



Comhairle Chontae Chill Chainnigh

Halla an Chontae Sraid Eoin Cill Chainnigh
R95 A39T

Pobail agus Áiteanna Inbhuanaithe a Chruthú

Kilkenny County Council

County Hall John Street Kilkenny
R95 A39T



Creating Sustainable Communities and Places

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

RE: PROPOSED VARIATION NO. 2, SMALL TOWNS & VILLAGES/RURAL NODES

Date: 15th October, 2024.

Dear Councillor,

Please find attached Chief Executive's Report in relation to proposed Variation No. 2, Small Towns & Villages/Rural Nodes.

I recommend that the Members of Kilkenny County Council adopt Variation No. 2 to the Kilkenny City and County Development Plan 2021 - 2027 with no change, as set out in this Report.

Yours Sincerely,

**Lar Power,
Chief Executive.**

Encl.



**Comhairle Chontae Chill Chainnigh
Kilkenny County Council**

**Chief Executive's Report on Submissions received to
Proposed Variation no. 2, Small Towns and Villages/Rural
Nodes**

**Lar Power
Chief Executive**

October 2024

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1 Introduction

This report addresses the submissions received during the 4-week public consultation period from **Thursday 12th September 2024 to Thursday 10th October 2024** in relation to Proposed Variation no. 2 Small Towns and Villages/Rural Nodes to the Kilkenny City and County Development Plan 2021 – 2027.

The purpose of the report is to:

- (a) Report on the written submissions/observations received in relation to Proposed Variation no. 2 Small Towns and Villages/Rural Nodes during the public consultation period.
- (b) Set out the Chief Executive's response to the issues raised in the submissions/observations and;
- (c) Make recommendations to the Elected Members on the issues arising from the consultation process.

This report is being furnished to the Elected Members of Kilkenny County Council, for their consideration.

1.1 Proposed Variation

This Variation is proposed to clarify the settlement hierarchy in relation to small settlements in the Kilkenny City and County Development Plan 2021 (KCCDP). Specifically, the changes are as follows:

- to change the terms 'Rural Towns and Villages', and 'Smaller towns and villages', to 'Small towns and villages'
- to remove the term 'Rural Node'
- to include villages previously designated as 'Rural Nodes' as 'Small towns and villages without settlement boundaries' in the settlement hierarchy

The Proposed Variation was subject to Strategic Environmental Assessment (SEA) Screening and Appropriate Assessment (AA).

1.2 Planning Context

Section 13(4)(a) of the Planning and Development Act 2000 (as amended) states that, not later than 8 weeks after giving notice of a proposed variation to the development plan under subsection (2)(b), the Chief Executive of a planning authority shall prepare a report on any submissions or observations received under that subsection and shall submit the report to the members of the authority for their consideration.

This Chief Executive's Report has been prepared for consideration by the members of Kilkenny County Council to fulfil this requirement under Section 13(4)(a).

The required content of this Chief Executive's Report is set out under Section 13(4) of the Planning and Development Act 2000 (as amended). A report under Section 13(4)(a) shall:

- (i) List the persons or bodies who made submissions or observations under this section,
- (ii) Provide a summary of –
 - (I) the recommendations, submissions and observations made by the Minister, where the notice under paragraph (a) of subsection (2) was sent before the establishment of the Office of the Planning Regulator,
 - (II) the recommendations, submissions and observations made by the Office of the Planning Regulator, and
 - (III) the submissions and observations made by any other persons, in relation to the proposed variation
- (iii) Give the response of the Chief Executive to the issues raised, taking account of the proper planning and sustainable development of the area, the statutory obligations of any local authority in the area and any relevant policies or objectives for the time being of the Government or of any Minister of the Government.

Furthermore, a report under paragraph (a) shall summarise the issues raised and recommendations made by the relevant regional assembly in its written submission and outline the recommendations of the Chief Executive in relation to the manner in which those issues and recommendations should be addressed in the development plan.

In relation to this variation, whilst assessing the villages within County Kilkenny for inclusion as Small Towns and Villages, the following factors were considered:

- The level of infrastructural/social services provision, and
- Physical form and layout.

The proposed changes will not impact on the overall Core Strategy of the Development Plan. The spatial distribution of the projected growth remains and continues to demonstrate that the City and County Development Plan and its objectives are consistent with the national and regional development objectives set out in the NPF and the RSES.

The figures set out in Table 4.1: Population Projections at Regional and County level, of the Development Plan remain the same. The spatial distribution of the population increases as set out in Table 4.6: Core Strategy 2016- 2027 also remains unchanged, with Kilkenny City allocated 35%, Ferrybank Belview 19.5%, the District Towns (Callan, Castlecomer, Graiguenamanagh & Thomastown) 10.9% and the remainder of the County allocated approximately 34%.

This Proposed Variation has been developed within the national, regional and local policy context and therefore aligns with the following planning policy documents;

- National Planning Framework
- Regional Spatial & Economic Strategy for the Southern Region
- Kilkenny City and County Development Plan 2021-2027
- Town Centre First, A Policy Approach for Irish Towns

1.3 Documents on Public Display

The documents placed on public display for the Proposed Variation were:

- The proposed Variation
- The Public Notice
- An Appropriate Assessment Screening Report
- A Strategic Environmental Assessment Screening Report

All of the above documents were placed on the consult.kilkenny.ie consultation website and on the Council's own website.

Hard copies of the documents were on public display in the Planning Office, Kilkenny County Council, County Hall, John Street, Kilkenny

The public consultation period was from **Thursday 12th September 2024 to Thursday 10th October 2024** (both dates inclusive) and submissions could be made by the following means:

- **By Email** to ourplan@kilkennycoco.ie
- **Online** at <http://consult.kilkenny.ie/>
- **By Written submission** to the Senior Planner, Planning Department, Kilkenny County Council, County Hall, John Street, Kilkenny.

1.4 Consideration of Variation

The members of the planning authority are required to consider the proposed variation and this Chief Executive's Report.

If the Planning Authority, after considering a submission, observation or recommendation from the Minister, Office of the Planning Regulator or Regional Authority, decides not to comply with a recommendation made by such, it shall so inform the Minister, OPR or Regional Authority as relevant as soon as practicable by written notice and shall include the reasons for the decision.

In making a variation to a development plan, the members are restricted to considering the proper planning and sustainable development of the area, the statutory obligations of a local authority and any relevant policies or objectives of the Government or any Minister of the Government.

2 Submissions received during Public Consultation

A list of the people/bodies from whom submissions were received is included below:

Reference	Name
KK-C275-1	Environmental Protection Agency
KK-C275-2	Transport Infrastructure Ireland
KK-C275-3	Uisce Éireann
KK-C275-4	Office of the Planning Regulator
KK-C275-5	Office of Public Works
KK-C275-6	Sharon Trayer on behalf of Residents of Kilmanagh and surrounding local area (Signed by 451 residents of the area)
KK-C275-7	Southern Regional Assembly

The full text of all submissions is available at <https://consult.kilkenny.ie/en/node/6795/submissions>

To comply with reporting procedure in the legislation the submission from the OPR (KK-C275-4) is dealt with first in the following pages.

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

Sub. No.	From	Summary of Issues	Chief Executive’s Response & Recommendation
KK-C275-4	Office of the Planning Regulator	<ol style="list-style-type: none"> 1. The proposed Variation promotes 24 settlements which were designated as Tier 5 rural nodes to Tier 4 small towns and villages. The OPR has concerns that the proposed Variation will undermine the integrity of the settlement hierarchy of the City and County Development Plan by promoting settlements for growth, development and new homes in areas where there is inadequate or no public water and wastewater infrastructure, as well as making it more difficult for infrastructure providers to prioritise investment in wastewater treatment programmes in line with the settlement hierarchy of the City and County Development Plan. 2. The settlement hierarchy set out in the City and County Development Plan was given detailed consideration by the OPR as part of the plan making process and was considered to provide a clear and well-informed settlement hierarchy with population growth targeted across five settlement tiers, consistent with National Policy Objectives (NPOs) of the NPF and Regional Policy Objectives (RPOs) of the RSES, and in particular the settlement typology set out in RPO3 of the RSES. 3. The change proposed is in the absence of any evidence based assessment as per Section 4.5.2 of the Development Plans, Guidelines for Planning Authorities (2022) (the Development Plans Guidelines) which require a Settlement Capacity Audit when formulating a sustainable settlement strategy. 	
			<p>Chief Executive’s Response:</p> <p>The Chief Executive acknowledges the submission from the OPR.</p> <ol style="list-style-type: none"> 1. The proposed variation will not impact on the overall Core Strategy of the Development Plan. Proposals for new development will be based on the level of appropriate services. The core strategy and development plan objectives will remain consistent with the NPF and the RSES. (See response to no. 6 below) 2. Following adoption of the proposed variation the Development Plan will remain consistent with the National Policy Objectives and Regional Policy Objectives and the growth targets set out in the Core Strategy. 3. As there is no change to the targeted population growth in the core strategy for the settlements there is no requirement for a settlement capacity audit.

		<p>4. The OPR is concerned, that this proposed Variation will undermine the integrity of the settlement hierarchy of the City and County Development Plan and its alignment with the settlement typology consistent with RPO 3 of the RSES.</p> <p>5. That generally there is either no, or limited, capacity for growth in the settlements from a public water services perspective.</p> <p>The OPR is concerned that the proposed Variation will lead to unintended consequences such as unplanned development or poor servicing prioritisation. For example, the City and County Development Plan recognises the need to locate nursing homes within the existing network of smaller towns and villages to serve rural demand, i.e. the Tier 4 settlements. By promoting the 24 settlements from Tier 5 into Tier 4, this proposed Variation is encouraging this form of development in settlements which were not previously identified or capable of supporting intensive land uses which will disadvantage more suitable and sustainable settlements in the hierarchy thus undermining the achievement RPO 26 which seeks to strengthen the viability of our towns and rural settlements and RPO 213 which supports investment in wastewater treatment programmes in line with the settlement hierarchies set out in development plans.</p> <p>6. The OPR submission recommends that the Planning Authority reconsider the proposed Variation and ensure that the settlement hierarchy of the Kilkenny City and County Development Plan 2021-2027 is consistent with the settlement typology as set out in the RSES and the promotion of growth</p>	<p>4. The proposed variation will not undermine the integrity of settlement hierarchy or the population growth rates (See No.6 below).</p> <p>5. Development within the towns and villages must have regard to the level of services generally in the settlement and in particular water services. It is the stated policy of Uisce Eireann that alternative solutions such as private wells or wastewater treatment plants should not generally be considered by planning authorities.</p> <p>Proposals for development within settlements will be required to demonstrate that the settlement will be in a position to support any intensive land use development proposed.</p> <p>The Council does consider the provision of wells on a temporary basis to service developments in the short-term where there is a deficiency in the public water supply and where that deficiency is identified to be addressed as part of the Irish Water Investment programme.</p> <p>6. The Planning authority has ensured the consistency of the variation and the Core Strategy with the settlement typologies set out in the RSES and the</p>
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		<p>and investment in infrastructure towards the serviced settlements.</p>	<p>promotion of growth and investment towards serviced settlements.</p> <p>The core strategy figures remain unchanged</p> <p>Kilkenny City, Ferrybank/Belview and District towns to cater for 65.4% of the targeted increase under the NPF.</p> <p>Smaller settlements and the wider rural area are allocated 34.4%.</p> <p>This proportion will remain the same with rural settlements being identified as those with development boundaries and those without.</p> <p>In addition the following statement is part of the variation which ensures that the scale of development is proportionate to the settlement’s scale and character.</p> <p><i>“Proposed development in all the settlements will however have to have regard to the availability of infrastructure capacity of each respective settlement over the lifetime of the Plan”.</i></p> <p>For these reasons the Planning Authority considers that the Core Strategy in the</p>
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			<p>proposed varied Plan, is consistent with the settlement typologies and the promotion of growth and investment in serviced settlements.</p>
			<p>Chief Executive’s Recommendation:</p>
			<p>No change recommended.</p>
<p>KK-C275-1</p>	<p>Uisce Éireann</p>	<p>Uisce Eireann have undertaken a review of existing water services in the settlements designated as ‘small towns and villages without settlement boundaries ’in the proposed variation. Many of the settlements do not have an Uisce Éireann Wastewater Treatment Plant and/or public water supply, and generally there are constraints on existing services in the settlements that are serviced. There is generally either no, or limited, capacity for growth in the settlements from a public water services perspective.</p> <p>Development in lands with no public water services infrastructure, as outlined in Draft Water Services Guidelines for Planning Authorities (January 2018), Section 5.3: is guided by the policy that <i>“there is a general presumption that development will be focused into areas that are serviced by public water supply and wastewater collection networks. Alternative solutions such as private wells or wastewater treatment plants should not generally be considered by planning authorities. Uisce Éireann will not retrospectively take over responsibility for developer provided treatment facilities or associated networks, unless agreed in advance”</i>.</p> <p>It is stated in the report on Variation no. 2 that they received showed Figure 7.1 in the current Kilkenny City and County Development Plan referenced as ‘County Core Strategy’;</p>	<p>Chief Executive’s Response:</p> <p>The Chief Executive acknowledges the submission from Uisce Eireann.</p> <p>It should be noted that the proposed variation is a non-substantive change to policy, but rather an adjustment to terminology to allow for the recognition of established settlements.</p> <p>Due to the changes under proposed Variation no. 2 being more to terminology and not impacting on policy, there will be no impact on the overall Core Strategy of the Kilkenny City and County Development Plan.</p> <p>The spatial distribution of the projected population growth will not be altered as a result of this Variation, therefore the Development Plan and its objectives remain consistent with the national and</p>

		<p>however, it is their understanding that this map should be referenced as “Rural Housing Strategy.”</p>	<p>regional development objectives set out in the NPF and the RSES.</p> <p>In relation to the report on Variation no. 2, the incorrect map title was used and should have read Rural Housing Strategy and this is noted, however the correct title will be implemented if this Variation no. 2 is passed by the elected members.</p> <p>Chief Executive’s Recommendation:</p> <p>No change recommended.</p>
<p>KK-C275-2</p>	<p>Environmental Protection Agency</p>	<p>This submission recommends that the SEA Determination takes the ‘SEA of Local Authority Land Use Plans – EPA Recommendations and Resources’ guidance document into account.</p> <p>The EPA submission also recommends a range of guidance documents and resources in relation to the carrying out of Strategic Environmental Assessment screening and the making of a determination in relation to such.</p>	<p>Chief Executive’s Response:</p> <p>The Chief Executive notes the submission from the Environmental Protection Agency.</p> <p>SEA Screening of the Proposed Variation No. 2 to the Kilkenny City and County Development Plan 2021-2027 has been carried out in consultation with the Environmental Authorities, including the Environmental Protection Agency. It was determined that Proposed Variation No. 2 will not give rise to likely significant effects on the environment in a Screening Determination for Strategic Environmental Assessment.</p> <p>The prepared Strategic Environmental Assessment Screening Report (including</p>

			<p>Screening Determination) accompanied Proposed Variation No. 2 during the display period.</p> <p>Chief Executive’s Recommendation:</p> <p>No change recommended.</p>
<p>KK-C275-3</p>	<p>Transport Infrastructure Ireland</p>	<ol style="list-style-type: none"> 1. The Submission from Transport Infrastructure Ireland notes that a number of settlements impacted by the Proposed Variation are situated on, or in, the vicinity of the national road network, for example, Cuffesgrange (N76), Danesfort (N10) and Glenmore (N25). 2. The settlements concerned do not appear to have identified boundaries in the Development Plan. The Proposed Variation may result in a demand for development in the settlements concerned arising from their ‘promotion’ in the County Settlement Hierarchy. 3. Submission recommends that a cross-reference is included in the Proposed Variation to Section 12.11.10.1 of the adopted County Development Plan which addresses ‘Roads Development Management Requirements’ relating to National Roads. 	<p>Chief Executive’s Response:</p> <ol style="list-style-type: none"> 1. The proposed variation is a non-substantive change to policy, it is an adjustment to terminology to allow for the recognition of established settlements. 2. The recognition of village status does not confer any additional development rights in the absence of adequate services or in contravention of existing development management policy. 3. Sections 12.11.2, 12.11.3, and 12.11.10.1 already make reference to Section 2.5 of Spatial Planning and National Roads, 2012 and this is considered sufficient. <p>Chief Executive’s Recommendation:</p> <p>No change recommended.</p>

<p>KK-C275-5</p>	<p>Office of Public Works</p>	<p>The OPW has carried out a review of the documents and note the continued commitment to adhere to the appropriate application of the Planning System and Flood Risk Management Guidelines (2009) and Circular PL02/2014.</p> <p>The OPW submission requests that any changes to zoning designations in areas of flood risk be implemented in future, and it is important that a flood risk assessment to an appropriate level of detail is carried out and that there is appropriate justification for any decisions made as set out in the Guidelines.</p>	<p>Chief Executive’s Response</p> <p>The Chief Executive notes the submission of the OPW.</p> <p>This proposed Variation no. 2 does not result in any zoning changes, thus the Flood Risk Assessment carried out as part of the Kilkenny City and County Development Plan 2021 – 2027 remains unchanged.</p> <p>Chief Executive’s Recommendation:</p> <p>No change recommended.</p>
<p>KK-C275-6</p>	<p>Sharon Trayer (on behalf of the residents of Kilmanagh village and the surrounding community, signed by 451 residents of the area).</p>	<p>The submission notes Kilmanagh’s designation in previous County Development Plans as follows;</p> <p>2002 – 2008 Kilmanagh listed as one of 27 Designated Towns and Villages.</p> <p>2008 – 2014 Kilmanagh listed as one of 23 Smaller Towns and Villages.</p> <p>2014 – 2021 Kilmanagh listed as one of 24 Smaller Towns and Villages.</p> <p>2021 – 2027 Draft Kilkenny City and County Development Plan- Figure 4.2 Core Strategy, and Figure 7.1 Rural Housing Strategy, Kilmanagh was represented on these maps as a small town/village.</p>	<p>Chief Executive’s Response:</p> <p>The content of the submission on behalf of the residents of Kilmanagh Village and the surrounding community is noted by the Chief Executive.</p> <p>1. Between 2003 and 2014 seventeen local area plans were prepared for towns and villages within the county. A key strategic issue for the 2014 Plan was the planning frameworks for smaller towns and villages¹. The 2014 plan clearly set out a move away from local area plans for smaller towns and villages and inclusion of these settlements within the Core Strategy. In the 2014 Plan where a settlement did not have a</p>

¹ See page 14 Section 2.5 of the County Development Plan 2014- 2020

		<ol style="list-style-type: none"> 1. Commitments were made to create Local Area Plans for various small towns and villages in 2002 & 2008 including for Kilmanagh which was not fulfilled. 2. The decision of Kilkenny County Council to use the definition of a settlement from the NPF (published in 2018) under National Policy Objective 3a resulted in Kilmanagh being downgraded to 'rural node' status without any due consideration to the infrastructure, facilities, population growth, potential development, sustainable development of the local area, nor the previous investment made, with no explanation provided as to why this designation was chosen. 3. It is stated that Kilkenny County Council was incorrect to designate Kilmanagh village as a rural node and clearly did not review the services, infrastructure and facilities located within Kilmanagh when making this decision. 	<p>boundary it was stated that it would be considered as part of the County's rural area i.e. there is no change in its status.</p> <p>2.The use of the NPF definition of settlement in the Core strategy is required to ensure that the Council's Core Strategy can show compliance both with the National Planning Framework and the Regional Spatial and Economic Strategy.</p> <p>3.The designation within the Core Strategy revolves around a comprehensive evidenced based approach which is not solely based on service levels within villages. As stated by the OPR in its submission to this process (Ref. KK-C275-4): <i>"The settlement hierarchy set out in the City and County Development Plan was given detailed consideration by the Office as part of the plan making process and was considered to provide a clear and well informed settlement hierarchy with population growth targeted across five settlement tiers, consistent with National Policy Objectives"</i>.</p> <p>The proposed variation maintains that compliance but also allows 25 nodes to be</p>
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		<p>4. Kilmanagh has a population and infrastructure in place that is legitimately and fairly comparable to that of other villages with settlement boundaries.</p> <p>5. Variation 2 does not appear to include criteria for settlements without a boundary and as such does not properly take into account the services, infrastructure and facilities within this settlement categorisation. Ambiguity remains around the rationale for the designation of small town/ villages without settlement boundaries.</p> <p>6. If Kilmanagh is classified as small-town/ village without a settlement boundary, it results in the rural housing policy being applicable to the village. Without a village boundary, Kilmanagh will be unable to provide the alternative to the provision of single houses in surrounding unserviced areas. The village has a wastewater treatment capacity issue which can only be addressed with investment and this can only be secured with a smaller towns and villages designation with a</p>	<p>designated as villages, reflecting their historic and current functions.</p> <p>4. Many of the 25 settlements which were classified as nodes can, on initial observation, lay claim to the desire for a settlement boundary. However this approach would have county-wide implications for investment in services. Therefore it is not recommended that Kilmanagh is assessed for a development boundary in isolation. It should be noted that investment priorities for services lies mainly outside of the control of the Council.</p> <p>5. There is no ambiguity in the designation. There is a clear definition outlined in accordance with the NPF. Since 2014 the policy direction has been to account for all settlements and their growth potential in the Core Strategy of the Development Plan.</p> <p>6. The rural housing policy does apply, but as a village without a boundary, an exception applies as follows: <i>“For rural nodes small towns and villages where no settlement boundary is designated, individual housing sites or small clusters, sympathetic to the existing form,</i></p>
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		<p>defined village settlement boundary. To commit Kilmanagh village to that of a small town/village without a settlement boundary, sets in place the beginning of a new period of rural decline for this area.</p> <p>7. This submission provides a map with their proposed settlement boundary for Kilmanagh. States that the Variation provides an opportunity for Kilkenny County Council to correct this previous oversight by creating a settlement boundary and defining Kilmanagh as a small town/ village with a settlement boundary. In doing so, the long term sustainable and appropriate development of the village of Kilmanagh would allow all those services, facilities and infrastructure to be maintained and grow to an appropriate scale.</p>	<p><i>will be considered contiguous to the existing built up area so as to promote their contribution to place making and the strengthening of the settlement/village core”.</i></p> <p>As evidenced over the last three Censi the small area of Kilmanagh (ref A09707002 inc. townlands of: Ballagh, Kilmanagh, Knockeenglass, Knockeenbaun, Sheeptown, and Banse Glebe) has increased in population either in line or exceeding the County average.</p> <table border="1" data-bbox="1428 730 1806 893"> <thead> <tr> <th>Year</th> <th>pop</th> <th>%</th> </tr> </thead> <tbody> <tr> <td>2022</td> <td>261</td> <td>6%</td> </tr> <tr> <td>2016</td> <td>246</td> <td>7.9%</td> </tr> <tr> <td>2011</td> <td>228</td> <td>-</td> </tr> </tbody> </table> <p>This indicates a steady and sustained increase in population in the area without a development boundary. No evidence has been put forward to show how the lack of a boundary would impact on the growth of the area.</p> <p>7. Given that in total 25 settlements are being reclassified as part of this Variation it is not appropriate to provide a settlement boundary for Kilmanagh. Any proposal for additional settlement boundaries would</p>	Year	pop	%	2022	261	6%	2016	246	7.9%	2011	228	-
Year	pop	%													
2022	261	6%													
2016	246	7.9%													
2011	228	-													

		<p>8. The 2021-2027 City and County Development saw Kilmanagh village incorrectly demoted to that of 'rural node' status. This resulted in a vast swathe of land in the north-western part of County Kilkenny no longer having a settlement above that of rural node and created an imbalance in the geographical spread of appropriately sized settlements. A Map is submitted showing a green boundary, where there are no settlements higher than that of small town/ village without a settlement boundary.</p>	<p>have to consider all 25 settlements and a full re-examination of the County Core Strategy. The OPR and all other state infrastructural agencies would have a role in such a re-examination. As evidenced by the census figures, Kilmanagh is growing in population under the current policies.</p> <p>8.The effects of this perceived imbalance are not highlighted. The area outlined in green shows that Kilkenny City, Callan, Urlingford and Freshford are located at the edge of the area identified. Under this variation, settlements previously designated as nodes are now designated as villages.</p> <p>Chief Executive’s Recommendation:</p> <p>No change recommended.</p>
<p>KK-C275-7</p>	<p>Southern Regional Assembly</p>	<p>This submission states that there are potential anomalies arising from the proposed Variation, and seeks clarification on the following:</p> <p>1. Will Section 4.6.1.1 Serviced sites relate to small towns and villages with settlement boundaries solely, as if this applies to those without settlement boundaries also, there are implications in relation to the RSES policies on rural settlements.</p>	<p>Chief Executive Response:</p> <p>The Chief Executive notes the submission by the Southern Regional Assembly.</p> <p>1. All references to ‘Small Towns and Villages’ now refers to all settlements listed in the Small Towns and Villages category of Table 4.3.</p> <p>As set out under Section 4.6, Development within the Small towns and villages must</p>

		<p>2. As Objective 4J of the KCCDP, relating to a programme for ‘new homes in small towns and villages’ will now allow for inclusion of the additional 25 undefined settlements, has an assessment been made of capacity for the provision of services in these settlements?</p> <p>3. Does the Tier 4 reference in Objective 4La still apply, and also, does Objective 4La apply to both small towns and villages with and without settlement boundaries.</p> <p>4. Is it intended to open up potential for the development of nursing homes in small towns and villages with no defined settlement boundary? It is desirable that such developments are located in suitable locations in order to ensure good public transportation links, service provisions, and facilities and concern is expressed that the proposed variation could result in nursing home developments at locations which do not provide adequate access to local services and facilities.</p>	<p>have regard to the level of services generally in the settlement. Therefore there is no implication in relation to the RSES policies on rural settlements.</p> <p>2. As set out under Section 4.6, Development within the Small towns and villages must have regard to the level of services generally in the settlement. In addition, such a programme will involve extensive consultation with all stakeholders including public infrastructure agencies, and will include a comprehensive assessment of the capacity of settlements.</p> <p>3. Tier 4 refers to the 4th category in the settlement hierarchy, i.e. Small Towns and Villages. As set out above, the programme will cater for both small towns and villages with and without settlement boundaries.</p> <p>4. Section 6.16.2 of the Development Plan states that ‘it is preferable that nursing homes be located within the existing network of small towns and villages’. As set out under Section 4.6, Development within the Small towns and villages must have regard to the level of services generally in the settlement. Any application for a significant development, such as a nursing</p>
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		<p>5. Has consultation been undertaken with the relevant infrastructure providers to confirm if the targets of the National Broadband Plan as currently projected and set out under the KCCDP remain achievable under the Proposed Variation.</p> <p>6. To what extent has the re-categorisation of Rural Nodes under the category of ‘Small Towns and Villages’ addressed the Guiding Principles on page 34 of the RSES? Concern is expressed that the merging of rural nodes with the small towns and villages recognised as settlements by CSO classification could undermine the prioritisation of investment in essential infrastructure for the existing small towns and villages in the County and the sustainable growth and development of these settlements.</p> <p>7. In conclusion the submission states that it is not clear that the proposed variation has taken account of the Guiding Principles on Settlement typology as required under RPO3 - Local Authority Core Strategies and concern is expressed that the proposed variation could undermine the Sustainable Place Framework, and system for prioritisation of investment in social, community and physical infrastructure based on the settlement hierarchy,</p>	<p>home, will include for assessment of the level of services generally.</p> <p>5. The proposed variation does not affect the provisions of the National Broadband Plan, who have their own definition of Smaller towns and villages. Should a development proposal come forward this is one of the services that should be examined as referenced in point 4 above.</p> <p>6. The proposed changes will not impact on the overall Core Strategy of the Development Plan. The spatial distribution of the projected growth remains and continues to demonstrate that the Development Plan and its objectives are consistent with the national and regional development objectives set out in the NPF and the RSES.</p> <p>7. The proposed changes will not impact on the overall Core Strategy of the Development Plan. RPO3 states that <i>“In preparing Core Strategies, local authorities shall determine a hierarchy of settlement and appropriate growth rates in accordance with the guiding principles (including environmental protection) and typology of</i></p>
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		<p>resulting in uncertainty for future investment by infrastructure providers.</p> <p>Therefore, on the basis of the background and reports provided as part of Proposed Variation no. 2 to the Kilkenny City and County Development Plan 2021-2027, it is not clear that the Proposed Variation would be consistent with the Regional Spatial and Economic Strategy (RSES).</p>	<p><i>settlement in the RSES</i>”. (See submission KK-C275-4 OPR for more detail)</p> <p>The proposed variation is not a substantive change to policy, but rather an adjustment to terminology to allow for the recognition of established settlements. Therefore, the core strategy and development plan objectives will remain consistent with the NPF and the RSES.</p> <p>Chief Executive’s Recommendation: No change recommended.</p>
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4 Next Steps

The Members are required to consider the proposed Variation and Report of the Chief Executive within 6 weeks from the date of submission of the Report to the members. After considering the proposed Variation and CE's report, the Planning authority may by resolution make the variation with or without further modifications or may refuse to make it.

If the Planning authority make a material modification to the proposed variation then it will be necessary to determine if that modification requires appropriate assessment or Strategic Environmental Assessment and that material modification will require further public display and comment, all to be considered by the Planning authority before the Variation is made.

Once made, the Variation comes into effect from the day the variation is made.

5 Recommendation of the Chief Executive

It is recommended that the Members of Kilkenny County Council adopt Variation no. 2 to the Kilkenny City and County Development Plan 2021 – 2027 with no change, as set out in this report.



**Lar Power,
Chief Executive
Kilkenny County Council**

Kilkenny City and County Development Plan 2021-2027

PROPOSED Variation no. 2 Small Towns and Villages/Rural Nodes

Planning Department
Kilkenny County Council

September 2024

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1 Introduction

This Variation is proposed to clarify the settlement hierarchy in relation to small settlements in the City and County Development Plan 2021 (CCDP). Specifically, the changes are as follows:

- to change the terms 'Rural Towns and Villages', and 'Smaller towns and villages', to 'Small towns and villages'
- to remove the term 'Rural Node'
- to include villages previously designated as 'Rural Nodes' as 'Small towns and villages without settlement boundaries' in the settlement hierarchy

These changes primarily affect Chapter 4 Core Strategy, however the changes will be made wherever the terms appear throughout the CCDP.

Background

Table 4.3 County Settlement hierarchy, of the CCDP includes the following categories:

- Rural Towns and Villages
- Rural Nodes and the wider rural area

In Section 4.6 the term 'Smaller Towns and Villages' is used.

In order to clarify the terminology, and ensure consistency, it is now proposed to change the terms 'Rural Towns and Villages', and 'Smaller towns and villages', to 'Small towns and villages'. To reflect the historic and current functions of many of the small settlements in the county, it is also proposed to reclassify villages designated as 'rural nodes' to a designation within the category of 'Small towns and villages'. Those villages are proposed to be categorised as 'Small towns and villages without settlement boundaries', to distinguish them from those small towns and villages that have a designated settlement boundary.

In assessing the villages for inclusion as Small Towns and Villages, the following factors were considered:

- The level of infrastructural/social services provision, and
- Physical form and layout.

The proposed changes will not impact on the overall Core Strategy of the Development Plan. The spatial distribution of the projected growth remains and continues to demonstrate that the CCDP and its objectives are consistent with the national and regional development objectives set out in the NPF and the RSES.

The figures set out in Table 4.1: Population Projections at Regional and County level, of the Plan remain the same. The spatial distribution of the population increases as set out in Table 4.6: Core Strategy 2016- 2027 also remains unchanged, with Kilkenny City allocated 35%, Ferrybank Belview 19.5%, the District Towns (Callan, Castlecomer, Graiguenamanagh, & Thomastown) 10.9% and the remainder of the County allocated approximately 34%.

Environmental Reports

The Proposed Variation has been subject to SEA and AA Screening processes and SEA and AA Screening Reports and associated SEA and AA Screening Determinations accompany the Proposed Variation on public display.

2 Proposed Variation

The proposed Variation is outlined below and should be read in conjunction with the Kilkenny City and County Development Plan 2021.

The proposed changes will appear as follows:

Deletions in ~~strikethrough~~

Insertions in *red italics*

Volume 1 County

Chapter 3 Demographic and Socio-Economic Trends

3.9 Key Strategic Issues for this Plan

Bullet Point no. 7 "~~smaller~~" changed to "*the small*"

Chapter 4 Core Strategy

4.3 Settlement Hierarchy

Table 4.3: County Settlement Hierarchy in accordance with NPF and RSES

Table 4.3: County Settlement Hierarchy in accordance with NPF and RSES	
Type of Urban Centre	Town/Centre
Significant Key Town	Kilkenny City
Waterford Metropolitan Area (Metropolitan Area Strategic Plan)	Waterford (Ferrybank/Belview in Co. Kilkenny)
Towns > 1,500 in population	Callan, Castlecomer, Graiguenamanagh/Tinnahinch, Thomastown, Rosbercon (Environs of New Ross in Co. Kilkenny)
Rural Towns and villages (22) <i>Small towns and villages</i>	Ballyhale*, Ballyragget*, Bennettsbridge*, Clogh-Chatsworth*, Fiddown*, Freshford*, Goresbridge*, Gowran*, Inistioge*, Johnstown*, Kells*, Kilmacow*, Kilmoganny*, Knocktopher*, Moneenroe*, Mooncoin*, Mullinavat*, Paulstown*, Piltown*, Slieverue*, Stoneyford*, Urlingford* <i>Ballyfoyle, Castlewarren, Coan, Carrigeen, Clara, Crosspatrick, Cuffesgrange, Danesfort, Dunamaggin, Dungarvan, Galmoy, Gathabawn, Glenmore, Hugginstown, Johnswell, Kilmanagh, Lisdowney, Listerlin, Newmarket, Owing, The Rower, Skeoghvasteen, Tullaroan Tullogher, Windgap.</i>
Rural Nodes and the wider rural area <i>Wider Rural Area</i>	Ballycallan, Ballyfoyle, Byrnesgrove, Bigwood, Castlewarren, Coan, Carrigeen, Clara, Connahy, Crosspatrick, Coolroebeeg, Clogherinka, Cuffesgrange, Danesfort, Dunamaggin, Dungarvan, Ennisnag, Galmoy, Glenmore Hugginstown, Johnswell, Kilmanagh Lisdowney, Listerlin, Newmarket, Newtown, Owing, The Rower, Skehana, Skeoghvasteen, Threecastles, Tullaroan Tullogher, Templeorum, Windgap, Gathabawn. <i>All other areas of the County not listed above.</i>

* Denotes Small Towns and Villages that meet the NPF/CSO definition of a settlement, and accordingly have been given a settlement boundary¹.

Footnote 1: the County Development Plan follows the settlement hierarchy set out in the NPF (see page 58 of NPF). The CSO list on their website lists all settlements that meet NPF/CDO definition (see: <https://data.cso.ie> using F1015 in the search function). The towns and villages denoted with a settlement boundary are derived from the CSO settlement list.

4.6 Smaller Towns and Villages

Change the title from “~~Smaller Towns and Villages~~” to “*Small towns and villages.*”

The smaller towns and villages...

Delete in paragraph 2 as follows;

~~“In the 2014 – 2020 Plan 14 such settlements were identified. For this current Plan a total of 22 smaller settlements have been identified”~~

In the second sentence of paragraph two, change “~~smaller~~” to “*small*”

In order to offer an effective alternative to the provision of single houses in surrounding unserviced rural areas, proposals for developments with densities of 15-20 units per hectare¹ will be considered in smaller towns and villages where social services such as a school, church, pub etc. are available and engineering services are either available or can be provided by the relevant agencies within the lifetime of the plan.

In the last sentence of the third paragraph:

Housing development within ~~the development boundary of the~~ *those* small towns and villages *with a settlement boundary* (See Figures 4.4 to 4.25), ~~included~~ *denoted* in Table 4.3 County Settlement Hierarchy, will not be subject to the rural housing policy as outlined in Section 7.8 Rural Settlement Strategy.

The scale and density of development in these settlements *small towns and villages with a settlement boundary* will depend on a number of factors including:

- Availability of infrastructure including appropriate social, waste water treatment facilities and water supply,
- Contribution to the enhancement of the village form by reinforcing the street pattern or assisting in the redevelopment of backlands,
- Contribution to the protection of the architectural and environmental qualities of the village,
- Capacity of the existing services in the village to accommodate the proposed development.

Future growth in ~~these~~ *all* the smaller towns and villages listed in Table 4.3 will be incremental, small in scale and appropriate to the size, scale and character of the village.

The Council will encourage development of economic activity, services and infrastructure provision in *all* the smaller towns and villages of the county and allow for town *and village* renewal and serviced site housing provision in smaller towns and villages where services are

¹ See Development Plan Errata page, last updated 11th August 2022

available and/or planned, at a scale and character which is proportionate, in order to sustain and renew population and services in these areas.

Settlement boundaries have been drawn up having regard to the following considerations:

- The need to provide a compact and accessible town *or village* in accordance with the principles of sustainable development,
- Its population at the time of the 2016 Census *and if the settlement was enumerated*
- The potential for lands to be at risk from flooding,
- The location and capacity of existing engineering (water and wastewater) infrastructure,
- Proximity to existing and potential community and commercial facilities and the need to encourage sustainable growth (schools, shop, church),
- The need to offer location choice and housing mix,
- The existing built environment and road infrastructure and local topography,
- Linkages (transport) to other larger settlements,
- Existing planning permissions.

The ~~smaller settlements~~ *small towns and villages* are identified in Table 4.3 County Settlement Hierarchy.

~~Each of these settlements are subject to a map (See Figure 4.4 to 4.25), which depicts a settlement boundary. These settlement boundaries define an area within which development will be encouraged.~~ *The settlements enumerated in the 2016 Census are subject to a map (See Figs 4.4 to 4.25) which depicts a settlement boundary.* Proposed development in ~~these~~ *all the* settlements will however have to have regard to the availability of infrastructure capacity of each respective settlement over the lifetime of the Plan.

Accordingly, development proposals within the *small towns and villages* ~~boundary~~ will be considered on their merits against the policies and objectives contained in this core strategy and the Development Plan generally.

~~These settlements~~ *The small towns and villages* have been assigned proportionate growth targets for the purpose of this Core Strategy, using the CSO 2016 figures as a base.

The County's Rural Housing Policy will not apply on zoned lands within a Development plan or any Local Area Plan. Similarly, the Rural Housing Policy will not apply to housing within any defined settlement boundary. Where a settlement does not have a statutory Local Area Plan or a settlement boundary in existence at the time of this development plan, then for development management purposes, ~~it will be considered as part of the County's rural area i.e. the rural housing policy will apply.~~

In general, housing developments in and around the settlements without settlement boundaries will be subject to compliance with the rural housing policy, with the following exceptions. For multiple housing developments (2 or more houses in a cluster) 20% of the houses proposed can be made available for people who do not meet the requirements of the rural housing policy. For one-off houses or schemes where 20% cannot be reached in whole housing units nodes applicants will be required to satisfy the Council rural housing policy. Development will be limited to incremental local growth appropriate to their size and character.

4.6.1.1 Serviced sites

Delete “~~smaller towns and villages~~” and replace with “*small towns and villages.*”

4.7 Rural Nodes *Wider Rural Area*

Delete all text from section (except Objectives) and replace with:

Below the level of the small towns and villages in the settlement hierarchy is the wider rural area. Housing development in the wider rural area will be considered on their merits having regard to the rural housing policy set out in Section 7.8.1 to Section 7.8.7 in Chapter 7 on rural development.

Objectives

4L It is an objective of the Council to prepare design and best practice guidelines for the provision of cluster housing in the *small* ~~rural~~ settlements and ~~rural nodes~~ of the County.

4La To develop a set of criteria and a programme to carry out an analysis of the ~~Smaller Towns and Villages~~ (Tier 4) to consider:

4.8 Development Management Requirements

- For ~~smaller~~ towns and villages with settlement boundaries, individual serviced sites for individual houses and appropriately designed small housing schemes are promoted where social and engineering infrastructure are available.
- The Planning Authority may limit the extent of development on any one site within the designated ~~smaller~~ towns and villages in accordance with the overall water services capacity and the availability of land for development within the village
- For ~~rural nodes~~ *small towns and villages* where no settlement boundary is designated, individual housing sites or small clusters, sympathetic to the existing form, will be considered contiguous to the existing built up area so as to promote their contribution to place making and the strengthening of the settlement/village core.

4.11.1 Rural Housing

The Rural Housing Policy is contained in Chapter 7, Rural Development Strategy. The Rural Housing Policy complies with the requirements to designate two policy areas, being

- Areas under Urban Influence i.e. within commuter catchment of cities and large towns and centres of employment and elsewhere.
- Other Rural Areas i.e. areas where housing will be based on siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of ~~smaller~~ towns and ~~rural settlements~~ *villages*

Table 4.6 Core Strategy 2016 – 2027

Table 4.6: Core Strategy 2016-2027					
(1)	Core Strategy population allocation 2016 – 2027 (2)	Household Demand NPF 50/50 (3)	Housing land requirement to 2027 (hectares) (4)	NPO 3C (5)	Zoning (Ha) (6)
County Kilkenny	11,842	4,649			
Kilkenny City	4,144	1,627 (35%)	46.48 ²	(30%) 13.9ha ³ inside CSO boundary and (70%) 32.5ha outside CSO boundary	18.6ha Abbey Quarter (30-35%) plus 25Ha mixed zoned outside CSO 42.84Ha ⁴
Ferrybank/ Belview (Part of MASP)	2,320 ⁵	910 (19.5%)	26	(50%) 14ha inside CSO boundary and (50%) 14ha outside CSO boundary	28Ha
District Towns					
(a) Callan	441 ⁶	160 (3.4%)	8 Ha		7.65Ha
(b) Castlecomer	264	93 (2%)	4.65 Ha		5.5Ha
(c) Graiguenamanagh	278	100 (2.1%)	5 Ha		6Ha
(d) Thomastown	437 ⁷	159 (3.4%)	8 Ha		6.7Ha (Review land provision in LAPs to 2027) ⁸
Smaller Settlements Town and Villages with settlement boundaries*	1,284 ⁹	467 (10%)	128		
Remainder area** Rural Housing	3,542	1,133 (24.37%)	58 ¹⁰		
Total	11,842	4,649	284.13		119.69

² 1,627 households divided by 35units/ha = 46.48 ha.

³ The Council has established through its own research that there is more than sufficient capacity within the existing built up area to cater for this increase.

⁴ See Housing Strategy and Core Strategy Volume 2

⁵ Estimated based historical population distribution model in PLUTS 2004 2016- 2026. (subtract no. of units built in Ferrybank to 2021)

⁶ The figure for Callan is an increase of 150 persons to 2027 over and above the 2019 LAP following review under this Core strategy.

⁷ The figure for Thomastown includes an additional 150 persons to 2027 over and above the 2019 LAP.

⁸ To realign the timelines of the LAPs with the City and County Development plan 2021-2027 the housing land required in the District towns will be reviewed to 2027 in light of the new housing demand figures.

⁹ See housing strategy

¹⁰ 700 Households divided by 12 units/ha = 58 ha

**Remainder area to include smaller towns and villages *without settlement boundaries*, the environs of New Ross and the rural area of the county.

Chapter 5 Economic Development

5.6.4 Retail Hierarchy

Table 5.3 Retail hierarchy

Table 5.3 Retail Hierarchy	
Level/Retail Function	Centre
Level 1	Kilkenny City
Level 2 District Centre	Ferrybank District Centre
Level 3 District/sub county town	Callan Castlecomer Graiguenamanagh Thomastown
Level 4 Neighbourhood Centre	As designated for Kilkenny City & Environs (Newpark, Loughboy, Loughmacask, Western Environs) and Ferrybank/Belview area in the Environs of Waterford City (Ross Abbey)
Level 5 Small Town/village centre/Rural Area	Smaller towns and villages and nodes within the county. Small towns and villages within the County.

Table 5.4 Appropriate level of Retail development

Table 5.4 Summary of Appropriate Level of Retail Development			
Tier	Settlement Category	Settlement	Appropriate Level of Retail Development
1	Cities	None at present	Major retail destination within the County, offering a wide variety of convenience and comparison goods along with an extensive offer of retail, financial and business, leisure services including arts and cultural facilities. Provides a range independent and specialist shops.
2	Large towns	Kilkenny City	Key shopping destination offering a variety of convenience and comparison goods, along with a range of retail and leisure services and some financial and business services.
3	Smaller District towns and villages	Callan Castlecomer Graiguenamanagh	Local shopping destination serving the surrounding hinterland with a limited offer of convenience and comparison goods, and retail and leisure services.

		Thomastown	
4	Smaller settlements and rural areas	Various	Limited retail offer generally comprising a local convenience store, public house, fuel filling station and post office.

Chapter 6 Housing and Community

6.7 Residential Development (2nd Paragraph page 81).

In general, new residential development in smaller towns and villages will be required to take cognisance of the prevailing scale and pattern of development in the area and be of a design, layout, character and scale which fits well with the town or village involved and presents a high-quality living environment.

6.16.2 Nursing Homes

In rural areas it is preferable that nursing homes be located within the existing network of smaller towns and villages within the county to serve rural demand.

Chapter 7 Rural Development

7.8.1 Development Objectives for Rural settlement

Chapter 5 of the National Planning Framework (NPF) provides a comprehensive set of objectives to strengthen the rural fabric and support the communities living there; to plan for future growth and development, while addressing decline, and focusing on the potential for the renewal and development of smaller towns and villages.

7.8.2 Analysis of Rural Housing demand in the County.

3rd paragraph, first sentence

In accordance with National Policy Objective 19, the future focus will continue to be on the facilitation of single houses in the countryside, based on the core considerations of demonstrable economic or social need to live in a rural area and the siting and design criteria for rural housing, whilst having regard to the viability of the smaller towns and rural settlements.

7.8.4 Categories of Rural Compliance and Qualifying criteria:

Page 105, 5th paragraph,

The Planning Authority shall have regard to the viability of smaller towns and rural settlements in the implementation of the policy.

Other Rural Areas, Page 106

Areas classified as other rural areas comprise those areas not identified as under urban influence, where housing restrictions do not apply in the rural countryside subject to siting and design criteria as contained in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.

Last paragraph, last sentence:

In both areas under Urban Influence and Other Rural Areas the Planning Authority shall have regard to the viability of smaller towns and ~~rural settlements~~ *villages* in the implementation of the rural housing policy.

Chapter 10 Infrastructure and Environment

10.4.1.2 Broadband

Second bullet point

At least 40Mbps, and in many cases much faster speeds, to at least a further 20% of the population and potentially as much as 35% around smaller towns and villages.

Chapter 12 Movement and Mobility

12.2 Significant Policy Documents and Guidance

First paragraph, second sentence

The transition to more sustainable modes of travel (walking, cycling, public transport) is promoted, particularly within smaller towns and villages and rural areas.

Volume 2 City

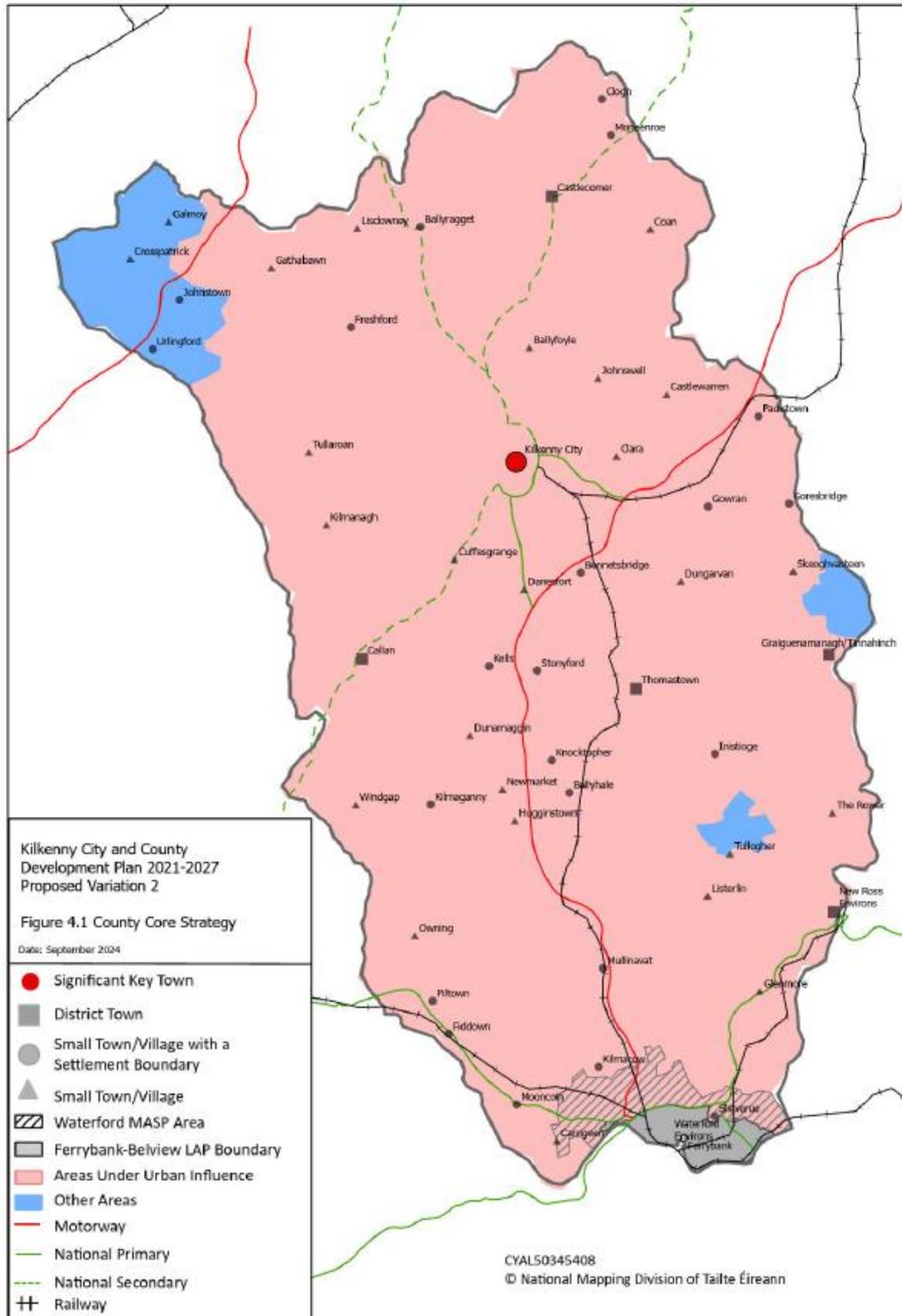
Chapter 3 Economic and Retail Strategy

3.4.1 Retail Hierarchy

Level/Retail Function	Centre
Level 1	Kilkenny City
Level 2 District Centre	Ferrybank District Centre
Level 3 District/sub county town	Callan Castlecomer Graiguenamanagh Thomastown
Level 4 Neighbourhood Centre	As designated for Kilkenny City & Environs (Newpark, Loughboy, Loughmacask, Western Environs) and Ferrybank/Belview area in the Environs of Waterford City (Ross Abbey)
Level 5 Small Town/village centre/Rural Area	Smaller towns and villages and nodes within the county. Small towns and villages within the county.

3 Proposed Map changes

Replace Figure 4.1 County Core Strategy to reflect Small towns and villages with settlement boundaries and Small towns and villages without settlement boundaries.



Replace Figure 7.1 Rural Housing Strategy to reflect Small towns and villages with settlement boundaries and Small towns and villages without settlement boundaries.

