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Keep Ireland Open is dedicated to the preservation of access to our heritage of open mountains and countryside

Web site: www.keepirelandopen.org Email: info@keepirelandopen.org

23/5/18

REVIEW OF COUNTY DEVELOPMENT PLAN

WE ATTACH OUR SUBMISSION TO THE ABOVE

PLEASE ACKNOWLEDGE RECEIPT

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PH 01-4934239



SUBMISSION TO DRAFT MONAGHAN DEVELOPMENT PLAN

OVERVIEW

The Draft fails to comply with, have regard to or take into account:

Planning & Development Acts

Plans in adjoining counties

DoECLG Guidelines

Heritage Act 1995

National Heritage Plan

We will refer to these in the course of our Submission.

The scope of our submission is limited to access to the countryside and directly related issues.

Other county plans

While you are only obliged to take into account plans in adjoining counties, you may care to take into account plans in other counties particularly those within the Northern & Western Area.

We note that you have not included some excellent provisions in the 2013 Plan. We suggest that you should have another look at these to see if they could be included.

Counties in **bold** are adjoining or in the Northern & Western Area

The mention of a section in the Draft, without comment, indicates our support.

FORMAT

Index We submit that you should provide an Index, as recommended in the Development Plan Guidelines (5.15), and that the page numbers where topics are primarily dealt with should be bolded. See Fingal Sth Tipp Clare DLR Waterford.

We submit that that the format of the Draft represents a dis-improvement from the 2013 Plan in that the previous Plan sets out the Objs in an exemplary fashion. It may be that you intend to continue with the former format in the final version of the Plan.

Development Management Standards We submit that these should be dealt with at the end of each Chpt as this would make the plan more user friendly. At the very least the Pol Chpts and Chp 15 should be cross referenced.

Layout We submit that this can be improved by sub-numbering or sub-lettering lists of points and paragraphs. The present layout creates difficulties when referring to particular points. Also the Chpt numbers should be placed on each page.

Chapter 1 1 Introduction

1.3 Legal Status

2nd para 2nd sentence We note that the list of pts doesn't include all the pts as per Sec 10 of the P & D Act 2000(as amended) and that some of pts are shortened versions. Failing that we submit that you should preface the list with a rider that the list isn't complete and that

some of the pts have been shortened. We also submit that the list of pts should re-position in an appendix.

Note A complete list acts as an aide memoire for the topics to be dealt with in the Plan.

1.12 Policy Context

1st para

Table 1.0 National Policies & Strategies

4th & 5th pts

1.2 County Monaghan Strategies

3rd 5th & 6th pts

2nd para

We submit that you should also **include**:

1 The names of **adjoining counties**

2 The names of **counties within the Northern and Western Area**

3 *The Planning and Development Act 2000 Sec 28 (as amended by Sec 20 of the 2010 Act) must include a statement as to how **the Plan has implemented** or not implemented the policies and **objectives of the Minister**.*

4 *The Planning and Development Act 2000 Sec 10.2(as amended) must include a statement which demonstrates that the development objectives in the Development Plan are consistent, as far practicable, with the **protection and conservation of the environment**.*

5 *The Planning and Development Act 2000 Sec 9(4) requires that the Plan **must have regard to plans in adjoining counties**.*

6 *This Plan shall **co-ordinate the objectives** in this plan with those in the adjoining counties, except where it is considered to be in appropriate or unfeasible and shall take into account any significant likely effects the implementation of the plan may have on the area of any adjoining county. Based on Wicklow 1.4 4th para 1st sentence & Carlow 1.1 1st para 2nd sentence.*

7 *Actively strive to secure the **financial resources** to implement the policies and objects of the Plan. Taken from Kerry 1.3 2nd para(7).*

8 We note that riders are added to some Objs *subject to the availability of financial resources*. We submit that where this appears in the Draft it should be deleted as most Objs have financial implications, and it is invidious to single out particular ones.

9 We note that some Pols are prefaced by **Contribute to**. This is the 2nd development that has used these weasel words. We must ask you to delete this phrase wherever it appears before the contagion spreads further like the noxious Japanese knotweed. As it stands it could give the Council a let out with regard to enforcement. Surely it is the Council's remit to *protect* our heritage not to *contribute to the protection* of it.

Chapter 4 Economic Development Plan

4.6 Agriculture

We submit that you should **include additional paras:**

1 *Recognising the increasing demand for recreational space, commonage and other **rough grazing land** shall be regarded primarily as **a recreational resource**.* Based on Kilkenny 6.2 Commonage Land & Nth Tipp Agriculture 4.4.1h).

2 *The Council considers the farming community to be **custodians of the countryside** and the rural landscape which are valuable to present and future generations and provides an amenity for enjoyment of the general population.* Based on **Cavan** 3.5 EDO6 1st sentence & **Leitrim** 3.7.2 2nd para under Pol 61 & 3.8.7 2nd para 2nd sentence.

Pols

1 2nd sentence.

2 (ii)

5 We submit that you should insert after *Chapter, 15* 15.5.

We submit that you should **include additional Pols:**

1 *Promote, at national level, the adoption of **a Land Use Strategy**.*

Note: All EU countries(including Ireland) are under increasing pressure from the EU to comply with various EU Directives. In response to this Scotland adopted a Strategy in 2011. See the 2014 Report of the Joint Oireachtas Committee on Agriculture, Food and Marine page 10.

2 ***Protect** and conserve **rural amenities** archaeological and natural heritage, visual amenities, eco-systems, landscape, scenic views and the environment generally, 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 that 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. Developments and practices must be necessary for the efficient use of the farm and must ensure that they are conducted in a manner consistent with the protection of the environment and in line with national legislations and relevant guidelines.* Based on Laois 5.10 RUR13, Waterford 6.7.1 2nd para (a), (d) & (e) & Offaly 10.6 RDO4. Also **Roscommon** 3.4.1 Obj 3.6 & 7, **2013** 5.5.4 4, **Leitrim** 2.3 Pol 2b) & 3.7.2 Pol 62 4th line, **Mayo** Vol 1 Chpt 2 Agriculture AG 01, **Cavan** 3.4 EDO6 2nd sentence & **Louth** 3.3 RD 4 & 5 & 3.4 RD 9.

3 *Ensure the highest standards of **environmental protection** in assessing planning applications.* Taken from Kilkenny 4.4.2 Obj.

Forestry

We note that there is no sub sec on Forestry. As far we are aware this is quite without precedent in other county plans. We note that the **2013 Plan** has a sub sec on this important topic. We would ask you to reinstate this.

Pols

1 *Develop, promote, provide, protect, improve and encourage greater **public access** to new and existing forestry, both state and private, for recreational activities such as walking, cycling, orienteering, horse riding and other non-noise generating activities and the provision of bridle paths, nature trails, as part of connected network of walking and cycle routes in*

cooperation/consultation with Coillte, the Forest Service, private landowners, local interest groups stakeholders and other agencies. Based on **Smarter Travel 2009-2020 Act** 17 2nd sentence page 45, **Meath** 9.7.8 OBJ7, Westmeath 3.41 P 4, 6.21 P 10 & 6.23 P 12 1st phrase, Clare 9.3.9 10c), Limerick 6.11 Obj 031a), Laois 5.10 RUR4, Kilkenny 6.5 last para, Wexford 15.5 RS 12 & 14, Nth Tipp 4.5 EV27 & Sth Dublin 4.3.9.x. **Also Meath** 10.10 POL 17, **Roscommon** 3.4.2 Pol 3.35 & 38, **Galway** 11.9 Pol AFF9 1st sentence & **Leitrim** 3.7.3 5th para 1st sentence.

2 Retain existing rights of way and identify them and established walking routes before planting commences and maintain them as rights of way/walking Routes. Taken from **Cavan** 3.9 EDP15 & EDO 31, **Mayo** 3.1.2 Forestry P/ED A 5 & **Sligo** 4.3.2 P FOR 3.

Note If this isn't done walking routes tend to become subsumed into the network of forest roads thus making it very difficult, over time, to establish the existence of these routes.

3 Ensure that existing public rights of way, traditional walking routes or recreational or tourist amenities are not obstructed. Taken from **Sligo** 4.3.2 P 3 2nd sentence & **Roscommon** 3.4.2 Pol 3.44 1st sentence.

4.7 Tourism

We note that, unlike the 2013 Plan 8.12, you have **no sub sec on Recreation**

We submit that as **Tourism & Recreation** have much in common they should be dealt with together preferably as a separate chpt. See **DPG** 3.5 Box 3 B Economic Development 3rd pt & **Cavan** Chpt 9.

We submit that it should be **divided into sub secs:**

A Recreation

B Tourism

C Recreation & Tourism

A Recreation

Pols

1 Support development in co-operation with various stakeholders to promote, preserve, improve enable, encourage public access to lakes, riverside, uplands and other areas that have been traditionally used for outdoor recreation and extend recreational amenities in accordance with the National Countryside Recreation Strategy. Based on **2000 Planning and Development Act** Sec 10(2) (j), **Sligo** 6.7.4 P OT 14 1st sentence 1st phrase, **Galway** 10.11 Pol RA 1 & **Meath** 4.6 POL 40.

2 Facilitate the improvement of existing recreational facilities including riverside and canal walks, lakes and walking and cycling routes. Taken from Westmeath 7.13 P 1 line 3 to routes on 2nd last line.

B Tourism

3 Encourage, enable, support, facilitate, realise the potential of and promote rural tourism by the provision, development and expansion of such activities as walking, cycling, mountain and other off road biking, bridle paths, painting, photography, field studies, hill walking, adventure sports, hiking, back packing, rowing, orienteering, swimming in waterways, boating, bird watching, heritage, nature and wildlife trails, hang and para gliding, canoeing and kayaking, caving, rock climbing, pony trekking, archaeological guided walks and eco-

geo- & green-tourism. All activities will be co-ordinated with adjoining counties. Based on **2013 Plan** 5.5.4 AGO 6, **Roscommon** 3.4.1 P 3.31 & 3.5 P 3.64, **Wicklow** Vol 1 7.3 Strategic Objs 7th pt, **Cavan** 3.4 EDO 2 & EDP4, **Galway** 4.14 Obj, EDT17 11.5 Pol AFF 4 & Obj AFF 2e) & many other counties.

3 Deliver a **County Tourism Strategy** which will include objectives of promoting rural recreational activities and access to natural geological and archaeological heritage, the coastline, forestry, inland waterways, islands and the countryside generally. Taken from **Leitrim** 2.2 Pol 1.

4 **Safeguard tourism assets** from encroachment by inappropriate development. Taken from Sth Tipp 5.6.1 last para (iv).

5 **Prohibit developments** and other activities associated with tourism which are incompatible with the enhancement, preservation and protection of the environment by strictly controlling all tourism and recreational development that might be detrimental to scenic and heritage assets, proposed designated sites, sensitive landscape and visually vulnerable areas, so that they can be enjoyed and cherished undiminished for future generations. Ensure that development is appropriate to the traditional character of the area and have particular regard to its scale, design, nature, balance and pertaining environment conditions and sensitivity and which would materially detract from visual/scenic amenities or to the visual setting of, or the views to be had significant tourist attractions. They must be sited and designed to the highest quality and standards and must protect environmentally sensitive areas as identified in the LCA. They must be clustered to form a distinct and unified feature in the landscape, utilise suitable materials and colours, be readily absorbed into their surroundings by taking advantage of existing vegetation and/or topography, and be unobtrusive and satisfactorily integrated into the landscape so that they do not have an unduly negative effect on it or damage its integrity either now or at some time in the future. Proposed development must demonstrate that it can be accommodated without damage to the environment, the countryside or general amenities, natural and archaeological heritage features and areas of special amenity or have a negative impact on the appearance and character of landscapes, rivers or forests. Based on **Mayo** Vol 2 58, **Sligo** 4.3.1 P RDD 1 & 4.4 P TOU 1 2nd para, **Donegal** 8.1.3 P3, **Meath** 4.6.8 ED POL 27, **Galway** 4.14 & Pol EDT 1, **Roscommon** 3.5 Pol 3.77, 34 2nd sentence, Vol 3 App 1 4 Tourism & Recreation 1st para, 1st pt 1st sentence & 2nd pt 1st sentence, **2013 Plan** 15.20 T003 & many other counties.

C Recreation & Tourism

4 **Promote** and encourage the **recreational use** of coastline, rivers and the development of blueways which provide opportunities for walkers, cyclist and canoers for local people and visitors. Taken from **Wicklow** Vol 1 7.4 T34 1st sentence.

4.7.1 Product and Appeal

2nd para We submit that you should **delete** rally driving and quad biking as these activities could not be regarded as being environmentally sustainable. Also, while these activities may attract some extra tourists they might well repel other visitors who come to enjoy the tranquil nature of the county's countryside.

4.7.2 Tourism Policies

1 to 3 & 5

12 We submit that this should be re-positioned in an **additional sub sec: Farm-based Tourism** and merged with proposed Pol 1.

14 We submit that this should be re-positioned in Chpt 7 7.17 Cycling and Walking and merged with proposed Pol 21.

16

Farm-based Tourism

Pols

1 Encourage, enable, **support**, facilitate and promote the provision, development and expansion **agri-tourism including** farmhouse accommodation, open/pet farms and horse trekking centres. Based on **Meath** 4.6.8 P 31, **Roscommon** 3.4.1 P 3.31 & 6.11.2 11th line, **Sligo** 4.3 6th para, **Galway** 11.5 Obj AFF 2e), **Leitrim** 2.3m) & many other counties.

2 Ensure that all built elements of agri-tourism protect and conserve the landscape and the natural environment and are appropriately located, screened, designed and satisfactorily assimilated into the landscape and do not have an unduly negative impact on the **visual/scenic amenity** of the countryside or natural heritage and that they will not take away from the rural character and appearance of the area. Buildings in visually sensitive areas must address the surroundings. Based on **Sligo** 4.4 P TOU 3, **Leitrim** 2.3 Pol 2b), **Louth** 3.5 RD 16, **2013 Plan** 15.20 TO04 & many other counties.

4.8 Extractive Industry

Pols

2 1st sentence

We submit that you should include additional **Pols**:

1 Applications for new development for aggregate extraction, processing and associated processes, shall **identify existing public rights of way** and walking routes which may be impacted on are adjacent to the development site. They shall be kept free from development as Rights of Way/Walking Routes. Taken from **Cavan** 3.8 EDO25.

Note Pending a complete listing of public rights of way, walking routes, as prospective rights of way, should be protected.

2 **Prohibit development** of aggregate extraction, processing and associated concrete production which **would impinge on existing public rights of way**, walking routes and satisfactorily address the potential impact on recreational activities and protect tourism amenities. Based on Kilkenny 6.4.2 DMS 5th pt, Kildare 10.7.8 EI 5 last pt, Wicklow Extractive Industry 5.6 EX1 & **Sligo** 4.3.4 P MEQ 2 last phrase. **Also Meath** 11.14 1st para 2nd sentence.

We submit that you should **include an additional sub sec**:

Golf Course Development

Pol

Identify rights of way and walking routes prior to development. Based on Sth Dublin 11.5.5(ii) last para & Kildare 14.12.2 RW 3 4th line.

Note Recreational users and golfers don't mix! While there are rights of way over golf courses, they are not satisfactory as walkers run the risk of being hit by golf balls and golfers are distracted by people talking and moving about.

Chapter 5 Community

5.9 Cycling & Walking

We note that you haven't accepted our suggestion that this topic should be dealt with in one sub sec or in a separate chpt. Assuming that you are still of the same mind we would ask you to cross-reference this with 7.17. Cycling & Walking

Map 1 Routes Proposed in Ulster Canal Greenway Strategy

2nd para

Pols

9 to 11 We submit that these should be deleted as they are replicated in 7.19 Pols 1 to 3.

12

5.11 Public Rights of Way

Text

1st sentence We submit that this should be replaced by: *The 2010 Planning and Development (Amendment) Act Sec 7(b)(ii)(o) requires that: 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.* Taken from **Meath** 9.7.9 1st para & **2013 Plan** 7.4.1 1st sentence.

2nd sentence We submit that this should be replaced by: *Public Rights of Way have existed over the centuries and constitute an important recreational amenity for local people and visitors and an economic and social asset. They enable the enjoyment of high quality landscape, natural and archaeological heritage and provide links to valuable such as lakes bogs and forests and places of natural beauty. Council recognises the importance of protecting and maintaining them.* Based on **Galway** 10.12, **Leitrim** 3.6.1 3rd para 4th line, **Cavan** 8.10 1st para 1st sentence & **Sligo** 6.7.4 Public rights of way 1st para 1st & 2nd sentences, **Louth** 7.5 text last sentence & many other counties.

We submit that you should **include additional Text:**

1 *A PROW or highway is a physically defined route over which the public have a right of passage even if the route is not in public ownership. It is described as "a user as of right" and confers an unrestricted right of the general public to pass and repass at all times of the day or night and at all seasons without notice to, or permission from the landowner.* Based on

Sligo 6.7.4 Public rights of way 1st para last sentence, **Wicklow Vol 1** 10.3.8 2nd para 2nd & 4th sentences & **Cavan** 8.10 1st para 3rd sentence.

2 *It is intended that listing and mapping will preserve Public Rights of Ways for recreational purposes for current and future generations.* Taken from **Kerry** 9.10 2nd para last sentence.

3 *Section 14 of the Planning and Development Act 2000 sets out the formal process for designating rights of way in development plans. The scope of these statutory provisions is grounded on identification of existing routes over which PROWS are deemed to exist. The inclusion of PROW objectives for their preservation provides greater protection for such routes under development management provisions of planning legislation whilst also restricting the scope of certain exempt development.* Taken from **Wicklow Vol 1** 10.3.8 3rd para.

4 There is an excellent *modus operandi* for listing taken from **Cavan** 8.10 NHEO45: *Identify the existing public rights of way which give access to mountains, lakeshores, riverbanks or other places of natural beauty or recreational activity using the following methodology: Place an advert in local papers seeking submissions from the public to identify public rights of way which give access to mountains, lakeshores, riverbanks or other places of natural beauty or recreational utility.*

Identify existing rights of ways, paths, and access points to mountains, lakeshores, riverbanks or other places of natural beauty or recreational activity.

Identify access points to mountains, lakeshores, riverbanks or other places of natural beauty or recreational activity which the Council have maintained or repaired with a view to identifying public rights of way.

Carry out a desktop analysis of public records, maps, aerial photographs and newspaper accounts to identify reputations of public rights of way.

Once the list is compiled, advertise and put it on display. The public will be invited to make submissions on the validity of the public rights of way.

Endeavor to verify and list the public rights of way and begin the formal process for designating rights of way under Section 14 of the Planning and Development Act 2000 (as amended).

Vary the Plan to include the list and map showing the public rights of way.

5 *Carry out further research regarding the identification and mapping of other potential public rights of way. Such research will be carried out in consultation with elected representatives, members of the public, recreational organisations, relevant statutory bodies, landowners and farming organisations for consideration for inclusion of any further identified public rights of way by way of variation in accordance with Sec 13 of the Planning and Development Act 2000(as amended). Part of such project may give rise to proposals for the creation of new public rights of way and/or extending /re-routing of existing public rights of way in accordance with respective provisions of either Secs 206 or 207 of the Act. Taken from Wicklow 1Vol 1 0.3.8 NH 47. Also **Sligo** 6.7.4 Public rights of way para below Table 6.A last sentence & P OR 18 1st phrase.*

Pol 16 We note that you have made no progress in the listing of public rights of way in spite of a commitment in the **2013 Plan** to map and list *over the lifetime of the development plan* and furthermore you have inserted a rider *as resources allow* which is a step backwards from the **2013 Plan** 7.4.1 Obj 11 which doesn't include this rider. We have to wonder if the Council intends to do anything in the future or whether this mantra will be carried from one development plan to the next for ever more. We submit that it is not too late to include a short Interim list in the Draft or failing that you should remove the rider and substitute *within one year of the adoption of for during the lifetime*.

Notes:

1 The wording in the Planning Act is quite clear: Each new development plan must fulfil the above requirement and no deferment will be permitted. See DOCELG letter to all Councils of 25/10/12 (PL 09/12).

2 Counties who have complied so far: **Cavan** 8.10 Table 8.4, Clare App 6, DLR App G, **Donegal** 10.13, **Meath** App14, Kerry Vol 2 App 6, Kilkenny App D, **Roscommon** 8.7 Map 19, **Sligo** 6.7.4 Public rights of way Table 6.A, Sth Tipp 6.3.7 3rd para, Westmeath App 8, Wicklow Vol 1 Table 10.3.

3 We submit that the listing of public rights of way is an urgent matter as the lack of certainty on access has not only affected the rights of local people but has been the major cause of the failure of walking tourism to reach its full potential.

4 If an Interim list is included in the Plan the following should be appended to the list or provided in the written statement: *This is not an exhaustive list and the omission of a right of way from this list shall not be taken as an indication that such a right of way does not exist.* Taken from **Sligo** 6.7.4 Public rights of way para below Table, **Meath** 9.7.9 2nd para 2nd sentence & **Cavan** 8.10 2nd para last sentence.

We submit that you should include additional Pols:

1 *In accordance with the provisions of either Sections 206 or 207 of the Planning and Development Act 2000, encourage and facilitate the **creation of additional rights of way** and extend existing ones by investigating named areas to facilitate the development of waymarked ways and looped walks, by undertaking a review/survey of green links and cycling routes and by bringing forward proposals within two years of the adoption of the Plan, either by agreement or by the use of compulsory powers, for the creation of public rights of way particularly in areas of high amenity and recreational importance and to the uplands, lake shores, river banks, forests, heritage and scientific sites, areas of historic or archaeological importance, National Monuments, to create a meaningful network. Provide linkages from built up areas to the countryside and to link with public rights of way in adjoining counties.* Based on **Leitrim** 3.10.7 Obj 108, **Sligo** 6.7.4 P OR 17 1st line, Wicklow Vol 1 10.3.8 NH47 last sentence, Kerry 9.10 last para, Sth Dublin 9.4.0 Action, Carlow 8.12 Obj 4 1st pt, **Mayo** Vol 1 Chpt 3 Pedestrians & Cyclists 1st sentence & Vol 2 40.1 2nd sentence, Westmeath 7.15 O 3 1st sentence and excluding 2nd phrase, Longford 6.4 AM 6 1st sentence 1st line, DLR 4.1.2.3 LHB14 2nd & 3rd pts, Kilkenny 7.3.5 2nd para 3rd line & **2013 Plan** 8.12 REO 6 2nd phrase.

2 *Provide and where necessary improve **signposting** and waymarking on all public rights of way.* Based on Sligo 6.7.4 P OR 19, Roscommon 8.7.1 Pol 8.3.7 & other counties.

Note It is most important that public rights of way are marked on the ground because:

- 1 Walkers need to know of their existence to encourage usage
- 2 Signage would alert local residents to planning applications affecting the integrity of rights of way
- 3 Directional signage during the course of the route would prevent involuntary trespass on private property and prevent walkers getting lost which might impinge on walker safety.

3 *Protect and **promote Greenways** and consider designating them as public rights of way.* Taken from Laois 7.21 PRW5 1st phrase. **Also Sligo** 6.7.4 P OR 20.

4 ***Identify and map on an ongoing basis** public rights of way and incorporate them in the Plan by way of a Variation. Where appropriate links to established public rights of way in adjoining counties will be identified.* Taken from Westmeath 7.15 O 1. **Also Meath** 9.7.9 NH OBJ 9

5 ***Identify mass paths** and routes to holy wells, mass rocks and penal mass stations*

6 *Encourage the provision for the common good of a network of Public Rights of Way to **traditional outdoor amenities**, including heritage sites and features of archaeological interest, national monuments, mountains, hills, rivers, forests, lakes, geological and*

geomorphic systems, water corridors, places of natural beauty and other natural amenities. Taken from Westmeath 7.15 P 1 1st sentence 2nd phrase.

7 Recognizing the importance of **maintaining** public rights of way public rights especially in tourist and coastal areas and those which provide access to archaeological sites, National Monuments, lakeshores, riverbanks, upland areas, water corridors or other places of natural beauty or recreational utility and to encourage cycling and walking and maintain, preserve, protect, conserve, enhance, support, promote and improve them for the common good. Ensure that they are effectively maintained by controlling undergrowth, trees and bushes. Based on Fingal 5.2 Obj RF118 1st line, **Galway** 10.13 Pol PRW 1, DLR 4.1.2.3 LHB14 1st pt, Kilkenny 7.3.5 2nd para, **2013 Plan** 7.4.1 RAO 10, Kildare 14.12.2 RW 1 1st phrase, Kerry 9.10 SC 50, Cork 13.4.6 2nd sentence 1st phrase, **Mayo** Vol 2 40.1 1st sentence, **Leitrim** 3.10.7 Pol 116, **Roscommon** 8.6 Obj 8.5 & 8.7.1 Pol 8.37, **Sligo** 6.7.4 P OR 17 1st phrase, **Meath** 4.6.8 2nd para & 9.7.9 POL 20 & **Cavan** 8.10 NHEP22.

8 Prohibit development and keep free from obstruction public walking routes and public rights of way, particularly those at mountains, lakeshores, riverbanks or other places of natural beauty or recreational activity and take legal action if necessary, to prevent any attempt to close them off. Based on DLR 4.1.2.13 LHB14 4th pt & Wexford 15.9 Obj RS36. Also **Leitrim** 3.10.7 Obj 110.

9 Look favourably on planning applications which include **proposals to improve the condition and appearance** of existing rights of way. Taken from DLR 4.1.2.3 LHB14 6th pt, Laois 7.21 PRW5 2nd phrase, Carlow 8.12 Pol 6 7th pt & Kildare 14.12.2 RW 4.

10 Existing Public Rights of Way and established walking routes shall be identified prior to any new forestry planting, new **infrastructural**, energy/telecommunications or golf course **developments**. Taken from Kildare 14.12.2 RW 3. Also **Cavan** 8.10 NHEO4.

11 **Development will not be permitted where a public right of way might be prejudiced**, unless specific arrangements are made for suitable alternative linkages and that the developer can demonstrate that the level of amenity is maintained by:

(i) the footpath/bridleway being diverted by the minimal practical distance and the route continues to be segregated from vehicular traffic;

(ii) Appropriate legal procedures have been undertaken to extinguish the existing right of way and to establish the new right of way to replace it.

(iii) the diverted route is of at least equal character and convenience. Based on **Mayo** Vol 2 40.2, **Leitrim** 4.5.12 & other counties.

12 The Council will utilise its relevant statutory powers to **preserve** as practicable the **character** of listed public rights of way. Taken from Wicklow Vol 1 10.3.8 NH46 1st sentence.

We submit that you should **include an additional sub sec: Amenity Lakes and Rivers** and that it should include a Table of these as per 8.8 Amenity Lakes and Rivers.

Chapter 6 Heritage, Conservation & Landscape

6.0 Introduction

Strag Obj 1

We submit that the 1st phrase should be replaced by: *Prohibit intrusive development that would detrimentally impact on natural heritage which could or might have a negative impact*

on natural amenity assets or natural heritage features or might unduly damage or take away from its character. Promote appropriate enhancement of the natural environment as an integral part of development. Engage with stakeholders, including local communities, to protect, conserve, preserve, manage, enhance, safeguard, facilitate, maintain and, where appropriate restore, visual and scenic amenities, the quality and character of the natural heritage, natural heritage features and natural environment including rivers, streams and other waterways, wetlands, woodlands and forests, scenic areas and the general amenity of the countryside and in recognition of its importance as a non-renewable resource, from intrusive development that would detrimentally impact on them, for the benefit and enjoyment of future generations while maximising the recreational amenity, tourism potential and quality of life for present generation by the provision of visual relief from the built environment. Avoid unnecessary harm and reduce its effect where it cannot be avoided by replacing like with like. Based on **DPG 3.5 Box 3 Environment, Heritage & Amenities last pt, 2000 Planning & Development Act Sec 10.2 ©, Project Ireland 2040 National Planning Framework Obj 60, Sligo 7.1 P NH 1, Louth 5.7 HER 10, Cavan 8.2 NHEP1, Meath 4.6.8 POL 29, Galway 4.14 Pol EDT 1 & 9.3 pol 4, Leitrim 1.10.2 b & 3.8.1 1st para 3rd pt & 2nd para i to iii, Mayo Vol 1 Chpt 4 Natural Heritage NH 01 & 8.2 2nd para, 2013 Plan 4.6.7 BDP 1 & 8.11.1 1st para last sentence, Donegal 6.1 Aim & many other counties.**

We submit that you should include an additional **Strag Obj**:

1 *Recognizing the role played by natural amenities and landscapes as major resources for visitors and local people and as part of our heritage, identify, provide, support, maintain, actively promote, encourage, protect, preserve, improve, safeguard and enhance **public access** to heritage sites and features, natural heritage and amenities including Natura 2000 sites, nature reserves mountains, uplands moorlands, forests, rivers, lakes, valleys, scenic areas, areas of natural beauty and other natural amenities for activities such as mountaineering and hill-walking which have been traditionally used for outdoor recreation and to the countryside generally, by creating a meaningful network of access routes as the opportunity or need arises and by designating traditional walking routes thereto as public rights of way. This will be done in co-operation with state agencies, landowners, community groups other interested bodies and local community groups.* Based on **Mayo Vol 1 Chpt 4 Access to Heritage & Amenities AC 01a, Sligo 4.4 P TOU 5 1st para, 2nd para 2nd sentence & 8 & 6.7.4 P OR 16, 2013 Plan 7.4 Obj RAO 9, Donegal Chapter 6 Aim & many other counties.**

6.2 Protection of Biodiversity including Natura 2000 Network

Pols 1 & 6

6.3 Landscape

6.4 Landscape Character Assessment

Text

2nd para

6.5 National Landscape Strategy 2015-2025

Text

Pols

8 We submit that this should be replaced by: *Protect, conserve, preserve, maintain and enhance the visual integrity, uniformity, regional distinctiveness, character, scenic quality, amenity and recreational values and the visual quality of areas of important and outstanding, highly sensitive, natural, unspoilt and open landscapes, scenic areas, high amenity areas and the environs of archaeological or historic sites from intrusive, inappropriate, injurious or unsympathetic developments and reinforce their character and distinctiveness by prohibiting development where it would be injurious to or detract from natural amenities. Maintain the visual integrity of areas of exceptional value and high sensitivity. Based on Donegal 6.1.2 P 5 1st sentence 1st phrase & 6.1.3.10, Louth 3.10.7 1, Meath 9.8.6 OBJ 1 2nd phrase, Galway 10.11 Pol RA 2, Cavan 8.7 NHEO25 1st sentence & 8.8.1 NHEO26 & many other counties.*

We submit that you should **include additional Pols:**

1 *Preserve, maintain, enhance and protect the amenity value, visual integrity and rural character of open/unfenced landscape of the hills, mountains and other **upland areas**, areas of **rough grazing** and commonage. Discourage inappropriate development in open countryside and prohibit developments which are likely to have material adverse visual impacts, either individually or cumulatively, on the character of the uplands, Ensure that development will not materially interfere or detract from scenic uplands and that particular regard is had to potential impacts of new developments and require that proposed developments demonstrate that every effort has been made to reduce visual impacts (including excessive bulk and inappropriate siting) and that visually prominent sites have been avoided to minimise visibility from scenic routes, walking trails, public amenities, settlements and roads. Protect the positive contribution that views across adjacent lowlands areas and landmarks make to the overall landscape character. Have particular regard to the potential impacts of development on sensitive upland areas and materially consider the difficulty of establishing and maintaining screening vegetation. Based on Laois 7.19 LS01 1st phrase & 30 & 2, Kilkenny 8.2.10 DMS 6th pt & 14.8.3 LU 1, 4 & 5 & Wexford 14.4.3 LO3.*

2 *Preserve the status of **traditionally open/unfenced landscapes** including commonages and other hill land. Based on Galway 9.11 Obj LCM 3 1st sentence, Wicklow 10.3.7 NH42 1st phrase & Sligo 7.4 P LCAP 6 1st sentence.*

We submit that you should **additional Pols:**

1 *Provide **public access** to interesting and attractive landscape or to semi-natural areas. Taken from Fingal 9.2 High Amenity Zoning last pt.*

2 *Where possible secure access to commonage and other hill land. Taken from Sligo 7.4 P CAP 7.*

We submit that you should include an additional sub sec:

Fencing Of Hitherto Open Land

Text

1 *It is a requirement of the Planning Regulations 2001 Art 9(l)(a)(x) that the **fencing or enclosure of land open to or used by the public** during the ten years preceding such fencing or enclosure for recreational purposes or as a means of access to any seashore, mountain or other place of natural beauty or recreational utility, requires planning permission. Taken from Kilkenny 6.2 Fencing 1st sentence.*

2 ***Wire fencing** constitutes visual pollution and destroys the "away from it all" feeling which makes upland areas such an attraction for both local people and visitors. Taken from Kilkenny 6.2 Fencing 2nd sentence.*

3 There has been a **large increase in the amount of new fencing in upland areas**. Barbed wire has been used in most of this new fencing, which, in the absence of stiles or gates, makes access for recreational users of our countryside almost impossible. Traditional hill-sheep farming rarely required fencing, but since the introduction of REPS(now AEOS), sheep-farmers must, in certain circumstances, stock-proof their land. The challenge is to ensure that such fencing will be done in a manner that will meet the requirements of AEOS without impinging on access for walkers and other recreational users.

Pol

The following criteria will be used when considering planning applications for new fencing of land open to or used by the public during the ten years preceding. Such fencing is not exempt development in accordance with Art 9(1)(a)(x) of the Planning and Development Regulations. **Fencing in upland, highly scenic or amenity areas will not normally be permitted** unless such fencing is essential to the viability of the farm and that it conforms to the best agricultural practice. The nature of the material to be used, the height of the fence, and in the case of a wire fence the type of wire to be used will be taken into account. Stiles or gates at appropriate places may be required. Barbed-wire will not be used for the top line of wire. Based on Mayo Vol 2 40.3.1, Sligo 7.4 P LCAP 6 2nd to last sentences & many other counties.

Note As fencing may have a cross-county dimension it is important that this development plan should be in conformity with those in adjoining counties.

6.9 Sliabh Beagh Conservation Areas

6.11 Natural & Recreation Amenities

6.11.1 Areas of Primary Amenity

6.11.2 Areas of Secondary Amenity

6.11.3 Scenic Routes/Views

1st sentence

2nd sentence We submit that this should be upgraded to a Pol, merged with Pol 1.

Pols

1 We submit that this should be replaced by: *Prohibit development that would interfere with, disrupt or adversely affect a view form/along a designated scenic route as identified in Appendix 5. Protect, preserve, safeguard, improve, enhance and conserve the character and quality of views, focal points and prospects, visual linkages between established landmarks and landscape features and designated Scenic Routes, or on views to and from places of natural beauty or interest to recorded monuments or when viewed from the public realm and particularly from adjoining public roads(although not restricted thereto) and river valleys, to or from lakes, lakeshores, rivers, canals, unspoilt mountains, uplands, historic sites, views of historic significance, natural beauty, of high or special amenity value or interest by prohibiting intrusive and insensitive levels development that would interfere with the character and visual amenity of the landscape or adversely affect tourism and structures and eyesores and by ensuring that structures or other developments do not seriously obstruct these views. Applicants must specify materials to be used demonstrate that proposed development does not negatively impact on the character of a scenic route and that the views towards visually vulnerable or sensitive areas are not obstructed or degraded. Protect*

scenic amenity routes from insensitive development by integrating them into landscape areas. Curtail development along river banks that could cumulatively affect the quality of a designated view. Applicants in the environs of a scenic route and/or an area with important views and prospects must demonstrate that there be no adverse obstruction or degradation of views towards and from vulnerable landscape features and that the design, site layout and landscape of the proposed development must be appropriate, along with mitigation measures, to prevent significant alterations to the appearance and character of the area. Due regard will be paid in assessing applications to the span and scope of the view/prospect and the location of the development within that view and prospect. Ensure that developments in river valleys will not adversely affect or detract from protected views (especially from bridges) or distinctive linear sections of river valleys (including floodplains when viewed from settlements. In evaluating planning applications in the foreground of protected views and/or prospects consideration will be given to the effect of such development. Careful management and special controls will be attached to permissions to maintain their inherent interests. Encourage appropriate landscape and screen planting for existing or proposed developments along scenic routes. Based on **Sligo** 7.4 P LCAP 3 1st sentence 1st phrase, **Roscommon** 3.5 Pol 3.78 & 7.6 Obj 7.40, **Cavan** 8.8.1 NHEO28 to 30, **Louth** 5.15.3 HER 62 & 5.15.4 HER 63, **Meath** 9.10 OBJ 5, **Leitrim** 3.8.9 Pol 102 & 4.1.1 1st para 3rd pt, **Mayo** Vol 1 Chpt 4 Views & Prospects VP 01 & **Galway** 9.1 & many other counties.

Pol 2

3 We submit that this should be re-positioned in 4.7.2 **Tourism Pols** as an **additional Pol**.

6.12 Geology

Pols

1 We submit that as far as *interest* should be replaced by: *Provide, promote, encourage, facilitate and support access and public rights of way to geological and geo-morphological features and systems of heritage*. Based on Kilkenny 8.2.4 Dms, **2013 Plan** 7.4 RAO 9, Fingal 9.3 Obj NH 31, **Louth** 5.6 HER 9, DLR 4.1.3.10 last para, **Galway** 9.9 Pol NHB 5 & **Sligo** 4.4.1 P TOU 8.

2

3 & 4 We submit that these should be merged and replaced by: *Recognising the importance of County Geological Sites and their significant geological value work with stakeholders, and be in accordance with the National Heritage Plan and the "Geological Heritage Guidelines for the Extractive Industry" protect sites of geological or geomorphological interest from inappropriate development by prohibiting development at or in the vicinity of a site that would detract from their heritage or would damage or threaten their integrity value. Preserve, enhance, maintain, manage, conserve and where appropriate restore the character conservation value and integrity of these sites for their amenity, scientific, heritage and historic values (including County Geological Sites and sites that may become designated), proposed NHA's, areas near site and areas of geomorphological interest. Ensure that any plan or project affecting karst formations or other important geological and geomorphological systems are adequately assessed for their potential geophysical or ecological impacts.* Based on **Planning & Development Act 2000** First Sch Part IV 6, **Cavan** 8.5 NME01227, **Galway** 9.9 Pol NHB 5 & Obj NHB 4, **Roscommon** 7.2 Obj 7.3, **Mayo** Vol 1 Chpt 4 Natural Heritage NH-01e) & many other counties.

6.13 Green Infrastructure

Pols

1 We submit that you should add: *and support its implementation and development so that it will allow the provision, protection and management of green spaces. The Strategy must integrate policies and objectives including natural heritage, parks and open spaces and archaeology to allow a strategic approach to green space planning. It must protect and enhance eco-system services and contribute to a high quality environment and guide, assist and facilitate the development of a countrywide coherent integrated and evolving network that can be connected to an inter-county and regional network of green corridors to provide amenity areas by the linking of existing fragments of green space and focusing on linear features such as canals, river corridors and walking paths to form a "necklace" effect and by incorporating items of historic or heritage importance as amenity features Fully recognise the cumulative positive impact generated by creating connectivity between open spaces, rivers, wetlands, woodlands and mountains that will form the basis for the identification, protection, enhancement, expansion, and management of the GI network and which reflects a long term perspective. GIS will be developed and implemented in accordance with international best practice and emerging national guidance and in consultation with key stakeholders including the public, adjoining councils, BnaM, Coillte, NPWS, WI, farmers, community groups and NGOs. Based on Wexford 14.3.2 1st para last sentence 1st phrase, 2nd para 1st, 2nd, 4th & 5th pts & 14.3 Obj GI01, DLR 4.2.1.1 text 3rd sentence, Sth Dublin 8.0 Obj 2, Action & 8.1.0 Obj 7, Offaly 7.7 GIO 01 & 04, **Cavan** 8.11 NHE046, **Sligo** 7. Heritage General Obj 3, Fingal 8.3 Obj GI10 1st phrase & 12 1st phrase & **Meath** 9.7.3 OBJ 1.*

5 1st phrase We submit that this should be replaced by: *Protect, conserve, maintain, manage, facilitate, improve and enhance the green infrastructure network in consultation with relevant stakeholders by resisting and restricting development that would damage, degrade, fragment or prejudice it and recognise its health benefits and environmental value through the integration of GI planning and development in the planning process. Based on Laois 7.12 NH9 1st phrase, Kildare 13.10 GI 1, **2013 Plan** 4.10.1 Pol 1, DLR 4.2.1.1 Pol OSR1, Sth Dublin 8.1.0 Obj 3, Fingal 8.2 Obj GI06, Kerry 10.9 NE 42, **Galway** 9.9 Pol NHB 3 & **Meath** 9.7.3 POL 2 1st phrase.*

We submit that you should **include additional Pols**:

1 **Provide**, develop and promote an attractive and integrated safe **network of paths and cycle tracks** in order to facilitate retain, improve and enhance accessibility to Green Infrastructure linking key green space sites, green corridors, parks and open spaces and heritage asset, to improve quality of life for both visitors and inhabitants and ensure the provision of recreational amenities. Require the integration of Green Infrastructure in all areas of public space. Conserve, enhance, manage, protect, facilitate, encourage and improve the green infrastructure network, in consultation with relevant stakeholders. Based on Clare 14.4.27a) 1st phrase & b), Sth Dublin 8.1.0 Obj10, Kildare 13.10 GI 7, **Mayo** Vol 1 Chpt 5 Green Infrastructure O 05c, **2013 Plan** 4.10.1 GIO 3 & Wicklow 10.3.5 NH35 1st phrase & 36 3rd line.

2 Ensure green infrastructure protection and provision promotes **pedestrian access and cycling**. Taken from Fingal 8.2 Obj GI07 1st phrase.

6.14 Wetlands

Pols

1 We submit that this should be replaced by: *Ensure that the impacts on archaeology are taken into consideration when assessing development proposals involving drainage or loss of wetlands and protect, conserve, manage and enhance existing wetlands, which are vital green infrastructure, from destruction, infilling, fragmentation, degradation and other*

inappropriate development and seek to protect and conserve their quality, character and features by controlling adjacent development by use of buffer zones. Taken from Clare 14.3.18 19, Offaly 7.3 NHP 11, Fingal 5.3 Obj RF 98 1st sentence & 7.2 Obj SW01, Cavan 8.3 NHE02 & 8.5.2 NHEP16, Kerry 10.6 NE28, Galway 8.7 Obj FL3 & 9.9 Pol NHB 4.

2 & 3

We submit that you should include an **additional Pol**: *In partnership with the NPWS, WI and other stakeholders facilitate **public access** to wetlands and support and protect the recreational, tourism and amenity potential of wetlands and provide for an intrinsic network.* Based on Kerry 10.6 NE 29, Meath 9.7.10 POL21, Carlow 9.1 Pol 1 7th pt & Kilkenny 8.2.6 last para last sentence.

6.15 Trees & Woodlands

Pols

2

We submit that you should include an **additional Pol**: *Manage and promote the **preservation** of the existing network of **woodlands** as they contribute to landscape character and landscape conservation and protect them from development that would adversely impact on them.* Based on Sligo 7.1.5 P WTH 1 1st sentence, Wicklow 10.3.3 NH14 1st phrase, Fingal 9.2 Obj NH27, Laois 7.13 NH22 1st phrase & Kildare 13.10.1 GI8 1st phrase.

6.18 Archaeological Heritage

Pols:

1 2 & 6 1st sentence We submit that these should be merged and replaced by: *Recognising that archaeology is an important element in long term economic development by promoting, protecting, through the planning process, supporting, conserving, sympathetically enhancing, preserving, managing and safeguarding for present and future generations, in consultation with the DoAHG and other relevant bodies, archaeological heritage as defined in the Heritage Act, including the intrinsic value, character, amenity, visual integrity, context and settings of National/Recorded Monuments, Zones of Archaeological Notification or newly-discovered archaeological sites and/or sub-surface archaeological remains, of known and unknown archaeological areas (including areas or zones of archaeological potential and areas of special archaeological interest), sites and features (and their settings, either above or below ground) and underwater sites, in the ownership or guardianship of the State or the Council, including those identified in the RMP, RHM & SMR, castles, monuments and features of historic interest National Monuments that are the subject to Preservation Orders by prohibiting development which might be In general, developments within or adjacent to sites or which might affect them and in particular those within a 20m radius of National Monuments included in the RMP and Zones of Archaeological Potential will not be permitted and proposed development within 75m will be discouraged. Extend this protection to cover additions or alterations that may arise during the adoption of this Plan and impose conditions on development that might impact on sites of archaeological potential to ensure that appropriate measures are taken and that archaeology is suitable integrated into new development in co-operation with the relevant Government Department. Developments which would injure or affect the settings and character of sites or which would be seriously injurious to their cultural value, will be prohibited within areas of archaeological potential and within close proximity of recorded monuments and they will take account of the archaeological heritage of the area and will take cognisance of the potential for subsurface archaeology. Ensure that development shall not be detrimental to the character of an archaeological site or its setting by reason of its location, scale, bulk or detailing. Because*

development can impact on the visual appreciation, setting and amenity of recorded monuments these impacts should be adequately assessed, and where possible, eliminated or minimised. Based on **2000 Planning & Development Act Sec 10(2)(c), European Convention for the Protection of Archaeological Heritage, Valetta 1992(ratified by Ireland)** & First Sch Part IV 6, **DPG 4.26 1st para 3rd line & 4.27 1st pt, Meath 9.6.1 2nd para 1st sentence & 9.6.9 CH POL 7 & OBJ7, Cavan 7.5.2 Pol BHP5 & 8, 2013 Plan AHO 1 & 2 & AHP 1 1st phrase, Mayo Vol 1 Chpt 4 Archaeological Heritage AoH 01a) & h) & Vol 2 App 5 last para, Louth 5.9.1 HER 20 & 21 1st sentence, Sligo 7.2 P AH 1, 7.2.3 1st para 1st & 2nd sentences & P AH 3 1st sentence, Donegal 6.3.2 AH 01 & 6.3.3 AH P1 & 4, Galway 9.3 Pol GH 3, 9.7 Pol ARC 1, 4 & 5 & Obj ARC 1 down to Historic Monuments & 7, Roscommon 6.7 Pol 6.9, Obj 6.21, 6.7.4 2nd pt & 6.7 Obj 6.22, Leitrim 1.10.2h), 3.9.8 Pol 106 & 1st para 1st sentence, 2nd para 1st sentence & Obj 93, 95 & 96 & many other counties.**

3 & 4

5 We submit that this should be replaced by: *Recognising the importance of archaeology and National Monuments as part of our heritage and an important element in long term economic development, identify sites to which public access could be provided or improved by promoting enhancing, facilitating, encouraging, supporting and protecting **public access** to National Monuments, Archaeological Sites, castles, sites of historic interest and to archaeological landscapes, in the direct ownership, guardianship or control of the Council, and/or the State or private ownership, including those listed in the RMP, in co-operation/consultation with landowners and promote walking routes thereto. You should add: Information on access to sites will be made be available on the Council's web-site.* (Insert address). Based on **Leitrim 1.10.2h), Mayo Vol 1 Chpt 4 Access to Heritage & Amenities Archaeological Heritage A0H 01g, Roscommon 3.5 Pol 3.75, Sligo 4.4 P TOU 8, 7.2 P AH 6 & O AH 2, Meath 9.6.9 POL 6, 2013 Plan 7.4 Obj 9 & many other counties.**

7

We submit that you should include an **additional Pol: Designate traditional walking routes as public rights of way** in consultation with the NMS. In other cases, routes will be acquired by agreement with landowners or by way of compulsory powers. Based on Laois 7.4 OBJ2 2nd & 3rd sentences & Westmeath 5.33 P 5.

We submit that you should an **additional sub secs:**

A Graveyards/Burial Grounds

Pols

1 Provide **public access** to graveyards. Taken from Westmeath 5.33 P 4 last phrase.

2 **Protect, preserve, enhance, conserve and maintain archaeological/historic graveyards and historic burial grounds**(including those identified in the RPM and encourage and promote local involvement and community stewardship in the care, maintenance, management rehabilitation and conservation of these graveyards in accordance with legislation, best conservation and heritage principals and best practice guidelines. Maintain all burial grounds in the Council's charge in good condition. Based on Laois 4.2.4 BG3 & **Leitrim 3.4.5 Pol 28. Also Leitrim 3.4.5 Pol 29 & 1st para 1st sentence, Sligo 7.2 P 5 1st sentence, Roscommon 8.8 Pol 8.46, Meath 5.12 POL 45 & 9.6.9 OBJ 11, Galway 9.7 Obj ARC 4 & Mayo Vol 1 Chpt 4 Archaeological Heritage j).**

B ISLANDS

Pols

1 Support and promote, with the co-operation of private landowners, **public access** to islands. Taken from **Sligo** 4.4 P TOU 8.

2 Recognising the historic and scenic importance of islands **protect** them from inappropriate development that will detract from their significant archaeological and natural heritage values, whether on the islands themselves or at locations that interferes with their integrity and setting and actively encourage and assist conservation works by the NPWS. Based on Westmeath 6.23 P 7 & 6.27 P 1 & Longford 6.2.2.7 ILW 14.

C Mass Rocks/Holy Wells

Pol

Preserve, **protect** and, where necessary, enhance mass rocks and holy wells. Taken from Nth Tipp 8.4.5(iii).

D National Parks

Pol

Promote the designation of Lough Muckno as a National Park. Based on Longford 4.5 TOU 18 & Westmeath 3.16 O 5

E SAAO

Actively **propose the designation** of Lough Muckno as a Special Amenity Area and seek an Order to that effect as per section 202 of the Planning and Development Act 2000(as amended) and undertake a feasibility study to report on other areas considered worthy of designation to report within one year of the adoption of the Plan. Based on **Cavan** 8.8 last sentence & other counties.

Note Orders have already been made covering the Liffey Valley, the Howth peninsula (both in Dublin) and Bray Head (in Wicklow). By all accounts they are working very well.

F World Heritage Sites

Recognise and respect potential Sites such as **Black Pig's Dyke & Royal Sites** and support, progress and **promote their designation** as UNESCO WHS in collaboration with landowners, local communities and other relevant stakeholders, to assist in the development of tourism and the preservation of the natural heritage. Based on **Action Plan for Rural Development** 2017 Pillar 3 Act 190, **Louth** 5.9.9 HER 32, **Mayo** Vol 1 Chpt 4 Archaeological Heritage AoH-01h), **Meath** 9.6.8 POL 5 & other counties.

Chapter 7 Transport & Infrastructure

7.4 National Cycle Policy Framework 2009-2020

7.18 Greenways

Pols

1 We submit That you should insert after *To, Implement*. See **Galway** 5.4 Obj 19 2nd phrase.

2 We note the reference to the *Smarter Travel Policy*. We presume that this is the *Policy A Sustainable Transport Future A New Transport Policy for Ireland 2009-2020*. If this is the document to which you refer we have to say that we cannot locate it.

We submit that you should **include additional Pols**:

A Physical Activity/Health

Pols

1 *Promote the development of walking and cycling by implementing, supporting, promoting, adhering to and facilitating the key principles, goals, targets, initiatives, strategies and actions of DoTT's Transport's "Smarter Travel Policy".* Based on **Meath** 6.7 TRAN SP 2, **Leitrim** 3.6.1 Pol 44, **Mayo** Vol 1 Chpt 3 Land Use Integration & Transport L5 03, **2013 Plan** 6.2 TRO 3 & many other counties.

2 *Promote walking and cycling as healthy modes of transport by securing, encouraging and facilitating the development of a network direct, comfortable, pleasant, convenient and safe cycle routes and public footpaths network that are suitable for all sections of the community and people of different generations and levels of fitness, to facilitate and contribute to individual **health and wellbeing** and to promote a more active lifestyle and to create a healthier population by providing quality green space.* Based on **Smarter Travel 2009 - 2020 Cycling and Walking** 1st para 2nd sentence last phrase page 26, **Cavan** 4.4 PIO61, **Meath** 9.7.3 2nd para 4th pt & many other counties.

3 *Cycling and walking will be pivotal to achieving some of the goals in **national health** policies to promote physical activity to counteract the increasing the numbers at risk of chronic diseases such as obesity, heart disease and mental health.* Taken from **Smarter Travel 2009 - 2020 Cycling and Walking** 2nd para.

4 *Promote and facilitate the **development of cycle routes** in accordance with the **National Cycle Scoping Study 2010**.* Taken from **Louth** 6.5.11 EDE 21.

5 *Actively **support**, promote and implement the key **goals**, targets, recommendations, proposals, actions and relevant policies of the **NCPF 2009**.* Based on **Galway** 5.4 Obj 19 1st phrase, **Sligo** 8.3 P CW 10 1st phrase, **Roscommon** 8.7.1 Pol 8.39, **Sligo** 8.3 P CW 10, **2013 Plan** 6.2 TRO 5 & many other counties.

B Recreation

Walking

Table We submit that you should include a Table with maps of **Way-marked Ways** of medium/long-long distance walking routes, Greenways, Sli na Slainte, heritage/historic walking trails, pilgrim paths, paths to mass rocks and holy wells, looped walks, hill walks, forest walks and other defined walking trails with accompanying maps and a data base should be set-up and up-dated as new trails emerge. See **Louth** Map 7.2, **Roscommon** 8.7.1 T 8.2 & M 17. Also **2013 Plan** T71.

To this you should add: *Following the adoption of the Plan a temporary register of additional routes shall be maintained and should be included in the web site pending inclusion in the next Plan.*

Pols

6 *Promote and facilitate the continuing development of a regional and local **network of Ways and Permissive Access Routes** that provide a network of long distance walking, running and hiking trails and routes. Encourage the rerouting of existing trails off public roads.* Based on Sth Dublin 9.4.0.3 1st sentence 1st phrase, & 2nd sentence & DLR 4.1.2.16 Pol LHB17 1st sentence 1st phrase,

Note In contrast to public rights of way, **long distance walking routes exist on a permissive access basis** and are not to be confused with designated public rights of way as consent can be withdrawn at any time by the landowner. Taken from **Sligo** 6.7.4 Permissive Trails.

7 Support, improve, develop, expand, upgrade and facilitate **Slí na Sláinte** routes. These should be waymarked/signposted where feasible. To which you should add: in view of the obesity and diabetes crisis. A Table should be included. Based on Kildare 6.5 WCO 5 last pt, DLR 4.1.2.16 Pol LHB17 last phrase & 2nd sentence, Westmeath 8.13 O 13 last phrase & **Louth** 6.7.1 1st para.

8 Promote walking through the development and expansion of a network of **safe walking trails** within towns and villages and their environs. Such routes can link with existing waymarked trails, Sli na Sláinte and the Green Infrastructure Network and existing or new public rights of way. Taken from Fingal Chpt 5 Obj RF113.

9 Research and map existing network of traditional paths used for leisure purposes to determine their legal status. Taken from Carlow 8.11.10 Obj 3 2nd pt.

10 Employ a full time **Walks Officer** at an appropriate senior level.

Note Many counties employ one.

11 The **Council will co-operate with relevant agencies**, both public and private, including the National Trails Office, FI, NWMWAC, Coillte, the Heritage Council, adjoining local authorities and local landowners, to support the development, maintenance and enhancement of hiking/walking routes - particularly in the uplands. Steps to encourage routes may include secure parking and publication of maps. Based on DLR 4.1.2.16 2nd to 4th sentences & Laois 5.11 TM21 1st sentence.

12 Establish a **Recreational Trails Committee** to plan, develop and implement a recreational trail network throughout the county in association with relevant stakeholders, landowners and community interest groups and develop a recreational Trails Plan within the lifetime of the Plan. This plan shall set out a coordinated strategic framework for future recreational trail development. Taken from Fingal 6.9 Objs ED66 & 67.

13 Implement the relevant provisions in the **DoTT's Walking Policy** when published. Taken from **Sligo** 8.3 P CW 11.

Note there is a commitment in **Smarter Travel 2009-2020** Art 16 last para 1st sentence to publish this.

14 Lobby the appropriate Government Department to agree and implement a scheme to **indemnify private landowners** with regard to recreational users of their land. Taken from **Action Plan for Rural Development** 2017 Pillar 3 Act 176.

15 Preserve, and **protect** the integrity of existing public walking and access routes (including long distance walking routes) which contribute to the general amenity by prohibiting the intrusion of development along these routes particularly those in scenic and high amenity areas and along inland waterways. Based on **Sligo** 6.7.4 P OR 22 1st sentence, **Louth** 6.5.11 EDE 22 & many other counties.

16 **Protect listed walks** from development that creates or has the **potential to create dis-amenities**. Taken from **Cavan** 9.4.1 2nd para.

17 Take the potential **impact of proposed development** into account when considering/assessing applications for permission in the vicinity of established walking routes that might impinge on walking routes (including long distance) or potential walking routes. Taken from **Sligo** 6.7.4 Established walking routes 2nd & 3rd sentences.

18 **Protect access routes** to upland walks and public rights of way. Taken from Laois 5.10 RUR14.

Cycling

Table

We submit that you should a Table of **Cycle routes with maps**. See **Roscommon** 8.7.1 Table 8.2 Map 17.

To this you should add: *Following the adoption of the Plan a temporary register of additional routes shall be maintained and should be included in the web site pending inclusion in the next Plan.*

Pols

19 Promote, facilitate and encourage the development, enhancement and expansion of **safe** cycling facilities and cycle routes by facilitating the construction of cycleways. Promote and incorporate the objectives contained within the Government's National Cycle Policy Framework 2009-2012. Support the development of the National Cycle Network and enhance and maintain these routes with better sign posting, lighting and road surfaces, separation from vehicular traffic. Encourage the development of off-road cycling. Ensure that the upgrading of roads will not impact negatively on the safety and perceived safety of cyclists. Ensure that any dedicated cycle routes which are developed away from the main public carriageway are well lit. Routes should, where possible, follow off-road tracks and quiet country roads. Based on **FI's Strategy for Development of Cycling Tourism Executive Summary(2007)** 01 the Mori Survey 3rd pt 4.2.3, **DoTT's NCPF(2009)** OO Breadth of Interventions page 7 6th pt on right hand col & 7th & 8th pts, Pol 3.4, Obj 5, Pol 5.6 & Pol 6.2 page 26, **Cavan** 4.1.2 Objs 2nd pt, **Louth** 6.7.2 RA 18, **Leitrim** 3.10.8 Obj 113 & many other counties.

Walking & Cycling

20 Support, promote and actively encourage the provision, development, extension and design of off road **interlinked cycleways and walkways**, walking and cycling routes (mention routes), including medium and long distance walkways conjunction with **IW**, **FI**, and other stakeholders to link a strategic network of trails and in areas of high amenity in adjoining counties, including cross border counties in partnership with their councils, the state, private and voluntary sectors that will promote Based on **Louth** 6.5.11 EDE 23 1st sentence, **Mayo** Vol 1 Chpt 3 Pedestrians & Cyclists PC-01 7th line, **Roscommon** 8.7.1 Pol 8.39, **2013 Plan** 7.5 CWO 4, **Sligo** 4.4 P TOU 7 1st phrase & many other counties.

21 Support and promote **activity tourism** through the development of a comprehensive **network of greenways, blueways** and other recreational opportunities linking parks and public open spaces to regional and national Greenway Networks and work with the NTA, local tourism bodies, **FI**, adjoining councils and all stakeholders to develop a co-ordinated approach to the selection, delivering and servicing of future greenway to facilitate the spread of parkland into urban areas and to achieve improve external linkages. Protect and promote them and provide linear parks to achieve and improve external linkages and corridors. Taken

from **Action Plan for Rural Development 2017** Table 1 Pillar 3 3rd pt, **Sligo** 4.4.6 Obj 1.5 3rd box 2nd pt, **Donegal** 9.3 Pols CCG P 18 & many other counties.

22 *Walking and Cycling will be promoted, facilitated and encouraged in accordance with initiatives contained in "Smarter Travel 2009" by identifying and developing a network of safe cycle routes and footpaths on existing roads, and, in particular, between towns and villages. Ensure, where possible, that cycleways and footpaths are effectively separated from major vehicular carriageways. Provide, promote, improve and extend the network of off road cycle and walking routes on all new road improvement schemes (including regional and local roads, on roads being up-graded, to ensure personal **safety**, particularly at night and a more convenient, pleasant, attractive environment. Support the installation of infrastructure measures e.g new/wider pavements, road crossings, retrofitted, if necessary, which would facilitate and encourage safe walking and cycling. Based on **2013 Plan** 7.5 CWO 6 1st phrase, **Louth** 7.4 TC 22 & 23, **Leitrim** 3.6.3 Pol 46, **Galway** 6.3.2 Obj RT44, **Roscommon** 8.7.1 Pol 8.42 1st sentence, **Meath** 6.9 POL 22, **Sligo** 8.3 P CW 9 & many other counties.*

23 ***Signpost and waymark** Walking and Cycle Routes with appropriately designed quality signage and information boards so as to facilitate visitors. Based on **Sligo** 4.4 P TOU 4 1st phrase, **2013 Plan** 7.5 CWO 6 2nd phrase, **Roscommon** 8.7.1 Pol 8.37, **Leitrim** 3.6.3 2nd para 3rd sentence & many other plans.*

24 *Create, **provide**, promote, improve, plan, develop, support, enhance, encourage, extend and facilitate walking, rambling, cycling and horse riding in conjunction the Irish Sports Council and by identifying/defining more dedicated walking and cycling routes(named) to enable the creation of a high quality, coherent, integrated and comprehensive dedicated off road countryside network of cycling/walking routes, footpaths, greenways and tourist trails in rural areas that link communities to key destinations and amenities, including looped walks, local walks, community walks medium/long distance walks, established rights of way, through open spaces, strategic green corridors(including river corridors) and other off-road routes), particularly those with historic connections or associations or other areas of interest. Expand and extend existing routes by utilising links from residential areas to provide access to mountains, lakeshores, rivers and scenic areas. Bring mountain amenities closer to residential communities by promoting the establishment of a network of formal footpaths, off road paths and cycleways that are attractive and facilitate casual walkers and cyclists. Investigate the provision of dedicated cycle and pedestrian routes along routes of high amenity. Based on **DPG** 3.5 Box 3 B Infrastructure 3rd pt, **National Physical Activity Plan** App 1 36, **Meath** 4.6.8 2nd para 1st & 2nd sentences & ED OBJ9, **Roscommon** 8.7.1 pol 8.36 1st sentence, **2013 Plan** 7.5 CWO 4, **Louth** 7.4 TC 24, **Donegal** 4.1.3 Pol TP40, **Sligo** 4.4.6 Obj 1.5 3rd box 2nd pt & 8.3 P CW 9, **Mayo** Vol1 1 Chpt 2 Tourism TM 03, **Galway** 5.1 Cycle Routes 4th pt & many other counties.*

25 *Promote and encourage walking, rambling and cycling as **healthy recreational activity**. Based on **Leitrim** 3.6.1 para below Pol 44 2, **Roscommon** 8.7.1 Pol 8.37 & **Sligo** 8.3 P CW1.*

26 *Exploit the tourist potential of walking, rambling and cycling routes by encouraging and promoting walking and cycling-based **tourism** for both international visitors and local tourists to attract activity and adventure tourists. Based on **Sligo** 4.4 P TOU 6 & many other counties.*

27 *Seek opportunities for the development of suitable walking routes, cycle tracks and bridle paths along **historic access routes**. Explore the potential of inter-county trails(named).*

Based on **Action Plan for Rural Development 2017** Pillar 3 Action 200, **Leitrim 3.6.3** Obj 29 & other counties.

28 Provide **car parking** and/or lay-by for walkers and cyclists, (from your local knowledge name important locations) and other appropriate points to facilitate access to amenity/scenic areas.

To which you should add: *from 9am until dark*. Based on **Sligo 4.4**. P TOU 4 last phrase & many other counties

Notes

1 The absence of car parks can cause unnecessary friction between landowners and recreational users.

2 The primary responsibility for the provision of car parking lies with councils

29 Establish new Walkways and cycle routes on a **legal and permanent basis**. Taken from Carlow 5.3.2 Pol 8 12 pt 1st line, Sth Dublin 2.2.14 2nd 15th para 1st line.

30 Facilitate the **protection of walking and cycling routes**. Taken from **Cavan 9.4.1** Objs 2nd pt.

31 Ensure that **development proposals protect the routes** of potential linkages (such as linear parks, footpaths trails, cycleways) through the subject site where the council considers that a strategic opportunity exists to provide a linkage in or between adjoining areas. Taken from **Donegal 4.1.3** T P36.

Chapter 8 Environment, Energy & Climate Change

8.23 Exempt Development for Renewable

We submit that as the Pols immediately under this heading do not relate to this heading, to avoid confusion that these should be re-positioned in 15.12 **Renewable Energy**. This would also have all policies on this topic in the one place.

Chapter 15 Development Management Standards

15.1.2 Enforcement Functions

15.5 Advertising Signage & Lighting

15.15 Agricultural Development

Pol 4 We submit that the reference to **public rights of way** should be re-positioned in proposed additional sub sec on Forestry in Chpt 4 and merged with Pol 3.

15.20 Renewable Energy

1st para We submit that the reference to **public rights of way** in the 5th pt should be dealt with in a separate pt and that you should add: *walking routes and public access to the countryside*. Based on Fingal 12.10 DMS138 (iv) 2nd phrase & **Meath 11.15.1** 1st para 4th pt.

We submit that you should **include additional Pols**:

Wind Energy

1 Undertake an analysis of suitable areas for wind energy and **prepare a map showing the Landscape Suitability for Wind Energy Development** in accordance with national

guidelines including section 3.5 of the Wind Energy Guidelines(2006) and any subsequent revisions and as recommended in the LCA. Based on **Sligo** 11.1 SO EN 2 & **Roscommon** 4.6 Obj 4.55 1st phrase.

Notes:

1 **Louth** & many other counties have already done one.

2 We submit that as this is an urgent matter there should be a commitment to do this within, say, two years of the adoption of the Plan.

2 **Identify existing public rights of way** and established walking routes and maintain them free from development, preserve them as public rights of way or walking routes. Taken from **Cavan** 4.7.3 PIO117.8.

3 All applications shall be accompanied with a LIA including an assessment of the **impact on any existing rights of way** and established walking routes. Taken from **Kilkenny** 10.5.3 Landscape Impact Assessment 1st para 1st sentence.

Hydro Energy

4 In assessing hydro energy schemes proposals the Council will take into account the **impact on public rights of way** and walking routes. Taken from **Meath** 11.1.5.1 4th pt.

Solar Power

5 In assessing development proposals ensure that it does not have a **negative effect** on the character of the landscape, natural heritage, views and prospects, scenic routes, archaeology, local amenities, tourism areas and the potential for mitigation through screening with hedges. Based on **Laois** 6.6.1.3 Ground Mounted Arrays 6th & 8th pts, **Fingal** 7.3 EN14, **Kildare** 8.7 SE 1 2nd sentence, **Sth Dublin** 10.2.5 Pol 7 2nd sentence & 2 1st & 5th pt 5th line, **Tipperary** Renewable Energy Strategy App 1 6.8 3rd para c) & Pol RE10.

15.21 Telecommunications

Pols All

We submit that you should include an **additional Pol: 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 or impact thereon or on recreational amenities or public access to the countryside. Based on **Roscommon** 4.7 Pol 4.70, **Cavan** 4.8 PIO123 & **Meath** 8.2.3 3rd para 3rd sentence & many other counties.

Note Pending a complete listing of public rights of way walking routes, as prospective rights of way, should be protected.

15.25 Extractive Industry

Pols

2 We submit that:

A you **should add**: Protect, conserve, preserve and safeguard recorded monuments and areas in their vicinity, World Heritage Sites, archaeological sites and features and zones of archaeological potential, natural heritage, natural or built environment, listed views and prospects, geological sites and areas of geological/geomorphological interest from the inappropriate development. Applicants must recognise that the aggregates(stone and sand/gravel deposits and mines), concrete products industry have a particularly sensitive

role in relation to the environment. Any development of aggregate extraction, processing, delivery must be carried out so that it minimises adverse effect on the environment and visual amenities whether in respect of new quarries or extensions to existing ones. Development will be prohibited if the quality of the environment or landscape, particularly sensitive landscape, is adversely affected or there is a reduction of the visual amenity of areas of high amenity. All workings should be landscaped either by the retention of existing vegetation or by screening. A strictly precautionary approach will be taken where designated sites will be affected. Based on Donegal 7.1 Aim & 2.1 & 2, 2013 Plan 15.15 EIP 4 1st sentence down to Monuments on 4th line, Meath 10.12 RD POL 27 & 11.14 1st para 2nd sentence, Mayo Vol 1 Chpt 2 Extractive Industries EI 01, Vol 2 57.2 last pt, Cavan 3.8 EDP6 & 7, Galway 6.21 Obj EQ 1, Roscommon 3.4.4 last para & 3.57 & many other counties;

B you should delete the last phrase.

4 We submit that:

A that the 1st phrase should be merged with 2;

B the last phrase should be re-positioned in 4.8. **Extractive Industry** and merged with proposed **additional Pol 2**.

Chapter 16 Implementing & Monitoring

16.2 Monitoring & Review

2nd para.

OVERVIEW

We have to say that, to say the least, the Draft is extremely disappointing. Firstly because, in spite of it being pointed out in our Submission to the Issues Paper the Draft appears to have totally ignored the 2013 Plan which included many excellent provisions. Other issues raised in our Submission have been almost totally ignored.

We would ask you to treat this Submission with more respect. Virtually all our suggestions are based on Plans in other counties and nearly all are non- controversial and seek only to improve the Plan.

As it stands the Draft, if left unamended, will be one of the worst Plans in the country.

KEEP IRELAND OPEN

May 2018