place to live and visit.

Additional contextual information (Para. 5.10)

Fáilte Ireland promotes the incorporation of the principles of sustainability in the County Development Plan. The following five principles have been prepared to encapsulate the need to achieve a balance between appropriate tourism development and economic, environmental and social sustainability.

Faillte Ireland's Guidance on Sustainable Tourism Fáilte Ireland have developed five key principles that ensure developments achieve a balance between appropriate tourism development and economic, environmental and social sustainability. Developments will be assessed having regard to compliance with these, and the associated policies .

Principle 1: Tourism, when it is well managed and properly located, should be recognised as a positive activity which has potential to benefit the host community, the place itself and the visitor alike. Sustainable tourism planning requires a balance to be struck between the needs of the visitor, the place and the host community.

Principle 2: Our landscapes, our cultural heritage, our environment and our linguistic heritage all have an intrinsic value which outweighs their value simply as a tourism asset. However, sustainable tourism planning makes sure that they can continue to be enjoyed and cherished by future generations and not prejudiced simply by short term considerations.

Principle 3: Built development and other activities associated with tourism should in all respects be appropriate to the character of the place in which they are situated.

This applies to the scale, design and nature of the place as well as to the particular land use, economic and social requirements of the place and its surroundings.

Principle 4: Strategic tourism assets – including special landscapes, important views, the setting of historic buildings and monuments, areas of cultural significance and access points to the open countryside, should be safeguarded from encroachment by inappropriate development.

Principle 5: Visitor accommodation, interpretation centres, and commercial / retail facilities serving the tourism sector should generally be located within established settlements thereby fostering strong links to a whole range of other economic and commercial sectors and sustaining the host communities.

Sustainable tourism facilities, when properly located and managed can, especially if accessible by a range of transport modes, encourage longer visitor stays, help to extend the tourism season, and add to the vitality of settlements throughout the year. Underlying these principles for Sustainable Tourism, the definitions of economic, environmental and social sustainability, against which any tourism project should be assessed, are defined as follows: Economic sustainability must be considered to ensure that the tourism sector is managed. The key strengths of the County include landscape, heritage, natural environment, and lifestyle and amenity pursuits. The sector is highly affected by seasonality and there are extremes in visitor numbers at key attractions contrasted with smaller attractions which struggle to maintain visitor numbers. These ‘peaks and troughs’ should be carefully managed to ensure the protection of natural resources. Tourism innovation should also be encouraged – particularly where it brings about environmental benefits. Finally, for projects to be economically sustainable they should meet the needs of the permanent and also visitor population alike, so the preparation of robust business plans for all such developments will ensure proposals are viable and sustainable.

Additional contextual information (Para.5.10)

- Environmental sustainability will be central to the development and protection of a viable tourism sector and this is a key consideration in a County where tourism attractions are located in environmentally sensitive areas and close to historic areas where the quality of the built heritage and environment must be protected from inappropriate development – whether tourism related or not. The ‘mainstreaming’ of policy guidance tools such as the Strategic Environmental Assessment (SEA) will undoubtedly address any deficits in relation to many of these key policy areas.
- Social Sustainability is arguably more difficult to assess. Many of the potentially negative impacts of tourism development can however be addressed through careful consideration of the social and cultural nature of the receiving environment. The impacts that large-scale developments can have on existing local communities policies can be assessed having regard to the impact of visitor numbers on local quality of life, culture and heritage – with a particular

emphasis placed on unique areas such as culturally sensitive areas where small impacts over time may have a significant cumulative effect.

Amend ECN₄ with additional text as follows:

“Support the marketing of Laois for Inward Investment and as a visitor destination within the Ireland’s Ancient East initiative through the Laois LECP”.

Amend ECN₁₇ as follows

“Seek to provide opportunities for highly-skilled outbound commuters to work locally through local employment opportunities, tourism opportunities, the development of an e-working centre or working from home...”

Amend ECN 21 as follows:

“Encourage the maintenance of town/village centre buildings and improve the quality of the public realm in town/village centres making them more attractive and safe to locals and visitors, as well as more pedestrian and cycle-friendly. Prepare Public Realm Strategies, where appropriate, liaising closely with residents, visitors and other relevant stakeholders;”

Amend ECN₂₄ as follows

Retain and foster a mix of uses in town/village centres including commercial, community-based, civic, educational, recreational , Tourism and religious to bolster the central role of town/village centres in the day-to-day lives of Laois people

Amend ECN₃₀ as follows

Provide short-stay parking in town centres to support business and tourism activities, balancing the need to encourage people into the town centre against sustainable transport and land-use efficiency considerations

Amend Retail OBJ₄ as follows

“Acknowledge the importance of the principal, key service and service towns in providing a wide range of both convenience and comparison and visitor shopping in locations close to centres of population and larger, more remote retail hinterlands;”

Amend Retail OBJ₅ as follows

“Acknowledge the importance of local service towns, villages and rural serviced settlements and hinterlands in suburban and rural locations in meeting local and visitor shopping needs.”

Amend RET₄ as follows

“Ensure that the retail needs of the County’s residents and visitors are met as fully as possible within the.....”

Amend RET14 as follows

“Improve the public realm of town centres through the encouragement of high quality civic design, including but not limited to the provision of attractive street furniture, lighting and effective street cleaning. Prepare Public Realm Strategies, where appropriate, liaising closely with residents, visitors and other relevant stakeholders.”

Insert THE FOLLOWING NEW POLICY AFTER RUR1

RUR XX

“Support and facilitate agri-tourism and the work of farming / local bodies within the county in the promotion of the rural economy, including agriculture development, tourism adaptation, rural diversification and in the development of new initiatives to support farming.”

Amend TM7 as follows

Support and promote the existing **festivals and cultural events** which take place in the county and facilitate the establishment of new events where viable to increase the profile of the county as a key tourism destination and enjoyable place to be;

Insert THE FOLLOWING NEW POLICY AFTER
TM2

TM XX

“Direct the provision of tourist related facilities, such as information offices and cultural centres, into town and village locations to support and strengthen the existing economic infrastructure of such centres. In all cases, the applicant must submit a robust assessment setting out the sustainability of any proposal with respect to economic, environmental and social sustainability, as defined herein.”

Amend TM9 as follows

Promote and facilitate the development of **rural tourism** such as including but not limited to open farms, on-farm craft villages and visitor centres and the reuse and refurbishment of vernacular buildings (houses or farm/industrial buildings) for tourist related facilities, including holiday home accommodation; where these are not detrimental to the character, scenic value and rural amenity of the surrounding area, including protecting and maintaining biodiversity, wildlife habitats, water quality, rural landscape character, scenic amenities and nature conservation. Proposals will be required to demonstrate a need to locate in a particular area and demonstrate compliance with the Development Management Standards set out in Chapter 8;

Amend TM₁₀ as follows

“Work in collaboration with Coillte, neighbouring local authorities, Fáilte Ireland, community organisations and other interested parties to develop new forest accommodation, with required ancillary facilities, access, signage and trails for walking, cycling, mountain-biking and horse-riding.”

Amend TM₁₁ as follows

“Continue to work in collaboration with Fáilte Ireland and other key stakeholders on the development of the Ireland’s Ancient East branding strategy, to implement the programmes and plans of the Ireland’s Ancient East initiative over the lifetime of the plan and to maximise the tourism potential of the county. As part of that process Laois County Council will liaise with Fáilte Ireland on the development of the over-arching strategy, as well as any smaller scale plans or programmes that are prepared to give effect to that strategy. Laois County Council will consult with Fáilte Ireland as required, on assessment of any such plans, programmes or policies to ensure that they are adequately screened or assessed in full compliance with Directives including the SEA Directive and the Habitats Directive.”

Insert THE FOLLOWING NEW POLICY AFTER
TM₁₁

TM_{xx}

Facilitating Fáilte Ireland initiatives for the development of tourism experiences in the County that are fit for purpose and deliver on the Ireland’s Ancient East brand promise, within the context of the land use management and infrastructural provision in the County.

Amend TM₁₇ as follows

“Co-operate with National Trails Office (management standards), Fáilte Ireland, National Way Marked Way Advisory Committee, Coillte, the Heritage Council and other relevant bodies, in order to support the sustainable development, maintenance and enhancement of walking routes at appropriate locations throughout the county, including but not limited to, drying rooms for walkers and repair facilities for cyclists subject to compliance with the policies and objectives of the Plan particularly as they relate to the protection of the natural environment subject to compliance with the Habitats and Bird Directives.”

Amend TM₂₁ as follows and relocate to after TM₁₁

“Encourage the clustering of tourism enterprise in town and village centres in the interest of sustainable tourism development and the enhancement of the public realms of town and village centres to maximise their tourism potential; in all cases, the applicant must submit a robust assessment setting out the sustainability of any

proposal with respect to economic, environmental and social sustainability, as defined herein.”

Amend TM22 as follows

“Seek to maintain existing walking and cycling trails as well as facilities associated with angling and examine the feasibility of setting up additional walking/cycling trails or canoe/bridle trails and support the development and funding for general enhancements along trails and in collaboration with the National Trails Office, provide up to date information on trail locations and routes.”

INSERT THE FOLLOWING NEW POLICIES AFTER TM26

TM xx

Develop a management plan for specific busy tourist sites in order to facilitate the effective accommodation of large numbers of tourists at sensitive locations.

TM xx

Support the implementation of Ireland’s Ancient East by facilitating the provision of visitor information– in line with the policies and objectives with respect to heritage sites; and integrating the objectives of Ireland’s Ancient East with transport programmes in the County

TM xx

Encourage and support the provision of foreign language interpretation interventions in order to ensure the appropriate interpretation and appreciation of the county’s heritage asset.

TM xx

Encourage and support the provision of a wider range of accommodation types are available throughout the county in order to ensure that the county is an attractive location to spend increased amounts of time for a wide range of visitors.

Submission No: 52 – Department of Communications, Climate Action & Environment

Proposed by Councillor Mary Sweeney

Seconded by Councillor John Joe Fennelly

Policy TM 3 TO include

Support in principle the development or expansion of a tourism proposition around the Slieve Bloom Mountains, Laois’ Inland Waterways, Laois’ historic towns and villages, heritage-based tourism, activity-based tourism, **GEO TOURISM**, eco-tourism, food-based tourism, diaspora-based tourism and spiritual tourism. Proposals for sustainable tourism development will be required to demonstrate a need to locate in a

particular area and demonstrate compliance with the Development Management Standards;

The comments in relation to Mining and Aggregates and Land-based/resource-based economic policies are noted.

RUR 7 will be amended to state

Support in principle the expansion of the aggregates and concrete products industry which offers opportunity for employment and economic development generally subject to environmental , traffic and planning considerations and ensure that any plan or project associated with extractive industry is subject to Appropriate assessment screening in compliance with the Habitats Directive and subsequent assessment as required , applicants for planning permission shall have regard to the GSI-ICF Quarrying Guidelines.

**Submission No: 78 – Catherine Casey, Heritage Officer, Laois County Council
Proposed by Councillor Paschal McEvoy
Seconded by Councillor John Joe Fennelly**

Amend RET₁₄ so that it reads

“Improve the public realm of town centres through the encouragement of conservation of built heritage and high quality civic design, including but not limited to provision of attractive street furniture in keeping with the existing heritage of the area, lighting and effective street cleaning”

Section 5.10 Tourism

Page 75, Section 5.10, Paragraph 2:

Replace “Aghadoe Abbey” with “Aghaboe Abbey”

Paragraph Three

Replace “~~Ireland’s Ancient East Story~~” with “Ireland’s Ancient East”

Amend line two of Para 4 to state “Under the Ireland’s Ancient East Programme, signage has been installed at the following sites: Emo Court, the Rock of Dunamase, Heywood Gardens, Timahoe Round Tower and Abbeyleix Heritage House. It is the aim of Laois County Council to facilitate and encourage signage at further sites of importance including Donaghmore Workhouse and Agricultural Museum, Aghaboe Abbey, Killeshin Romanesque Church and others”.

Section 5.10.1 Laois Tourism Strategy

Page 77, Paragraph II:

Replace “Aghadoe Abbey” with “Aghaboe Abbey”

Submission No: 34 – RGDATA

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

Proposed by Councillor Mary Sweeney

Seconded by Councillor John King

SECTION 6 - INFRASTRUCTURE STRATEGY - TRANSPORTATION

Submission No: 6 DAA

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

Proposed by Councillor Mary Sweeney

Seconded by Councillor John King

Submission No: 22 – Aisling Phelan

Proposed by Councillor Jerry Lodge

Seconded by Councillor John Joe Fennelly

Include the following amendment

TRANS XX

Consider permitting access for replacement dwellings for persons who [or their families] own the original house and site for a minimum of 10 years [documentary evidence in this regard to be submitted] subject to the following provisions:

- The original dwelling is in-situ and is habitable;***
- The cost of refurbishment of and/ or extension to the original dwelling is prohibitive;***
- The applicant complies with the provisions of the local need factor of the rural housing policy as outlined in Section 2.6. 1;***
- An alternative site with access onto a minor road is not available;***
- The proposed development can be accommodated without the creation of a specific traffic hazard;***
- Where possible an existing entrance is used;***
- The Councils road standards are fully met;***
- The site is of minimum size of 0.202 hectares [0.5 acres];***

If necessary, a replacement septic tank drainage system in accordance with the requirements of the EPA Code of Practice: Waste Water Treatment and Disposal Systems Serving Single Houses (p.e ≤10) 2009 shall be installed on the site.

Following discussion in relation to Policy No xx, it was agreed to amend the following policy TRANS 14

TRANS 14 Consider permitting access for single dwellings for full time farmers or farmers and / or their children ~~who derive a substantial portion of their income from farming the land~~, subject to the following provisions:

- i. An alternative site with access onto a minor road is not available;**

- ii. The proposed development can be accommodated without the creation of a specific traffic hazard;
- iii. Where possible an existing entrance is used;
- iv. The Councils road standards are fully met.

Proposed by Councillor Jerry Lodge
Seconded by Councillor John Joe Fennelly

Submission No: 30 – Yvonne Jackson Failte Ireland
Proposed by Councillor John Joe Fennelly
Seconded by Councillor Jerry Lodge

Make the following amendment
TRANS xx

Support sustainable travel in the tourism sector by the promotion of public transport use and by undertaking enhancements to overall accessibility thereby making the County easier for visitors to navigate. Integrate the County's transport and tourism strategies to promote increasingly sustainable travel patterns among visitors to the County.

Submission NO: 39
Ms. Catherine Casey, Heritage Officer
Proposed by Councillor John Joe Fennelly
Seconded by Councillor Jerry Lodge
Include new policy

TRANS xx

Seek to prevent and control the spread of invasive plant species along the roads network”

Submission No: 35 – Transport Infrastructure Ireland (TII)
Proposed by Councillor James Kelly
Seconded by Councillor Noel Tuohy

Text in Section 6.1.1 will be reworded as follows:

These Guidelines set out planning policy considerations relating to development affecting national roads including motorways, national primary and national secondary roads. In summary, the guidelines require that planning authorities:

- *Have due regard to the protection of investment in and the strategic function of national roads;*
- *Protect alignments for future national roads projects;*
- *Restrict the numbers of new access points to national roads,*
- *Restrict proposals which intensify use of existing access points and junctions, particularly on stretches of national road outside of the 60kmh speed limit zones;*
- *Co-operate with TII regarding the management of national roads.*

Include a cross reference between Policy TRANS 5 and Section 2.6 where Rural Housing Policies are outlined; such a cross reference would be of benefit to prospective applicants.

Include other cross referencing with Policy TRANS 5 in the Draft Plan in relation to development objectives that have the potential to give rise to a demand for access or additional trips on the national road network, so future applicants are aware of the implications of development proposals affecting national roads; examples in this regard include Section 5.9 Rural Economic Activities, including Mining and Aggregates, Policy TM 9, Rural Tourism and Section 6.6.1 Renewable Energy, etc.

Include other cross referencing with Section 8.5 Development Management Standards of the Draft Plan to include reference to official policy on access control to national roads.

Submission No: 55 – Jerry Lodge

Response: Not a matter for the CDP review

Noted

Submission No: 39 – Keep Ireland Open

No suggested changes except for cross referencing in the plan and the Members agreed with the Chief Executive’s recommendation in relation to this submission

Proposed by Councillor John Joe Fennelly

Seconded by Councillor Brendan Phelan

Submission No: 63 – Marc Van Den Bergh

No suggested changes and the Members agreed with the Chief Executive’s recommendation in relation to this submission

Proposed by Councillor Brendan Phelan

Seconded by Councillor Mary Sweeney

SECTION 6: INFRASTRUCTURE STRATEGY – WATER SERVICES

Submission No: 21 Irish Water

Proposed by Councillor Paschal McEvoy

Seconded by Councillor John King

To make the following amendments

Protect both ground and surface water resources and to work with Irish Water to develop and Implement Water Safety Plans to protect sources of public water supply and their contributing catchment.”

Replace Policy WS₁ as follows:

~~WS₁ Facilitate the delivery of Irish Water’s Water Services Investment Programme, and all subsequent Water Services Investment Programmes, to ensure that all~~

~~lands zoned for development are serviced by an adequate wastewater collection and treatment system.~~

WITH

WS1 Facilitate the delivery of Irish Water's Capital Investment Plan 2014-2016 and Investment Plan for 2017-2021, and all subsequent Irish Water Investment Plans and ensure that all lands zoned for development are serviced by adequate water services."

Replace wording of Policy WS5 as follows

~~to ensure that the overall allocation of 15 million litres of potable water per day (15MLD) is provided in relation to IWs East/Midlands Water Supply Project to ensure a resilient water supply for Laois thus ensuring that Portlaoise, the County Town is included in the "Benefiting Corridor"~~

WS5 "To promote and support the implementation of Irish Water's Eastern and Midlands Region Water Supply Project."

Add an additional objective as follows and re-number others accordingly:

OBJ XX

It is the objective of the Council to work with Irish Water to facilitate the timely delivery of ongoing and future upgrades of water supply and wastewater services to meet the future needs of the County and the Region.

SECTION 6 – INFRASTRUCTURE STRATEGY - SURFACE WATER, DRAINAGE AND FLOODING

Submission No: Brian Stanley, T.D., Caroline Dwane Stanley & Aidan Mullins, M.C.C.

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission until such time as an Order has been made by the relevant Minister in relation to the use of the CFRAM mapping of flood zones

Proposed by Councillor Caroline Dwane Stanley

Seconded by Councillor Aidan Mullins

Submission NO: 16 – Dermot Dobbyn

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission until such time as an Order has been made by the relevant Minister in relation to the use of the CFRAM mapping of flood zones

Proposed by Councillor Caroline Dwane Stanley

Seconded by Councillor Aidan Mullins

Submission No: 33 – EPA

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

Proposed by Councillor Noel Tuohy

Seconded by Councillor Paddy Bracken

Submission NO: 45 – WP and RO Holdings

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission until such time as an Order has been made by the relevant Minister in relation to the use of the CFRAM mapping of flood zones

Proposed by Councillor Caroline Dwane Stanley

Seconded by Councillor Aidan Mullins

Submission NO: 65 – Audrey Powell and Gus Fahey

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

Proposed by Councillor Noel Tuohy

Seconded by Councillor Ben Brennan

Submission NO: 66 – Geraldine and John Delaney

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

Proposed by Councillor Noel Tuohy

Seconded by Councillor Ben Brennan

Submission NO: 67 – Niall Walker

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

Proposed by Councillor Noel Tuohy

Seconded by Councillor Ben Brennan

SECTION 6: INFRASTRUCTURE STRATEGY – ENVIRONMENTAL MANAGEMENT

Submission No: 33 – EPA

Proposed by Councillor John King

Seconded by Councillor Jerry Lodge

Include the following

The National Mitigation Plan is currently being prepared by the Department of Communications, Climate Action and Environment (DCCA) and relevant aspects of this plan will be incorporated into Laois County Development Plan by way of variation, as relevant and appropriate, on completion of the plan.

SECTION 6 : INFRASTRUCTURE STRATEGY - ENERGY & COMMUNICATIONS

Submission No: 39 – Keep Ireland Open
Proposed by Councillor Jerry Lodge
Seconded by Councillor Willie Aird

6.6.1.1 Hydro Energy

Include the following policy

EN xx **Ensure that new hydro energy schemes take into account the impact on public rights of way and walking routes.**

6.6.1.4 Wind Energy

Include the following policy

EN xx *Planning applications shall comply with **DECLG Guidelines (2006)** or any future guidelines and the best international practices and standards.*

Include the following paragraph

***Site suitability** is an important factor having regard to possible adverse impacts on public rights of way.*

Include the following policy

EN xx

*Identify existing public rights of way and preserve them as public rights of way. Take into account, when assessing planning applications, the impact on public access to the countryside including **public rights of way**, recreational amenities and the openness and visual amenity of the countryside.*

6.3 Electricity

2nd para We submit that this should be upgraded to a **pol** and merged with **pol 1** which we support and that you should add:

The applicant shall ensure the planning application involving the siting of power lines and other overhead cables, fully consider the impacts on the landscape, National Monuments, archaeology, views of special amenity value. Where impacts are inevitable mitigation measures to minimise their obstructiveness must be provided for. The development shall be consistent with international best practice with regard to siting and design. Applications for new transmission lines shall be accompanied by a justification statement of the regional importance of and the need for the proposed development.

Include the following para

*Overhead power lines and ancillary development can frequently detract from **visual amenities**.*

Add to ELEC 3

Facilitate the provision of and improvements to energy networks in principle, provided that it can be demonstrated that:

- I. The development is required in order to facilitate the provision or retention of significant economic or social infrastructure;
- II. The route proposed has been identified with due consideration for social, environmental and cultural impacts;
- III. The design is such that will achieve least environmental impact consistent with not incurring excessive cost;
- IV. Where impacts are inevitable mitigation features have been included;
- V. Proposals for energy infrastructure should be assessed in accordance with the requirements of Article 6 of the Habitats Directive.
- VI. *Ensure that the ability of the area to absorb overhead transmission lines is considered with reference to the **National Landscape Strategy 2015**.*
- VII. *Cognisance will be taken of the **Code of Practice between the DoECLG and Eirgrid(2009)**.*
- VIII. *Ensure that landscape and visual assessment of planning application shall focus on the potential to **impact upon landscape designations** and important designated sites.*

6.6.5.2 Telecommunications Masts and Antennae

Include new policy

TELE xx

Promote and facilitate the sharing of facilities. Due to their visual impact, it is desirable to limit the number of masts by requiring the co-location of new or replacement antennae on existing masts or preferably a single mast so that the scale, character and sensitivity of the landscape is respected. Co-location and clustering of new masts and support structures on existing sites will be required unless a fully documented case is submitted explaining the precise circumstances which mitigate against co-location and clustering. ~~Any locations with more than two separate support structures will generally be considered to have no remaining capacity for any further structure as the proliferation of masts in a particular area could be injurious to the visual amenities, and therefore having regard to the potential adverse visual impacts of the proliferation of masts, particularly in open countryside,~~ applicants will be required to demonstrate the need to locate a new mast in a particular location where proliferation may present an issue. Proposals for standalone installations should demonstrate that the developer has made reasonable efforts to share with other existing users or proposed sites in the vicinity. Where it is not possible to share a support structure, the applicant should, where possible, share the site or an adjacent site so that the antennae may be clustered. In sensitive landscape areas the presumption will be that applications must meet the co-location requirements. Where it has been proven that there is a need for new/expanded coverage in a particular area,

the applicant shall show that all existing masts and support structures have been examined to determine if the attachment of new antennae to existing structures can provide the coverage required, the applicant shall submit either a Discovery Series Map or similar map type (to be agreed with planning authority) to the scale of 1:50,000 the location of all telecommunication structures within a radius of 1km of the proposed site, indicating the coverage area of the proposed facility and a technical evaluation of the capabilities of these masts to take additional antennae and provide the coverage required. Avoid a proliferation of masts and aerials in the upland areas (names mountain area) in order to protect their amenity value and their unspoilt character.

~~Masts will not be permitted above 150m unless it can be clearly demonstrated that it is not possible to locate antennae on the existing clusters at Wolfrap Mountain.~~ Applicants shall indicate whether or not they are willing to share the proposed masts with other telecommunication operators. Comply with the Code of Practice of Sharing Radio Sites issued by the Commission for Communication Regulation.

Prohibit construction of telecommunication masts, antennae and ancillary equipment ~~in primary and secondary amenity areas~~, in visually sensitive areas including at locations detrimental to designated protected views and/or prospects and scenic routes or in close proximity to public amenity areas.

Where feasible, proposed development pertaining to the installation of potentially obtrusive technology shall be located in non-sensitive landscapes. Protect areas of significant landscape importance from the visual intrusion of large scale telecommunications infrastructure.

When considering planning applications the Council will not favourably consider applications which would impact on visual amenities, fragile or sensitive landscape of historic importance. Structures should be located to limit visual impacts and to integrate into the landscape especially in areas of sensitivity, scenic amenities and geological sites.

Except in exceptional circumstances, locations along major tourist routes must be avoided.

Where appropriate, masts, antennae and fencing should be in harmony with their surroundings and should be of dull or neutral sky grey colour so as to be less visually obtrusive.

- Green or black is the preferred at ground level. White or bright colours will not be permitted.

Where masts are proposed outside existing forest areas, applicants will be required to demonstrate the reasons why forest sites are unsuitable.

Proposals shall be subject to all material considerations, including environmental designations and amenity considerations. In assessing applications advice of the relevant statutory bodies will be sought and considered. Support structures should be kept to the lowest feasible height.

Avoid hilltops except where technical or coverage requirements make it essential.

Subject to visual and landscape considerations, support structures will normally be required to be designed to facilitate the attachment of additional antennae to facilitate co-location.

The number of ancillary buildings/containers shall be kept to the minimum and the need for each structure must be clearly justified.

They should be located in accordance with the provisions of the DoECLG Guidelines 1996(or as may be amended).

Proposals for removal and reinstatement of lands shall be identified as part of the planning application procedure
A bonding arrangement must be put in place.

INSERT NEW POLICY

Demonstrate compliance with the requirements of the **DOECLG Guidelines** on “Telecommunications Antennae and Support Structures (1996) “and the Circular Letter of 2012(PL07/12)(as may be may be amended) and other publications and material as may be relevant.

Replace TELE10

~~Ensure the location of telecommunications structures minimise and/or mitigate any adverse impacts on communities, the natural and built environment and public rights of way.~~

WITH

Existing Public Rights of Way ~~and established walking routes~~ will be identified prior to any new telecommunication developments (including associated processes) which will be prohibited if they impinge thereon or on recreational amenities, public access to the countryside, communities or the natural and built environment.

INCLUDE THE FOLLOWING POLICY

TELE xx

~~Seek the establishment of an appropriate body at regional or national level to **monitor** installations regarding proliferation, co-location and the use of the best available technology to prevent negative environmental impacts.~~

~~Set up and maintain a **register** of approved telecommunication structures to provide a useful input in the assessment of future developments and to maximise the potential for future mast sharing and co-location.~~

Access roads will be permitted only where they are absolutely necessary. The applicant shall be required to demonstrate that the greatest care has been taken in terms of minimising visual impact on landscapes, particularly sensitive or historic landscapes, natural environment by ensuring that they do not scar the landscapes and that they follow the natural contours so as to minimise their visual intrusion and should be bordered with scrubs and that they are designed and landscaped to avoid visual and environmental disruption of the landscape. It shall be a condition of permission that the land is reinstated at the end of the construction period. In the event that a developer requires that an access track be retained, the developer shall indicate the justification for doing so as part of the planning application and indicate the frequency of visits which will be required to service the site and facility.

Incorporate the following in the Development Management Standards in section 8 DC 66

Prohibit **satellite dishes** in areas which would cause unacceptable harm to visual amenities or would materially harm the character and appearance of rural areas. The design and visual appearance of masts, antennae of satellite dishes and their associated equipment shall be as unobtrusive as possible. Cumulative effect of dishes in the area should be considered.

Cables and wire connections shall be located underground.

Where masts are located in areas of high amenity, landscapes of exceptional or high value or international or national importance and high sensitivity as indicated in the Landscape Character Assessment, there shall be a presumption to provide a “**Landscape Impact Report**” to allow proper assessment of the visual impact. Surrogate (coniferous trees) shall be considered.

Strive to reduce the number of telecommunication structures by ensuring that **ComReg’s Code of Conduct** is implemented.

*Masts will only be permitted if supported by an acceptable Visual and Environmental **Impact Assessment Report**. In sensitive landscape and amenity areas the presumption shall be that applications must meet the co-location requirements or be supported by a Visual Impact Assessment Report that will demonstrate that the development can be satisfactorily absorbed into the landscape. VIA required within a focal point/view or in sensitive landscapes.*

~~When the owner of a site disposes of it they will be required to inform the Council so that they will be in a position to enforce any continuing conditions.~~

Applicants must demonstrate the significance of the proposed development as part of the telecommunications network.

Following a discussion with regard to impact of the following statement policy on the economic development potential within the county it was agreed to omit the following proposed policy

~~Discourage the development of individual telecommunications support structures and antennae for private use.~~

**Proposed by Councillor John Joe Fennelly
Seconded by Councillor Catherine Fitzgerald**

**Submission No: 9 – James Muldowney
Proposed by Councillor Catherine Fitzgerald
Seconded by Councillor John Joe Fennelly**

Not to accept the Chief Executive's Recommendation with regard to the removal of policy EN7 in the draft Plan and to retain it in the new plan

**Submission No: 15 – Andy Dunne
Proposed by Councillor Catherine Fitzgerald
Seconded by Councillor John Joe Fennelly**

Not to accept the Chief Executive's Recommendation with regard to the removal of policy EN7 in the draft Plan and to retain it in the new plan

Submission No: 3 – Brian Stanley, T.D., Caroline Dwane Stanley & Aidan Mullins, M.C.C.

**Proposed by Councillor Caroline Dwane Stanley
Seconded by Councillor Noel Tuohy**

Not to accept the Chief Executive's Recommendation with regard to the removal of policy EN7 in the draft Plan and to retain it in the new plan

**Submission No: 23 – Gaeltach Energy Services
Proposed by Councillor Catherine Fitzgerald
Seconded by Councillor John Joe Fennelly**

Not to accept the Chief Executive's Recommendation with regard to the removal of policy EN7 in the draft Plan and to retain it in the new plan

**Submission No: 29 – Eirgrid
Proposed by Councillor Aidan Mullins
Seconded by Councillor Caroline Dwane Stanley**

Include the following text after first paragraph of Section 6.6.3.

Grid25

GRID25, the grid development strategy, was published in 2008 and is now due for review. EirGrid therefore published a draft strategy entitled *Your Grid, Your Views, Your Tomorrow: Ireland's Draft Grid Development Strategy* for consultation in March 2015.

The aim of *Your Grid, Your Views, Your Tomorrow* was to start a dialogue about the need for grid development, and to seek opinions and suggestions from anyone impacted by the plans. The draft strategy consultation ran from the 27 March to the 5 June 2015. Feedback on the draft strategy is currently being reviewed with the aim of informing the preparation of a Grid Development Strategy to be published in 2016. The draft strategy can be viewed at the following link: [EirGrid-Draft-Grid-Development-Strategy](#).

The draft strategy considers the facilitation of renewable energy in the East Region. This is addressed in p.52 of Appendix 1, which states that *“To meet Dublin demand growth it is necessary to install additional transformer capacity and increase circuit capacity to the north and south of the city, and into the city itself. These projects will strengthen the network for all electricity users, and in doing so will improve the security and quality of supply”*.

Grid25 Implementation Programme

With regard to the Grid25 Implementation Programme, it should be noted that EirGrid is currently preparing a new Grid Implementation Plan and associated SEA. The revised Grid Implementation Plan will replace EirGrid's original “Grid 25 Implementation Programme 2011-2016”, and is a regional spatial 6 year Development Plan for grid development.

White Paper on Energy Policy Framework 2015 2030

Building on the 2007 White Paper *‘Delivering a Sustainable Energy Future for Ireland’*, the 2015 White Paper sets out Ireland's energy future and confirms the core objectives of sustainability, security of supply and competitiveness. Chapter 7.3 of the White Paper recognises the need for the development and renewal of energy networks to meet economic and social goals. It endorses the strategic programmes of the energy infrastructure providers, subject to their adherence to national and international standards for design and construction, and to community consultation.

The Transmission Network and Landscape

The issue of compatibility of land-uses and landscape areas with high voltage powerlines is a subject which EirGrid is very cognisant of. For this reason in 2012, EirGrid appointed Consultants to undertake an evidence-based study on the actual visual and landscape effects of the presence of transmission infrastructure over a range

of Ireland's typical landscapes. The Study included towers and substations located in different Landscape Character Types (LCTs) around Ireland and included locations in County Laois. The findings of the studies have been concluded and can be viewed on its environmental webpage:<http://www.eirgridgroup.com/about/in-the-community/environment>

Submission No: 36 – Kilkenny County Council

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

Proposed by Councillor John Joe Fennelly

Seconded by Councillor Ben Brennan

Submission No: 41 – Kildare County Council

Proposed by Councillor Mary Sweeney

Seconded by Councillor Ben Brennan

Map number to be corrected from 10 to 1.6.5 – In view of the fact that the lands outside of the four wind classification areas did not warrant designation because the prevailing wind regime is considered inadequate to support a commercial wind energy development, the map no 1.6.5 to be amended to increase the designation of such areas as 'Areas not for consideration'

Submission No: 56 – An Taisce

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

Proposed by Councillor James Kelly

Seconded by Councillor Brendan Phelan

Submission No: 38- Bord na Mona

Proposed by Councillor Paddy Bracken

Seconded by Councillor Catherine Fitzgerald

Amend text to include reference to additional criteria

Landscape and visual impact, local ecology and archaeological considerations.

Given the likely low levels of traffic associated with solar energy sites, especially post-construction, amend Policy TRANS 16 as follows:

It is the policy of the Council to:

TRANS 16

Restrict development requiring access onto Regional Roads where speed limits in excess of 50kph apply, This restriction will not necessarily apply in the following cases:

- In the case of applications for single-dwelling units for a farmer or a farmer's son or daughter, permission may be considered, where evidence submitted clearly demonstrates that an alternative*

site accessed from a local road is not available and where the Council's road standards can be met. Also, the farm in question is of minimum size of 37 hectares [91 acres];

- In the case of applications for commercial developments unsuited to existing allocated development areas such as enterprise parks and town centres, such as waste disposal facilities, large-scale wind farms, **solar farms** or quarries and associated aggregate processing and manufacturing, where the development will not adversely affect road safety.*
- In the case of development relating to established farm activity where the development will not adversely affect road safety.*

Amend text in sub-section *Ground-Mounted Arrays* to include reference to additional criteria:

Landscape and visual impact, local ecology and archaeological considerations. avoidance of material glint and glare on neighbouring residential properties and on transportation and aviation safety;

Submission No: 40 – Irish Wind Energy Association

Proposed by Councillor Catherine Fitzgerald

Seconded by Councillor John Joe Fennelly

Not to accept the Chief Executive's Recommendation with regard to the removal of policy EN7 in the draft Plan and to retain it in the new plan

Submission No: 9 – Element Power Ltd

Proposed by Councillor Catherine Fitzgerald

Seconded by Councillor John Joe Fennelly

Not to accept the Chief Executive's Recommendation with regard to the removal of policy EN7 in the draft Plan and to retain it in the new plan

Submission No: Coillte

Proposed by Councillor Catherine Fitzgerald

Seconded by Councillor John Joe Fennelly

Not to accept the Chief Executive's Recommendation with regard to the removal of policy EN7 in the draft Plan and to retain it in the new plan

Submission No: 51 – Lightsource Renewable Energy Holdings

Proposed by Councillor Paddy Bracken

Seconded by Councillor Catherine Fitzgerald

Amend text to include reference to additional criteria

Landscape and visual impact, local ecology and archaeological considerations.

Given the likely low levels of traffic associated with solar energy sites, especially post-construction, amend Policy TRANS 16 as follows:

It is the policy of the Council to:

TRANS 16

Restrict development requiring access onto Regional Roads where speed limits in excess of 50kph apply, This restriction will not necessarily apply in the following cases:

- In the case of applications for single-dwelling units for a farmer or a farmer's son or daughter, permission may be considered, where evidence submitted clearly demonstrates that an alternative site accessed from a local road is not available and where the Council's road standards can be met. Also, the farm in question is of minimum size of 37 hectares [91 acres];*
- In the case of applications for commercial developments unsuited to existing allocated development areas such as enterprise parks and town centres, such as waste disposal facilities, large-scale wind farms, **solar farms** or quarries and associated aggregate processing and manufacturing, where the development will not adversely affect road safety.*
- In the case of development relating to established farm activity where the development will not adversely affect road safety.*

Amend text in sub-section *Ground-Mounted Arrays* to include reference to additional criteria:

Landscape and visual impact, local ecology and archaeological considerations. avoidance of material glint and glare on neighbouring residential properties and on transportation and aviation safety;

Submission No: 42- Mary White

Proposed by Councillor Catherine Fitzgerald

Seconded by Councillor John Joe Fennelly

Not to accept the Chief Executive's Recommendation with regard to the removal of policy EN7 in the draft Plan and to retain it in the new plan

Submission No: 62- Laois Wind Energy Awareness Group

Proposed by Councillor Catherine Fitzgerald

Seconded by Councillor John Joe Fennelly

Not to accept the Chief Executive's Recommendation with regard to the removal of policy EN7 in the draft Plan and to retain it in the new plan

To include the following text over Map 1.6.5

The Council's approach to wind energy has been prepared to inform developers, landowners and the public of the most appropriate sites for the location of wind energy proposals. This approach accords with the guidelines on Wind Energy Development to identify preferred areas and areas where the wind farms should not be considered. This followed an analysis of areas suitable for wind energy development within the County. This assessment utilised a Geographic Information Systems (GIS) approach examining a range of factors relating to wind energy development including: wind energy potential (through the Wind Speed Atlas, www.seai.ie), proposed and existing grid connections, natural heritage designations, landscape sensitivity. The strategy identifies the following:

Preferred Area - These areas are considered suitable for windfarm development because of sufficient wind speeds, access to grid network, and established patterns of enquiries.

Area Open for Consideration – These are the only areas, outside the preferred areas, open to consideration for appropriate wind energy proposals. They have been identified having regard to a range of factors, including wind energy potential (through the wind speed atlas www.seai.ie), existing grid connections, proposed grid connections, natural heritage designations and landscape sensitivity, the road infrastructure is adequate and where likely conflict with natural heritage designations can be protected.

Area not for consideration – Areas where wind energy proposals will not be favoured have been identified due to the significant environmental, heritage and landscape constraints. These include; SAC and SPA (Natura 2000) Sites, NHAs, unspoiled areas of EHSAs, Areas of Fresh Water Pearl Mussel, important views and prospects. It is considered that these areas have little or no capacity for wind energy development.

Not to accept the Chief Executive recommendation and amend *map no. 1.6.5. to remove areas open for consideration and increase the designation of the areas as ‘Areas not for consideration’.*

A Roll Call Vote was taken on the following Motion:

Remove all areas open for consideration (all yellow areas on map no: 1.6.5

| COUNCILLOR | | FOR | AGAINST |
|------------|---------------|--------|---------|
| FIRST NAME | SURNAME | | |
| William | AIRD | ✓ | |
| Paddy | BRACKEN | ✓ | |
| Ben | BRENNAN | ✓ | |
| Caroline | DWANE STANLEY | | ✓ |
| John Joe | FENNELLY | | ✓ |
| Catherine | FITZGERALD | ✓ | |
| Padraig | FLEMING | Absent | |
| David | GOODWIN | ✓ | |
| James | KELLY | | ✓ |
| John | KING | ✓ | |

| | | | |
|-------------|----------|--------|---|
| Jerry | LODGE | | ✓ |
| Seamus | MCDONALD | Absent | |
| Paschal | MCEVOY | ✓ | |
| John Robert | MORAN | Absent | |
| Tom | MULHALL | ✓ | |
| Aidan | MULLINS | | ✓ |
| Brendan | PHELAN | | ✓ |
| Mary | SWEENEY | ✓ | |
| Noel | TUOHY | ✓ | |

The result of the roll call was 10 votes in favour, 6 against with 3 members absent.

A Roll Call Vote was taken on the following Motion:

That all areas open for consideration be retained (as shown on map no: 1.6.5

| COUNCILLOR | | FOR | AGAINST |
|------------|---------------|--------|---------|
| FIRST NAME | SURNAME | | |
| William | AIRD | | ✓ |
| Paddy | BRACKEN | | ✓ |
| Ben | BRENNAN | | ✓ |
| Caroline | DWANE STANLEY | ✓ | |
| John Joe | FENNELLY | ✓ | |
| Catherine | FITZGERALD | | ✓ |
| Padraig | FLEMING | Absent | |
| David | GOODWIN | | ✓ |
| James | KELLY | ✓ | |
| John | KING | | ✓ |
| Jerry | LODGE | ✓ | |

| | | | |
|-------------|----------|--------|---|
| Seamus | MCDONALD | Absent | |
| Paschal | MCEVOY | | ✓ |
| John Robert | MORAN | Absent | |
| Tom | MULHALL | | ✓ |
| Aidan | MULLINS | ✓ | |
| Brendan | PHELAN | ✓ | |
| Mary | SWEENEY | | ✓ |
| Noel | TUOHY | | ✓ |

The result of the roll call was 6 votes in favour, 10 against with 3 members absent.

Submission No: 72– Kieran Brophy

As per Roll Call Vote taken in relation to Submission No: 62

Submission NO: 74 – Marc Van Den Bergh and Dave Fingleton

Not to accept the Chief Executive’s Recommendation with regard to the removal of policy EN7 in the draft Plan and to retain it in the new plan

Proposed by Councillor Catherine Fitzgerald

Seconded by Councillor John Joe Fennelly

Submission No: 41 – Niall Headen

As per Roll Call Vote taken in relation to Submission No: 62

SECTION 7 : HERITAGE

Submission No: 24 – Ricky Whelan on behalf of Irish Wildlife Trust

Proposed by Councillor Aidan Mullins

Seconded by Councillor Mary Sweeney

To add an additional policy ES₃ and re-number others accordingly as follows:

ES₃ *Investigate the feasibility of using the former County landfill site at Kyletalesha for alternative activities such as energy production, nature conservation and other suitable activities.*

Submission No: 28 – Birdwatch Ireland (Laois Branch)

Proposed by Councillor Aidan Mullins

Seconded by Councillor Mary Sweeney

To add an additional **policy ES₃** and re-number others accordingly as follows:

ES₃ *Investigate the feasibility of using the former County landfill site at Kyletalesha for alternative activities such as energy production, nature conservation and other suitable activities.*

Submission No: 30 – Failte Ireland

Proposed by Councillor Paschal McEvoy

Seconded by Councillor Mary Sweeney

To Include new OBJECTIVE

To work with stakeholders including the OPW, the Heritage Council, the Arts Council, local communities and businesses to support the development of heritage and cultural tourism in County Laois.

Insert after BH 7 *New Policy:

Favourably consider proposals for tourism and recreation development, which involve the reinstatement, conservation and / or replacement of existing disused buildings, and to adopt a positive interpretation of plan policies to encourage such development.

amend the following policy

BH9 “Promote the re-use of old buildings for rural development opportunities. A range of small-scale uses for old buildings may be possible without substantial alteration **such as including but not limited to arts and craft workshops or tourism and self-catering accommodation, small-scale manufacturing industry, such as including but not limited to cheese making, small-scale engineering and furniture making.**”

amend the following policy

ARCH₄

“Promote and develop the importance of the Rock of Dunamaise as a cultural and tourism resource; ~~in all cases, the applicant must submit a robust assessment setting out the sustainability of any proposal with respect to economic, environmental and social sustainability,~~

Submission No: 39 – Keep Ireland Open

Proposed by Councillor John King

Seconded by Councillor Aidan Mullins

To amend the plan as follows

OBJ xx *Implement, **promote and support**, in partnership with all relevant stakeholders (including the Co Heritage Forum, the Heritage Council,*

community groups and the wide public) the aims and objectives contained in the Laois County Heritage Plan 2014-2019 and any revision thereof and take cognisance, in assessing planning applications and preparing development plans, the provisions of the Plan.

DM 58 STATES AS FOLLOWS

In general the following guidelines will apply where developments may have an impact on the county's archaeological record:

1. The archaeological remains of potentially significant sites within the Zone of Archaeological Potential will be preserved or investigated;
2. Outside of the Zone of Archaeological Potential where in the opinion of the Planning Authority developments involve major ground disturbances, particularly in the vicinity of known monuments, planning conditions in relation to archaeology may also be applied;
3. The Council will require that archaeological investigation be undertaken prior to the commencement of development. All such investigations must be undertaken by a qualified archaeologist in consultation with Laois County Council and the Office of Public Works;
4. When deciding to grant permission for developments within the Zone of Archaeological Potential, the Council may impose conditions which render the developer liable for the cost of the archaeological investigation or the preservation of the archaeological record;
5. Such development shall be assessed in the context of the following documents
 - Accord with the Framework and Principles for the Protection of Archaeological Heritage (DoAHG 1999).
 - The National Monuments Acts 1934- 1994.
 - Have regard to Heritage Council's Archaeology and Archaeology and Development Guidelines for Good Practice for Developers(2000).

7.10 NATURAL HERITAGE

NH XX

*Conserve, enhance, manage, **protect**, facilitate, improve the green infrastructure network, in consultation with relevant stakeholders and develop new Green Infrastructure by recognising the synergies that can be achieved with regard to the protection and management of heritage.*

The commentary in relation to the Grand Canal and the River Barrow is noted and it is proposed to include the following under Section 7.14 -

BARROW LINE OF THE GRAND CANAL

text

*The Grand Canal is a **man-made linear waterway** and is a key element of green Infrastructure and has a unique setting of historic character. The towpath provides an uninterrupted corridor for pedestrians and cyclists.*

NH XX

Promote and **develop the towpaths** along the Barrow Line in co-operation with Waterways Ireland and neighbouring local authorities.

NH XX

*Investigate the possibility of developing long distance walking routes, within the lifetime of the Plan, along the disused **Mountmellick Line**.*

NH XX

*Facilitate the development of the Grand Canal for **cycling, walking** and nature study.*

NH XX

Support the development of the **amenities and recreational potential** of the River Barrow, in co-operation with the NPWS, IW, adjoining Councils and other relevant authorities.

***Protect**, preserve and conserve the landscape and natural heritage and geo-diversity values of esker systems from inappropriate development. Ensure that any plan or project affecting eskers are adequately assessed with regard to their potential impact on the environment.*

ESK xx

*Assess applications for **quarrying activity and gravel extraction** and other development in proximity to eskers, with respect to their landscape importance or amenity value and the need to conserve them free from inappropriate development and to conserve their environmental character values and the extent to which proposals would damage these qualities.*

Submission No: 48 – Dr. Eoin Sullivan, Gort Archaeology

Proposed by Councillor John Joe Fennelly

Seconded by Councillor John King

To amend the plan as follows

Replace **DAHG** with the **Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs (DAHRRGA)**

Replace wording in Section 7.9 to say

“Archaeology is an irreplaceable link with the past and is to be found in [virtually] every townland in County Laois”.

Section 7.9 Comments noted in relation to the tables referred to in categories ii and iii. Table 22 lists National Monuments, while Table 23 lists Monuments Protected by Preservation Orders Table 23 does not list National Monuments as is stated in the text. These will be corrected.

Amend OBJ8 to state –

When considering proposals for extractive Industry, the applicant shall have regard to

- *the Archaeological Code of Practice agreed between Irish Concrete Federation and National Monuments Division;*
- *the Code of Practice for Bord Na Mona*
- *and other Archaeological Codes of Practice <https://www.archaeology.ie/codes-of-practice>.*
- *Currently the Code of Practice with TII is at an advanced stage (pers. comm.).*

Section 7.9.2 –

Replace ~~DAHG~~ with the **Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs (DAHRRGA)**

Section 7.9.4 include the following wording – “significant archaeological ~~assets~~ **[features]** and industrial ~~archaeological~~ **[archaeology]** in the county”.

Section 7.10 - Replace ~~DAHG~~ with the **Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs (DAHRRGA)**

Submission No: 56 – An Taisce
Proposed by Councillor James Kelly
Seconded by Councillor John Joe Fennelly

To amend the plan as follows

OBJ 5

Protect all structures listed in the Record of Protected Structures, that are of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical character or interest in County Laois;

Submission No: 52 – Department of Communications, Climate Action & Environment
Proposed by Councillor John Joe Fennelly
Seconded by Councillor Mary Sweeney

It is proposed to include the finalised list of 30 County Geological Sites which will replace the existing list of CGS in Table 28 under Section 7.21 Geology

Submission No: 17 – Councillor Mary Sweeney
Proposed by Councillor Willie Aird
Seconded by Councillor John Joe Fennelly

Amend Objective OBJ 16, Section 7 of the Draft Plan to include reference to Ballyroan

Submission No: 39 – Catherine Casey, Heritage Officer, Laois County Council
Proposed by Councillor John Joe Fennelly
Seconded by Councillor Jerry Lodge

~~OBJ11 — Designate additional ACAs in the towns of Mountmellick, Mountrath, Stradbally and Portarlinton [in association with Offaly County Council];~~

Page 136

Objective 3, page 136 it is noted that the designations within the Slieve Blooms are already in place and outside of the control of the Local Authority.

~~OBJ3 — Undertake a feasibility study to report, within one year of the adoption of this Plan, on areas which are considered to be suitable for designation such as the Slieve Blooms and promote any proposals with the National Parks and Wildlife Service;~~

Amend the following policy

~~BIO1 Comply with the objectives of the National Biodiversity Plan 2011-2016 (and any future National Biodiversity Plan which may be adopted during the period of this plan) as appropriate to County Laois. The objectives cover the conservation of biodiversity in the wider countryside both within and outside protected areas, the strengthening of the knowledge base on biodiversity and increasing public awareness and participation in the subject.~~

Amend Policy BIO3 to read as

The references to legislation in footnote 18 should be updated:

The current Habitats Regulations in force are The European Communities (Birds and Natural Habitats) Regulations 2011-2015. The current Wildlife Acts in force are the Wildlife Acts 1976-2012.

~~BIO3 Contribute towards compliance with relevant EU Environmental Directives and applicable National Legislation, Policies, Plans and Guidelines¹, including~~

Section 7.12.2 page 138

Change reference to legislation as follows: For European Union (Natural Habitats) Regulations, 1997, change to “The European Communities (Birds and Natural Habitats) Regulations 2011-2015”

It is noted that the current Wildlife Acts in force are the Wildlife Acts 1976-2012.

¹ the following and any updated/superseding documents:

- EU Directives, including the Habitats Directive (92/43/EEC, as amended)^[1], the Birds Directive (2009/147/EC)^[2], the Environmental Liability Directive (2004/35/EC)^[3], the Environmental Impact Assessment Directive (85/337/EEC, as amended), the Water Framework Directive (2000/60/EC) and the Strategic Environmental Assessment Directive (2001/42/EC).
- National legislation, including the Wildlife Act 1976^[4], the European Communities (Environmental Impact Assessment) Regulations 1989 (SI No. 349 of 1989) (as amended), the Wildlife (Amendment) Act 2000, the European Union (Water Policy) Regulations 2003 (as amended), the Planning and Development Act 2000 (as amended), the European Communities (Birds and Natural Habitats) Regulations 2011 (SI No. 477 of 2011) and the European Communities (Environmental Liability) Regulations 2008^[5].
- National policy guidelines (including any clarifying Circulars or superseding versions of same), including the Landscape and Landscape Assessment Draft Guidelines 2000, the Environmental Impact Assessment Sub-Threshold Development Guidelines 2003, Strategic Environmental Assessment Guidelines 2004 and the Appropriate Assessment Guidance 2010.
- Catchment and water resource management Plans, including the Shannon International and the South Eastern River Basin Management Plans 2009-2015 (including any superseding versions of same).
- Biodiversity Plans and guidelines, including Actions for Biodiversity 2011-2016: Ireland's 2nd National Biodiversity Plan (including any superseding version of same).
- Ireland's Environment 2012 (EPA, 2012, including any superseding versions of same), and to make provision where appropriate to address the report's goals and challenges.

Amend para as follows

Special Areas of Conservation are prime wildlife areas, considered to be important on a European as well as Irish level. The legal basis on which SACs are selected and designated is the EU Habitats Directive (92/43/EEC), transposed into Irish law in the ~~European Union (Natural Habitats) Regulations, 1997~~. **The European Communities (Birds and Natural Habitats) Regulations 2011-2015** The Directive lists certain habitats and species that must be protected within SACs. Irish habitats include raised bogs, blanket bogs, turloughs, sand dunes, machair, heaths, lakes, rivers, woodlands, estuaries and sea inlets. The species which must be afforded protection under the Habitats Directive include inter alia all our bat species, Salmon, Pearl Mussel, Common Frog, Pine Marten, Mountain Hare and Otter. There are eight SACs to date in County Laois.

Table 24 and Table 23 will be listed in alphabetical order

Section 7.21 Geology

Include a map showing the location and names of the County Geological Sites in the CDP,

GEOL₁ to be replaced as follows:

~~GEOL₁ Protect from inappropriate development the County Geological Sites listed in Table 28 as notified by the Geological Survey of Ireland;~~

“Protect from inappropriate development the County Geological Sites listed in Table 28 as surveyed in partnership with the Geological Survey of Ireland in 2016”

SECTION 8 : GENERAL LOCATION AND PATTERN OF DEVELOPMENT

**Submission No: 39 – Keep Ireland Open
Proposed by Councillor James Kelly
Seconded by Councillor John Joe Fennelly**

Amend the plan as follows

Cross reference Development Control Standard 66 with Section **6.6.5.2 Telecommunications Masts and Antennae** – Policies TELE 5 – TELE 10 relate to this type of development. Include the following under DM 66

To facilitate the evaluation of development proposals for the erection of antennae and support structures, applicants/developers/operators will be required to:

- 1) Submit a reasoned justification as to the need for the particular development at the proposed location in the context of the operators overall Plans to develop a network in County Laois ;
- 2) Indicate what other sites or locations in the County were considered;
- 3) Submit evidence of consultations, if any, with other operators with regard to the sharing of sites and/or support structures;
- 4) Provide a “**Visual Impact Report**” to allow proper assessment of the visual impact on the receiving landscape in addition to submitting proposals to mitigate the visual impact of the proposed development including the construction of access roads, additional poles and structures;
- 5) Furnish a statement of compliance with the International Radiation Protection Association (IRPA) Guidelines (Health Physics, Vol. 54, No. 1(Jan) 1988) or the equivalent European Prestandard 50166-2 which has been conditioned by the licensing arrangements with the Department of Transport, Energy and Communications;
- 6) Furnish evidence that an installation of the type applied for complies with the above Guidelines.
- 7) Cables and wire connections shall be located underground where feasible.
- 8) Where appropriate, masts, antennae and fencing should be in harmony with their surroundings and should be of dull or neutral sky grey colour so as to be less visually obtrusive. Green or black is the preferred at ground level.
- 9) Subject to visual and landscape considerations, support structures will normally be required to be designed to facilitate the attachment of additional antennae to facilitate co-location. The number of ancillary buildings/containers shall be kept to the minimum and the need for each structure must be clearly justified. They should be located in accordance with the provisions of the DoECLG Guidelines 1996(or as may be amended).
- 10) Restoration plans shall be submitted with the application for when antennae and their support structures are no longer being used and no new user has been identified.

VOLUME 2 - SETTLEMENT STRATEGY

Submission No: 74 – Marc Van Den Bergh

No suggested changes and the Members agreed with the Chief Executive’s recommendation in relation to this submission

Proposed by Councillor Noel Tuohy

Seconded by Councillor Mary Sweeney

Submission No: 12 – Ivor O’ Loughlin

No suggested changes and the Members agreed with the Chief Executive’s recommendation in relation to this submission

Proposed by Councillor William Aird

Seconded by Councillor Caroline Dwane Stanley

Submission No: 61 – Anne & Tom Dormer

No suggested changes and the Members agreed with the Chief Executive’s recommendation in relation to this submission

**Proposed by Councillor Ben Brennan
Seconded by Councillor David Goodwin**

MOUNTRATH

Submission No: 27 – Superior Formwork Limited

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission – the lands to be amended and zoned for residential 2 purposes.

**Proposed by Councillor James Kelly
Seconded by Councillor John King**

Submission No: 60 – D.J. Doheny

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

**Proposed by Councillor John Joe Fennelly
Seconded by Councillor James Kelly**

STRADBALLY

Submission No: 13 – Tom Phillips Consultancy on behalf of Declan McLoughlin

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

**Proposed by Councillor Paschal McEvoy
Seconded by Councillor Tom Mulhall**

ABBEYLEIX

Submission No: 59 – Abbeyleix Park Development Committee

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

**Proposed by Councillor John Joe Fennelly
Seconded by Councillor William Aird**

Submission No: 53 – Mary White Abbeyleix Tidy Towns

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

**Proposed by Councillor John Joe Fennelly
Seconded by Councillor William Aird**

Submission No: 54 – John Bonham

**Proposed by Councillor John Joe Fennelly
Seconded by Councillor Noel Tuohy**

Amend AB 06 in the written statement for Abbeyleix Town Plan to state as follows -

Protect individual trees, groups of trees and hedgerows on all approach roads , particularly the Ballcolla and Cork Roads , Ladies Hill , church Grove and the Vicarage

Ms. Angela McEvoy, Senior Planner removed herself from the meeting.

Submission No: 32 – Padraig Callanan

No suggested changes and the Members agreed with the Chief Executive’s recommendation in relation to this submission

Proposed by Councillor John Joe Fennelly

Seconded by Councillor William Aird

Submission No: 71 – Brian Maher

Proposed by Councillor John Joe Fennelly

Seconded by Councillor William Aird

Amend AB 10 in the written statement for Abbeyleix Town Plan to state as follows -

Mixed use applications which comprise of a housing element will also be accepted within the town centre zoning though loss of active commercial or retail floor space to residential use will not be accepted, ~~no further development occurs until appropriate water supply and waste water infrastructure capacity is provided~~

BALLINAKILL

Submission No: 19 – Martin Hyland

No suggested changes and the Members agreed with the Chief Executive’s recommendation in relation to this submission

Proposed by Councillor John Joe Fennelly

Seconded by Councillor

BALLYBRITTAS

Submission No: 19 – John Quigley, c/o Leslie Colton Architect

No suggested changes and the Members agreed with the Chief Executive’s recommendation in relation to this submission

Proposed by Councillor Tom Mulhall

Seconded by Councillor Aidan Mullins

BALLYROAN

Submission No: 14 – Michael Drennan

Proposed by Councillor William Aird

Seconded by Councillor Mary Sweeney

Not to accept the Chief Executive's recommendation and to zone the lands in question for residential development.

Cllr Mary Sweeney removed herself from the Council chamber

Submission No: 79 – Brian Maher on behalf of Ballyroan Development Association

It was noted that this Submission was withdrawn at the request of the Author of the submission.

KILLENARD

Submission No: 20 - Thames Builders – inc c/o Kilgallen & Partners

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

Proposed by Councillor Tom Mulhall

Seconded by Councillor Jerry Lodge

KILLESHIN

Submission No: 46 – Katherine Larkin on behalf of Ian McDonald

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

Proposed by Councillor Ben Brennan

Seconded by Councillor Brendan Phelan

TIMAHOE

Submission No: 31 – Mairin Scully

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

Proposed by Councillor Paschal McEvoy

Seconded by Councillor Tom Mulhall

APPENDIX 1 – RECORD OF PROTECTED STRUCTURES

Submission No: 4 – Niamh Morris

That RPS No: 278 be deleted from the record of Protected Structures

Proposed by Councillor James Kelly

Seconded by Councillor Brendan Phelan

Submission No: 4 – Clodagh & John Wallace

That RPS No: 309 be deleted from the record of Protected Structures

Proposed by Councillor Tom Mulhall

Seconded by Councillor Brendan Phelan

Submission No: 43- Mountmellick Development Association c/o Paddy Buggy

That RPS No: 703 be retained on the record of Protected Structures

Proposed by Councillor Tom Mulhall

Seconded by Councillor Brendan Phelan

Submission No: 57 – Paddy Nolan

That RPS No: 750 be deleted from the record of Protected Structures

Proposed by Councillor Tom Mulhall

Seconded by Councillor Brendan Phelan

APPENDIX 4 – DRAFT RETAIL STRATEGY

Submission No: 47 – Matthew Kennelly

Proposed by Councillor William Aird

Seconded by Councillor Mary Sweeney

To amend as follows

Section 5.6

If and when deemed necessary by the Planning Authority, following consideration of all relevant factors, a Traffic and Transport Assessment (TTA) will be required for retail developments over a particular threshold (100sqm), as set out in the Traffic Management Guidelines 2003, and the Traffic Transport Assessment Guidelines 2007.

~~A Traffic and Transport Assessment (TTA) may be required for retail developments over a particular threshold (100sqm) as set out in the Traffic Management Guidelines 2003 and the Traffic Transport Assessment Guidelines 2007.~~

APPENDIX 5 – DRAFT WIND STRATEGY

Submission No: 62 – Ray Conroy – Laois Wind Energy Awareness Group

Proposed by Councillor Catherine Fitzgerald

Seconded by Councillor John Joe Fennelly

Not to accept the Chief Executive's Recommendation with regard to the removal of policy EN7 in the draft Plan and to retain it in the new plan

And amend map no. 1.6.5. to remove areas open for consideration and increase the designation of the areas as 'Areas not for consideration'.

A Roll Call Vote was taken on the following Motion:

Remove all areas open for consideration (all yellow areas on map no: 1.6.5

| COUNCILLOR | | FOR | AGAINST |
|-------------|---------------|--------|---------|
| FIRST NAME | SURNAME | | |
| William | AIRD | ✓ | |
| Paddy | BRACKEN | ✓ | |
| Ben | BRENNAN | ✓ | |
| Caroline | DWANE STANLEY | | ✓ |
| John Joe | FENNELLY | | ✓ |
| Catherine | FITZGERALD | ✓ | |
| Padraig | FLEMING | Absent | |
| David | GOODWIN | ✓ | |
| James | KELLY | | ✓ |
| John | KING | ✓ | |
| Jerry | LODGE | | ✓ |
| Seamus | MCDONALD | Absent | |
| Paschal | MCEVOY | ✓ | |
| John Robert | MORAN | Absent | |
| Tom | MULHALL | ✓ | |
| Aidan | MULLINS | | ✓ |
| Brendan | PHELAN | | ✓ |
| Mary | SWEENEY | ✓ | |
| Noel | TUOHY | ✓ | |

The result of the roll call was 10 votes in favour, 6 against with 3 members absent.

**Submission No: 74 – Marc Van Den Bergh and Dave Fingleton
 On behalf of People Over Wind Save Our Stradbally RTS Substation Action
 Group , Wind Aware Ireland, Laois Wind Energy Awareness Group, Concerned
 Residents of Spink, Swan, Wolfhill and Luggacurran Wind Aware Group**

**Proposed by Councillor Aidan Mullins
Seconded by Councillor John Joe Fennelly**

Amend the Draft Strategy as follows

6.1 Buffer Zones

~~Ensure a setback distance of 1.5 kms of wind turbines from schools, dwellings, community centres and all public roads in all areas open for consideration for windfarm development.~~

Include additional development control standard in Section 6 of the Wind Energy Strategy as follows:

6.19 Decommissioning of associated infrastructure at end of life.

A planning application permission for any renewable energy infrastructure [including wind] must be accompanied by a full and complete set of plans and condition on how the site shall be restored to its original condition at end of life. This should be accompanied by a bond, payable by the developer to the planning authority; the sole purpose of this bond shall be to enable the removal of any and all associated infrastructure with the granted development at the end of the developments term of existence.

A report on the submissions in relation to the Strategic Environmental Assessment (SEA) and Appropriate Assessment (AA) was prepared by CAAS consultants who were engaged by the Council to carry out the SEA and AA.

The following submissions were discussed -

Submission No: 80 – Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

**Proposed by Councillor John Joe Fennelly
Seconded by Councillor John King**

**Response to Submission No: 5 – Easter and Midland Regional Assembly
Comments noted**

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

**Proposed by Councillor John Joe Fennelly
Seconded by Councillor John King**

Response to Submission NO: 48 – Gort Archaeology

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

Proposed by Councillor Paschal McEvoy

Seconded by Councillor Catherine Fitzgerald

Response to Submission No 33 - Environmental Protection Agency

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

Proposed by Councillor John Joe Fennelly

Seconded by Councillor James Kelly

Response to Submission No 52 - Geological Survey of Ireland (GSI)

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

Proposed by Councillor William Aird

Seconded by Councillor John King

Submission No 74 - People over Wind

No suggested changes and the Members agreed with the Chief Executive's recommendation in relation to this submission

Proposed by Councillor Mary Sweeney

Seconded by Councillor John King

.....
Ms Angela McEvoy concluded the presentation by stating that only submissions or observations can be made in respect of the proposed amendments as resolved at today's meeting, submissions or observations in relation to any other aspects of the draft plan cannot be considered at this next stage in the review process.

The Amendments to the Plan will be prepared in the following three weeks and put through the SEA / AA / SFRA process. There will be a public notice once they are on display. When the display period of the Proposed Material Alterations/Amendments to the Draft Laois County Development Plan 2017-2023 is complete, the Chief Executive will prepare a report on any submissions or observations received and submit it to the elected members of Laois County Council. This Report will list the persons or bodies that made submissions or observations, summarise the issues raised and give the response of the Chief Executive to the issues raised.

Laois County Council must, by resolution, having considered the Proposed Material Alterations/Amendments and the Chief Executive's Report make the plan with or without the Proposed Material Alterations/Amendments, or decide to accept same subject to modifications.

The Chief Executive, Mr. John Mulholland expressed thanks to all members for their deliberations and thanked all staff involved for a very comprehensive plan.

**ADOPTION OF THE DRAFT LAOIS COUNTY DEVELOPMENT PLAN 2017 – 2023
AND THE 2ND CHIEF EXECUTIVE’S REPORT ON SUBMISSIONS RECEIVED
RELATING TO THE LAOIS COUNTY DEVELOPMENT PLAN 2017-2023**

On the proposition of Councillor Mary Sweeney seconded by Councillor William Aird, and agreed

Having considered the Draft Laois County Development Plan 2017-2023, the Environmental Report and the Chief Executive’s recommendations contained in the report and taking account of the proper planning and sustainable development of the area, the statutory obligations of the Local Authority and any relevant policies or objectives for the time being of the Government or of any Minister of the Government, that the amendments be made to the draft Laois County Development Plan 2017-2023, it was noted that the amendments go back out on public display after a period of three weeks.

This concluded the business of the meeting.

This concluded the business of the meeting

**SIGNED: _____
CATHAOIRLEACH**

**CERTIFIED: _____
DIRECTOR OF SERVICES
CORPORATE AFFAIRS**

