

## **SUBMISSION TO LONGFORD ISSUES PAPER**

### **Information about Keep Ireland Open**

KIO is a voluntary organisation whose primary aim is to lobby for the legal right to reasonable access to the countryside which is the norm in virtually all European countries but is denied to us. However, we are also concerned with issues which affect the enjoyment of our countryside. Our membership covers a broad spectrum of recreational users of our countryside including An Oige, Scouting Ireland, Catholic Guide of Ireland, An Taisce, Friends of the Irish Environment, Federation of Local History Societies, Irish Hang Gliding & Paragliding & Irish Rural Link. See our web-site: [www.keepirelandopen.org](http://www.keepirelandopen.org).

We are members of Comhairle na Tuaithe.

We make this Submission as a national body but also on behalf of our members living in the county.

In answer to **the Key Questions in 6.0 Transport and Movement** in your excellent Issues Paper we welcome the sentiments expressed especially from the 9<sup>th</sup> pt to the end. These matters are fully explored in our Submission. Otherwise, as our submission is very focused on issues of walking/cycling, public rights of way and better rather than answering the questions therein, we are basing our submission on a critique of the 2015 Plan.

### **CRITIQUE OF EXISTING PLAN**

We presume that you will use the 2015 Plan as the basis for the new one as it contains much excellent material. It does, of course, require expansion and updating.

We would respectively point out that the 2015 Plan fails to comply with, have regard to/take into account:

- Planning & Development Acts
- Plans in adjoining counties
- Development Plan Guidelines

Heritage Act 1995  
National Heritage Plan

This failure will be highlighted in our Submission. We trust that the Draft Plan will comply in all respects with the above.

The mention of a provision in the Plan, without comment, indicates our support for the wording with appropriate updating.

Counties in **bold** are adjoining and/or counties within the **Midland Region**.

**Other county plans**

While you are obliged to take into account plans in adjoining counties, you may care to take into account plans in other counties particularly those within the **Midland Region**.

**Review of Plans in adjoining counties or within the Region**

We presume that you will be monitoring the review of the Plan in **Westmeath** and that you will liaise with their planners to ensure that the plans are compatible, where appropriate.

**FORMAT**

**Index** We submit that you should provide an Index as recommended in the Development Plan Guidelines (5.15). See Clare, DLR, Sth Tipp & Waterford.

**Layout** The present layout creates difficulties when referring to particular points. We note that the Plan has sub-numbered or sub-lettered many lists of points. We submit that this should be extended to all lists. We also submit that paras should be

numbered or lettered. Also, you should include the Sec title & its number on each page.

## 4. Economic Development

### 4.4 Agriculture

We submit that you **should include an additional para:**

*Farmers will be encouraged to see themselves as **custodians of the countryside** and the rural landscape which are a valuable resource for present and future generations and provides an amenity for enjoyment of the general population. Based on **Cavan** 3.5 EDO6 1<sup>st</sup> sentence & **Leitrim** 3.7.2 2<sup>nd</sup> para under Pol 61 & 3.8.7 2<sup>nd</sup> para 2<sup>nd</sup> sentence.*

#### 4.4.1.1 General Policies

**AGR 2:** We submit that **this should be replaced by:** *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, 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, (e), **Offaly** 10.6 RDO4 and many other counties.*

**3: 1<sup>st</sup> sentence**

**4: 2<sup>nd</sup> para**

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

### **Forestry**

**Note** We are surprised that you have no Pol in this important area unlike virtually all other counties.

### **Commercial Forestry**

### **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 and 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 and other stakeholders and agencies for the benefit of local communities and tourists. Based on **Smarter Travel 2009-2020** Act 17 2<sup>nd</sup> sentence page 45, **Westmeath** 3.41 P 4, 6.21 P 10 & 6.23 P 12 1<sup>st</sup> phrase, **Laois** 5.10 RUR4 and many other counties.*

**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.*

**3** *Ensure that existing **public rights of way**, traditional walking routes or recreational or tourist amenities are not obstructed. Taken from **Roscommon** 3.4.2 Pol 3.44 1<sup>st</sup> sentence.*

**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.

**4** *Forestry **must not be visually obtrusive** in the landscape so as to ensure that development is appropriate in its character, nature and scale and that it is carefully managed to so that it doesn't result in damage to visual amenity or have a negative visual effect on the rural environment and character of the countryside and that it must enhance and be in harmony with the landscape. Protect views and scenic routes, nature designations, vistas, geological sites, monuments, archaeological or other historical or heritage features, and in Primary and Secondary Amenity Areas. Based on **Laois** 5.10 **Afforestation** last sentence, **Westmeath** 3.41 PF3 1<sup>st</sup> phrase, **Leitrim** 3.7.3 Table 12 **Strategy** 3<sup>rd</sup> para & 4.4.7 3<sup>rd</sup> para 1<sup>st</sup> sentence, **Roscommon** 3.4.2 Pol 3.33 & 9.35 1<sup>st</sup> para 1<sup>st</sup> & 2<sup>nd</sup> pts and many other counties.*

**5** *Prepare an **Indicative Forestry Strategy**. Taken from **Her Plan** 5.11.*

### **Amenity Woodlands**

**6** *Minimise the loss of trees associated with development manage and promote the **preservation** and enhancement of the existing network of **woodlands** as they contribute to landscape character and landscape*

conservation and protect them from development that would impact adversely on them. Based on **Laois** 7.13 NH22 1<sup>st</sup> phrase and many other counties.

**7** Encourage the use of the **Neighbourwood** and Native Woodland Scheme to enhance existing woodlands or create new ones. Taken from **Her Plan** 5.3.

### **Commercial Forestry and Amenity Woodlands**

**8** The broad zone of deciduous woodlands shall be protected from inappropriate development. Protect and encourage **access to forestry** and woodlands, in co-operation with Coillte, private landowners and other stakeholders for walking routes (including long distance and looped walks), nature trails, bridle paths, orienteering and hiking for the benefit of local people and visitors. Based on **Westmeath** 3.41 P 4 and many other counties.

## **4.5 Tourism**

### **Recreation and Tourism**

We submit that as these topics have much in common they should be dealt with together preferably as a separate Sec. See **DPG** 3.5 Box 3 B Economic Development 3<sup>rd</sup> pt, **Cavan** Chpt 9 and many other counties.

Our submission relates only to rural recreation and rural tourism.

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

A **Tourism\***

B **Recreation\*\***

C **Recreation & Tourism\*\*\***

### **Inland Waterways**

We submit that this topic, as it doesn't solely relate to tourism should be repositioned in 6.2.2.7

**1<sup>st</sup> para**

**2<sup>nd</sup> para 1<sup>st</sup> sentence**

### **Royal Canal Walking/Cycling Route**

This requires updating.

### **Bogs, Woods and Rural Landscapes**

## Corlea Archaeological and Biodiversity Centre

### Mid Shannon Wilderness Park

This requires updating.

#### Ecotourism

We submit that **while Ecotourism is mentioned this sub section should be deleted and should be repositioned as follows:**

**A 1<sup>st</sup> sentence up to *Inny* merged with Inland Waterways 2<sup>nd</sup> para 1<sup>st</sup> sentence.**

**B The rest of the sentence *Bogs, Woods and Rural Landscape***

**C 2<sup>nd</sup> sentence should be upgraded to a Strategic Pol and replaced by:** *Generally require tourism and recreational related developments to locate within existing towns and villages to prevent environmental damage, except where the nature of the activity renders this impossible.*  
Based on **2015 Plan** and many other counties.

#### Tourism Product

We submit that **the the word *product*” in the title and in the text should be replaced by *experience* which better reflects the feelings of the people of Longford towards visitors.**

**2<sup>nd</sup> para 1<sup>st</sup> sentence**

#### Tourism Objectives

**\*10.** We submit that **this should be replaced by:** *Encourage, enable, support, facilitate, promote rural tourism by the provision, development and expansion of such activities as walking, cycling, mountain and other off road biking, riding, painting, photography, field studies, 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, pony trekking, archaeological guided walks and eco-, geo- & green-tourism including the provision of supporting infrastructure.* Based on **Roscommon** 3.4.1 P 3.31 & 3.5 P 3.64, **Westmeath** 3.35 P 6 & 6.22 last phrase, **Cavan** 3.4 EDO 2 & 3.4 EDP4, **Laois** 4.3 3<sup>rd</sup> para 1<sup>st</sup> sentence and many other counties.

**\*15.**

#### Strategic Tourism Policies

**\*TOU 1** We submit that **the first phrase should be replaced by:**  
*Applications for tourism development will be considered in line with usual planning criteria and will normally be permitted for outdoor recreational use in the countryside where it will not result in damage to sites of nature conservation importance or features of archaeological heritage, cause harm to the appearance and character of the landscape and can be readily absorbed into its surroundings by taking advantage of existing vegetation and/or topography and any ancillary built development is small in scale, will be subject to high standards of design and materials and is sympathetic to the environment in its siting, layout and landscape treatment. See Kilkenny 7.3 1<sup>st</sup> para 1<sup>st</sup>, 3<sup>rd</sup> & 5<sup>th</sup> pts.*

**\*\*\*2 1<sup>st</sup> & 2<sup>nd</sup> sentence** We submit that **these should be replaced by:**  
*Recognising the potential and unique characteristics of bogs, including industrial peatlands, support appropriate development of **recreation and tourism**(including eco-tourism), Council will, where appropriate, cooperate with adjoining councils(names counties) to facilitate this potential. Facilitate the development of tourism using cutaway peatlands by liaising with BnM, IPCC, Coilte, NPWS and FI. Ensure that a balanced approach is taken to the development of peat resources and the restoration of cutaway bogs in order to minimise the impact of archaeology. Large portions of cutaway bogs should be developed as amenity areas. See **Offaly** 2.13 TO 05.*

**\*3**

**\*7 1<sup>st</sup> sentence** We submit that **this should be replaced by:** *The Council, when assessing development proposals for tourist accommodation or facilities, must ensure the protection and enhancement of amenities and be compatible with the relevant land uses in its nature and extent, are not located where they would be significantly detrimental to environmentally sensitive landscapes either existing or which may arise in the future. Ensure the protection of environmentally sensitive areas and areas identified as sensitive landscapes in the LCA by taking into account its location and design, that landscapes and the environment are protected so that they can be enjoyed and cherished by future generations and that natural heritage, landscape, rural countryside and amenities are protected. Ensure that development is in sympathy with the environment, heritage and amenities that built development and other activities associated with*

*tourism are appropriate to the character of the area, that development is compatible with the enhancement, preservation and protection of the environment, that it does not impact negatively on the landscape and that development is of a high standard of design and landscaping, with consideration being given to the impact on its surroundings in terms of scale and intensity, that all tourism developments are design to the highest quality and standards, that the nature and scale appropriate to the character of the area is visual sympathetic to its surroundings, shall not give rise to significant adverse impact on scenic heritage or environmental or conservation qualities of the area, will not have a significant effect on Natura 2000 sites and the environment and visual amenity and that developments do not negatively impact on the natural landscape. Based on Roscommon 3.5 Pol 3.77 and many other counties.*

**\*2<sup>nd</sup> sentence** We submit that this **should be replaced by:** *Prohibit developments and other activities associated with tourism unless they are appropriate to the traditional character of the area in terms of scale, nature and design and must be sensitively located, and must not interfere with or detract from areas of special amenity and from visual/scenic amenities on approach roads to the visual setting of, or the views to be had from significant tourist attractions. Developments must minimise adverse impacts on landscapes leaving them undiminished as a resource for future generations and must be sensitively located, sited, designed and landscaped so that environmentally sensitive areas are protected. Ensure that development must be sympathetic in manner in regard to the environment, heritage and amenities. Based on Offaly 2.11.10 2<sup>nd</sup> para, Westmeath 3.14 P 3 and many other counties.*

**\*14 Last phrase** We submit that **this should be replaced by:** *Encourage, enable, support, facilitate and promote the provision, development and expansion of appropriate agri-tourism initiatives in the form of on-farm visitor accommodation and associated and spin-off activities such as health farms, heritage and nature trails, pony trekking, water based activities and open/pet farms Based on Roscommon 3.4.1 P 3.31 & 6.11.2 11<sup>th</sup> line, Leitrim 2.3m) & many other counties.*

**\*We submit that you should include an additional Pol:** *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 Leitrim 2.3 Pol 2b) & 3.7.2 Pol 61 5<sup>th</sup> line and many other counties.

\*17 4<sup>th</sup> pt

\*\*\*18 1<sup>st</sup> para

\*20 North County b(iii)

23 1<sup>st</sup> pt We submit that this should be re-positioned in 6.2.2.7 Inland Waterways ILW 12 The Royal Canal as additional Pol 4.

last pt We submit that this should be re-positioned in proposed additional Sub Sec: Peatlands Pol 4.

We submit that you should include additional pols:

#### **Tourism**

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

2 Develop and **promote Activity Tourism** through the development of greenways/blueways and other recreational opportunities in conjunction with county councils. Taken from Action Plan for Rural Development 2017 Table 1 Pillar 3 3<sup>rd</sup> pt.

3 All activities will be **co-ordinated with adjoining counties**. Taken from Nth Tipp 6.11.2 Rural Tourism last para below Pol ECON 15 last sentence.

4 Support, extend and facilitate the design and **development of new Greenways**, walking and cycling routes as key components of an overall green tourism infrastructure and actively work with adjoining councils and other stakeholders to that end. Based on Donegal 9.1 **Other Tourism Products and Attractions** 2<sup>nd</sup> para 2<sup>nd</sup> sentence last phrase & 9.2 O 9 1<sup>st</sup> phrase & Monaghan 4.7.2 TMP 14.

5 Protect and conserve natural heritage features and key landscapes and seek to **restrict development** which would be detrimental to scenic and natural assets. Taken from Westmeath 3.14 Tourism P 4.

**6 Protect key landscape resources** from inappropriate development and protect the natural environment, including protected sites, coastal environment, historic archaeological sites and the routes and visual settings of potential Green Ways, walkways and cycle routes. Taken from Donegal 9.1 **Tourism - Key Planning Challenges** 1<sup>st</sup>, 7<sup>th</sup>, 8<sup>th</sup> & last pts.

**7 Continue to protect the routes of potential greenways.** Taken from Donegal 9.1 **Other Tourism Products and Attractions** last para, 2<sup>nd</sup> sentence 1<sup>st</sup> phrase.

**8 Protect and enhance historic heritage**(including recorded monuments and battlefield sites). Taken from Donegal **Tourism** 9.2 O 11 1<sup>st</sup> phrase.

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

**10 Protect and preserve the tourism recreational attractions** such as scenic beauty, woodlands and waterways, natural heritage, the character and distinctiveness of scenic landscape and the environmental quality. Taken from Wicklow Vol 1 7.3 Strategic Objs 1<sup>st</sup> para 6<sup>th</sup>, 8<sup>th</sup> & last pts.

**11 Ensure that recreational tourism activities have no adverse effect on the environment.** Taken from Limerick 5.5.2 ED 017.

**12 RSES EMR: RPO 6.16.**

### **Recreation**

**13 Support development, in co-operation with various stakeholders to promote, preserve, improve, encourage public access** to lakes, riverside and other areas that have been traditionally used for outdoor recreation and extend **recreational amenities**. Based on **2000 Planning and Development Act** Sec 10(2)(j), **Westmeath** 3.14 P 7 down to recreation on line 3 and many other counties.

**14 Promote and facilitate the improvement of existing recreational facilities and amenities** including riverside and canal walks, lakes and walking and cycling routes as key assets to the local economy and health and wellbeing of the community. Taken from **Westmeath** 7.13 P 1 line 3 to routes on 2<sup>nd</sup> last line.

## Recreation/Tourism

**15 Promote** and encourage the **recreational use** of 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 1<sup>st</sup> sentence.

**16 Promote** walking and cycling and improve the **recreational and tourist potential of walking and cycling routes**. Taken from Offaly 7.16 ROWP-011st phrase.

**17 RSES EMR 6.5: RPO 6.17 1<sup>st</sup> sentence.**

**18 Ensure that golf course development** does not impinge on existing public rights of way and walking routes by identifying them prior to development. Taken from Sth Dublin 11.5.5(ii) last para, Kildare 14.12.2 RW 3.

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

### 4.6 Mining and Aggregates

**3<sup>rd</sup> para** We submit that this **should be upgraded to a Pol and replaced by:** *An EIS, including a remedial EIS, will be required where the thresholds outlined in Sch 5 of the Planning and Development Regulations 2001 are reached. Ensure that proposals for aggregate extraction include an assessment of the impact on the natural heritage. The Council will also exercise its powers under Article 103-subsection (1) to require an EIS for sub-threshold development where it is considered that the development would be likely to have significant\* effects on the environment or heritage. The size of the proposed development and the cumulative workings of the area will be taken into account when assessing planning applications. Appropriate mitigation measures must be included.* Based on **Cavan 3.8 EDP9 1st sentence** and many other counties.

*\*material would be better*

### MA 2: c) & l)

**m)** We submit that **this should be replaced by:** *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 environment, listed views and prospects, features of natural beauty or interest, designated and prescribed sites, geological sites and areas of geological/geomorphological interest and areas of high scenic amenity from 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 working should be landscaped either by the retention of existing vegetation or by screening. Based on **Laois** 8.5 DM69 f), **Cavan** 3.8 EDP6 & 7, **Offaly** 2.8.6 3<sup>rd</sup> para & 2.9 RDP 14 1<sup>st</sup> sentence, **Roscommon** 3.4.4 last para & 3.57 and many other counties.

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 or are adjacent to the development site. They shall be kept free from development as Rights of Way/Walking Route. 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 Restrict development of aggregate extraction, processing and associated concrete production which could impinge or impact on matters of public importance, **public rights of way** or walking routes and satisfactorily address the potential impact on recreational or tourist activities and protect tourism amenities. Based on **Westmeath** 3.43 P 11 last pt and many other counties.

## **5. Infrastructure**

We note that walking/cycling is dealt with not only in this Sec but also in 4.5 Tourism. Walking/Cycling is a broad topic and encompasses the reasons why people walk or cycle including travelling to work, schools and shops and for exercise and for recreation. As walking/cycling is becoming an increasingly important part of peoples' lives we feel that it

merits a separate chapter. At the very least it should be cross referenced.

### 5.1.1.1 ROADS 2

#### 5.1.3 Pedestrians and Cyclists

**2<sup>nd</sup> para 1<sup>st</sup> sentence last phrase** We submit that **this should be upgraded to a Pol and re-positioned in 6.2.2.7 Inland Lakes and Waterways and merged with ILW 5.**

**PED 1:**

3 We submit that:

1 **The 1<sup>st</sup> sentence 1<sup>st</sup> phrase and the 2<sup>nd</sup> sentence 1<sup>st</sup> phrase should be merged with 5 and replaced by:** *Create, provide, promote, improve, plan, develop, support, enhance, encourage, extend and facilitate walking, rambling and cycling in conjunction the Irish Sports Council and other agencies by identifying/defining more dedicated walking and cycling routes(named) to enable the creation of a high quality, coherent, pleasant, integrated and comprehensive dedicated off road countryside network of local and regional 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 and established rights of way, through open spaces, strategic green corridors(including river corridors) and other off-road routes), particularly those with historic or cultural associations or other areas of interest. Expand and extend existing routes by utilising links from residential areas to provide access to lakeshores, rivers and scenic areas. Investigate the provision of dedicated cycle and pedestrian routes along routes of high amenity. Based on **DPG 3.5 Box 3 B Infrastructure 3<sup>rd</sup> pt, National Physical Activity Plan App 1 36, Smarter Travel 2009 - 2020 Cycling and Walking 1<sup>st</sup> para in line 6 & P 35 1<sup>st</sup> sentence 1<sup>st</sup> phrase, Laois 4.3 NRA21 1<sup>st</sup> phrase, 5.11 TM20 & 7.19 LS5, Roscommon 8.7.1 pol 8.36 1<sup>st</sup> sentence, Offaly 7.14 LAO 03 and many other counties.***

2 **The 2<sup>nd</sup> sentence last phrase should be replaced by:** *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, in conjunction with IW, FI, and other stakeholders to link a strategic network of trails and in adjoining counties, in partnership with*

*their councils, the state, private and voluntary sectors. Based on Westmeath 3.16 O 3, Roscommon 8.7.1 Pol 8.39 and many other counties.*

**8: We submit that this should be repositioned in a proposed additional Sec entitled: Inland Waterways.**

We submit that you should include additional provisions as follows:  
This topic should be sub divided into 2 main sections:

#### **A PHYSICALHEALTH/ACTIVITY**

#### **B RECREATION**

#### **PHYSICALHEALTH/ACTIVITY**

##### **Pols**

**1** *Promote the development of increased 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 Leitrim 3.6.1 Pol 44 & Offaly 4.6 STAP 08 1<sup>st</sup> part of last sentence and many other counties,*

**2** *Promote and encourage walking, rambling and cycling as healthy modes of transport and as healthy recreational activities, 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 people of different generations and levels of fitness, to facilitate and contribute to individual **health and wellbeing**, to promote a more active lifestyle and to create a healthier population. Based on Leitrim 3.6.1 para below Pol 44 2, Roscommon 8.7.1 Pol 8.37, Laois 6.1.1 TRANS39, Cavan 4.4 PIO61 and many other counties.*

**3** *Encourage and promote physical activity and improve health and well being by providing **quality green space** for walking and cycling. Based on Westmeath 8.13 O 9 1<sup>st</sup> phrase & many other counties.*

**4** *Ensure that **development proposals have regard for walking and cycling** which promotes physical activity. Taken from Donegal 11.3 P 12.*

**5** *Actively **support**, promote, implement and adhere to the **key goals**, targets, recommendations, proposals, actions, principles and policies of*

the **NCPF 2009 - 2020**. Based on **Roscommon** 8.7.1 Pol 8.39, **Offaly** 4.6 STAP 08 last sentence last phrase and many other counties.

## 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, hillwalks, 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. Based on **Roscommon** 8.7.1 T 8.2 & M 17 & many other counties.

**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 re-routing of existing trails off public roads.* Based on Sth Dublin 9.4.0.3 1<sup>st</sup> sentence 1<sup>st</sup> phrase & 2<sup>nd</sup> sentence, DLR 4.1.2.16 Pol LHB17 1<sup>st</sup> sentence 1<sup>st</sup> phrase & Mayo Vol 1 Chpt 3 **Strategy Pedestrian & Cyclists** PC-01.

**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** *In view of the obesity and diabetes crisis, support, improve, develop, expand, upgrade and facilitate **Slí na Sláinte** routes. These should be waymarked/signposted, where feasible.*

A Table should be included. Based on **Westmeath** 8.13 O 13 last phrase & many other counties.

**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 Slanite 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 2<sup>nd</sup> pt.

## **10 Employ a Walks Officer**

**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 councils and local landowners, to **support** and promote the development, maintenance, facilitation and enhancement of medium and long distance hiking/**walking routes**, greenways, community walks and off-road trails. This will include consultation with adjoining councils with a view to promoting routes extending beyond the county boundary. Based on **Laois** 5.13 TM21 1<sup>st</sup> sentence, **Westmeath** 3.14 P-GT 7 5<sup>th</sup> line **Her Plan** 5.6 and many other counties*

**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 1<sup>st</sup> 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 Louth 6.5.11 EDE 22, DLR 4.1.2.14 LHB15, Kilkenny 7.3.5 DMS, Kerry 9.10 SC52, Carlow 5.3.2 Pol 8 7<sup>th</sup> pt & 8<sup>th</sup> pt 1<sup>st</sup> phrase, Cork County 10 2 TM 2 1b), Monaghan 7.5 CWO 5 & Kildare 14.12.2 RW 2.*

**16** ***Protect listed walks** from development that creates or has the **potential to create dis-amenities**. Taken from **Cavan** 9.4.1 2<sup>nd</sup> 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** 2<sup>nd</sup> & 3<sup>rd</sup> sentences.

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

## **CYCLING**

### **Table**

We submit that you should include a Table of **Cycle routes with maps**. See **Roscommon** 8.7.1 Table 8.2 Map 17 and many other counties. To this you should add: *Following the adoption of the Plan a temporary register of additional routes shall be maintained and should be included on the web site pending inclusion in the next Plan.*

**19** Promote, facilitate and encourage the development, enhancement and expansion of **safe** cycle routes by facilitating the construction of cycleways. Support the development of the National Cycle Network and enhance and maintain these routes with better signposting, lighting and road surfaces separated 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 3<sup>rd</sup> pt 4.2.3, **DoTT's NCPF(2009)** OO **Breadth of Interventions** page 7 6<sup>th</sup> pt on right hand col & 7<sup>th</sup> & 8<sup>th</sup> pts, Pol 3.4, Obj 5 & Pol 5.6, **Offaly** 4.6 STAP 08 1<sup>st</sup> line & 7.14 LAO 03, **Westmeath** 8.13 O 8 1<sup>st</sup> sentence 1<sup>st</sup> phrase, 2<sup>nd</sup> sentence last phrase, last sentence 1<sup>st</sup> phrase & last phrase, **Cavan** 4.1.2 Objs 2<sup>nd</sup> pt, **Leitrim** 3.10.8 Obj 113, **Roscommon** 8.7.1 Pol 8.39 and many other counties.

**20** **RSES EMR: 8.4 Walking and Cycling grey box** 2<sup>nd</sup> pt.

**21** Develop a **Cycling Strategy** during the lifetime of the Plan. Taken from Cork City Obj 5.7.

**22** 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.

**23** Assign an officer at appropriate senior level as a "**Cycling Officer**". Taken from **DoT's NCPF(2009)** Pol 17.3.

## **WALKING & CYCLING**

**24** 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, in conjunction with IW, FI, and other stakeholders to link a strategic network of trails and in adjoining counties, including cross border counties in partnership with their councils, the state, private and voluntary sectors. Based on **Westmeath** 3.16 O 3, **Roscommon** 8.7.1 Pol 8.39, **Offaly** 2.12 TP 05 and many other counties.

**25** Support, promote, facilitate and develop a comprehensive and strategic **network of greenways**, 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, in order to achieve improve external linkages, to achieve maximum impact and connectivity and to provide alternative routes for pedestrians and cyclists. Based on **NPF** App 1 Obj 22, **RSES** RPO 7.24, Galway City Pol 4.5.1 1<sup>st</sup> para 1<sup>st</sup> phrase, Sligo 4.4.6 Obj 1.5 3<sup>rd</sup> box 2<sup>nd</sup> pt, Kildare 5.19 EO 49 & DLR 4.2.2.7 Pol OSR8.

**26** Walking and Cycling will be promoted, facilitated and encouraged in accordance with initiatives contained in "Smarter Travel 2009" by improving existing cycleways and by identifying and developing a network of safe and guarded 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 **Smarter Travel 2009 - 2020 Cycling and Walking** 1<sup>st</sup> para 2<sup>nd</sup> sentence last phrase, **Laois** 6.1.1 TRANS40, **Leitrim** 41, 3.6.3 Pol 46, **Roscommon** 8.7.1 Pol 8.42 1<sup>st</sup> sentence and many other counties,*

**27 Signpost and waymark** *walking and cycle routes with appropriately designed quality signage and information boards so as to facilitate visitors. Based on **Roscommon** 8.7.1 Pol 8.37, **Leitrim** 3.6.3 2<sup>nd</sup> para 3<sup>rd</sup> sentence and many other counties.*

**28** *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 Kilkenny 7.9.2.2 last sentence, Wexford 15.6 Obj RS19 2<sup>nd</sup> phrase down to *county*, Carlow 8.12 Pol 6 8<sup>th</sup> pt 2<sup>nd</sup> phrase, Kerry 5.3 2<sup>nd</sup> para last sentence, Kildare 5.19 EO 50 1<sup>st</sup> phrase & Sligo 4.4 P TOU 6.*

**29 Develop and promote a Walking and Cycling Policy/Strategy** *within two years of the adoption of the Plan, working in partnership with statutory bodies, private and voluntary sectors, landowners and other stakeholders. The Strategy should list trails, evaluate these routes and make recommendations for their promotion and would address, inter alia, the possibility of cycle-ways in recreational areas and along river banks, car parking for walkers and cyclists and improved signage and maps. Taken from **National Activity Plan for Ireland** App1 32, Kilkenny 7.3.2. 7<sup>th</sup> para, Limerick 6.10.3 Obj COM O27 b), DLR 2.2.7.1 1<sup>st</sup> para, Kilkenny 7.3.2 2<sup>nd</sup> Obj 7C & 7<sup>th</sup> para, Monaghan 7.5 CWO 3 & Kildare 14.12.1 CR 3. See also **Offaly** 4.7 STAO 1.*

Carry out a walking and cycling policy

Note **Laois** has adopted one.

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

**31 Protect the extent, quality, visual setting and functionality of **Greenways** and walking and cycle routes.** Taken from Donegal 11.3 P13 last pt.

**32** *Protect the routes of, and prohibit development which would hinder the creation and development of **future Greenways, walking and cycling routes** including those identified in the Plan. Based on Donegal 11.3 P 13 2<sup>nd</sup> pt & Cavan 9.4.1 Objs 2<sup>nd</sup> pt.*

### **33 Material from RSES 7.7 Development of Greenways, Blueways and Peatways Text**

#### **5.3.2 Flooding**

**SFRA 3:** We submit that:

**1** The **1<sup>st</sup> sentence and 2<sup>nd</sup> phrase** of the last sentence should be re-positioned in **6.2.2.7 Inland Lakes and Waterways**, merged with **ILW 1 2<sup>nd</sup> line**.

**2** The **2<sup>nd</sup> sentence** should be repositioned in a proposed additional **Sub Sec in Sec 6 Wetlands**.

#### **5.5.1 Electricity**

**EC 1: 2<sup>nd</sup> pt**

**3<sup>rd</sup> pt** We submit that **this should be replaced by:** *Ensure electricity infrastructure (including transmission lines) **protect**, maintain and safeguard environmental designated sites, the open character and amenities of high amenity by following natural features and by avoiding areas of high landscape sensitivity, protected views including views of special amenity value and possible effects on tourism and the natural environment. Where impacts are inevitable mitigation measures to minimise their visual obtrusiveness must be provided for.* Based on **Westmeath 10.14 P ELE1, Leitrim 3.11.4 Pol 127 last pt & Roscommon 5.9 2<sup>nd</sup> phrase.**

#### **5.5.2 Renewable Energy Sources**

**3<sup>rd</sup> sentence** We submit that **this should be upgraded to a Pol.**

**RE 1: 1<sup>st</sup> sentence 1<sup>st</sup> phrase** We submit that **this should be replaced by:** *Produce a Renewable Energy Strategy within the lifetime of the Plan.* Taken from **Laois 6.6 OBJ1** and many other counties.

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

**1** *Developments must be **appropriately located**.* Taken from **Sligo 11.1 SP EN 2 1<sup>st</sup> para 4<sup>th</sup> line.**

**2** *In assessing development proposals the Council will take into account public access to the countryside and the impact on **public rights of way** and walking routes. Based on Fingal 12.10 DMS138 (iv) 2<sup>nd</sup> phrase, Meath 11.15.1 1<sup>st</sup> para 4<sup>th</sup> pt & DLR 8.2.10.1 2<sup>nd</sup> para last sentence 4<sup>th</sup> pt last phrase.*

#### **5.5.2.1 Wind Energy**

We submit that **on the 1<sup>st</sup> line of the 2<sup>nd</sup> para you should replace from consideration to the end of the sentence by: *Planning applications shall comply with the DECLG Guidelines(2006) or any future guidelines and the best international practices and standards.*** Taken from **Laois 6.6.1.6 EN9.**

#### **WD 4: a), c), d) & h) to l)**

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

**1** *Take into account, when assessing planning applications, the impact on public access to the countryside including **public rights of way**, walking routes, recreational activities and amenities and the openness and visual amenity of the countryside and the impact on surrounding tourism. The Council will liaise with Failte Ireland and regional and local tourism bodies and will consider any representations received. Based on **Laois 6.6.1.4 EN10 2<sup>nd</sup> sentence** and many other counties.*

**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 applicants should include a LIA dealing with possible **impacts on any existing rights of way** or established walking routes. Taken from **Kilkenny 10.5.3 Landscape Impact Assessment 1<sup>st</sup> para 1<sup>st</sup> sentence.***

#### **5.5.5.2 Hydro Schemes**

#### **HS 1: a) & b)**

We submit that you **should include an additional Pol:** *In assessing hydro energy schemes proposals the Council will take into account the **impact on public rights of way** and walking routes. Taken from **Laois 6.6.1.1 HE1.***

We submit that you **should include an additional Sub Sec: Solar Power.**

### **Pols**

**1** *Request the appropriate government department to formulate **Planning Guidelines** for ground mounted solar PV “Solar Farms”.*

**2** *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 6<sup>th</sup> & 8<sup>th</sup> pts** & many other county plans.*

### **5.5.3 Telecommunications and Broadband**

**2<sup>nd</sup> para 1<sup>st</sup> pt** We submit that **this should be upgraded to a Pol:**

**TEL 1, 2, 5 & 7**

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 & Laois 6.6.5.2 TELE10.**

## **6. Environment, Heritage and Amenities**

### **6.1 Conservation and Preservation of the Environment Green Infrastructure**

**1<sup>st</sup> sentence** We submit that **this should be upgraded to a Pol.**

**Rest**

### **Relevant material from RSES 7.7 Green Infrastructure Text**

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

**1** ***Prepare a comprehensive Green Infrastructure Strategy** within the lifetime of the Plan, and support its implementation and development so that it will allow the identification, provision, protection and management of green spaces and enhance their environmental and human benefit. 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 ecosystem services and contribute to a high quality environment and guide, assist and facilitate the development of a countrywide coherent, integrated and evolving spatial network that can be delivered by local area plans and can connect 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, 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 state agencies, the public, adjoining councils, BnaM, Coillte, NPWS, WI, farmers, community groups and NGOs. Based on **Offaly** 7.7 GIO 01 & 04 & many other counties.

**2** Create and facilitate the development and improvement of an integrated and coherent Green infrastructure network of green amenities and linked green corridors that are strategically planned, designed and managed as multifunctional resources capable of delivering a wide range of economic, environmental and quality of life and health benefits for local communities. Encourage physical activity and improved health by providing quality green space for cycling and other physical activity. Facilitate, develop and enhance **access** to and connectivity between areas of interest with a focus on river corridors, Natura 2000 sites, nature reserves and other distinctive landscapes so that people can have **access** to nature and to the outdoors near where they live, through the integration of GI planning and development in the planning process. Based on **Laois** 7.12 2<sup>nd</sup> sentence, **Offaly** 7.5.1 2<sup>nd</sup> para 2<sup>nd</sup> sentence and many other counties.

**3** Encourage physical activity and improved health and well being by providing quality green spaces for **walking and cycling** and in developing opportunities to enhance, improve and promote a network of paths and cycle tracks to strategic level amenities, to promote permeability and to enhance accessibility to Green Infrastructure. Based

on **Offaly** 7.5.1 2<sup>nd</sup> para 4<sup>th</sup> pt last phrase, **Laois** 712 1<sup>st</sup> para 3<sup>rd</sup> sentence and many other counties.

**4 Protect**, *conserve, maintain, manage, facilitate, improve, identify and enhance the green infrastructure network/linkages, including woodlands, wetlands, rivers, streams and other landscape features, in consultation with relevant stakeholders, and ensure that proposed development does not have a negative impact on Green Infrastructure.* Based on **RSES EMR 2.3.10** 1<sup>st</sup> line, **Laois** 7.12 NH9 1<sup>st</sup> phrase and many other counties.

**5 RSES EMR: RPO 7.22 & 23.**

**RSES EMR 7.7 Guiding Principles** 1<sup>st</sup>, 2<sup>nd</sup> & last pts.

### **6.1.1 Landscape Character Assessment**

We submit that **the title should be amended to Landscape to better reflect its contents.**

### **Material from RSES EMR 7.8 Landscape Text and Landscape Character Assessment**

**1<sup>st</sup> para**

**2<sup>nd</sup> para** We submit that: **The 1<sup>st</sup> & 2<sup>nd</sup> sentences should be upgraded to a Pol and merged with 2<sup>nd</sup> para of the proposed additional Pol 1.**

**LCA 1: 1<sup>st</sup> sentence**

**2<sup>nd</sup> sentence** We submit that this **should be replaced by:** *Protect, conserve, preserve, maintain, identify and enhance the visual integrity, uniformity, scenic quality, general amenity and recreational values and the visual quality of areas of intrinsically important and outstanding, highly sensitive, designated, natural, unspoilt, visual vulnerable and open landscapes(named), scenic areas, high amenity areas and the environs of archaeological or historic sites(named) from intrusive, inappropriate, injurious or unsympathetic new, or additions to, existing developments and reinforce their character and distinctiveness by prohibiting development where it could unduly impinge or impact on such landscapes or would be injurious to, or detract from natural amenities or introduce incongruous landscape elements.* Based on **Westmeath** 6.23 P HAA1 & 5, **Cavan** 8.7 NHEO25 1<sup>st</sup> sentence and many other counties.



## Last sentence

2:

3: We submit that **this should be replaced by**: *Protect, preserve, safeguard, improve, enhance and conserve the character of listed **views and prospects** and listed **scenic routes** adjoining public roads which contribute to the character of the landscape and natural heritage, the quality of vistas, visual linkages between established landmarks and landscape features or places of natural beauty or interest, views of historic interest or significance or of special or high amenity value or interest visible from the public places.* Based on **Westmeath** 6.25 P 1 1st phrase, **Roscommon** 7.6 Obj 7.40 & 14.10 LO5 & 06, **Laois** 7.20 AV1 and many other counties

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

1 *Provide and increase managed **public access** to interesting and attractive landscapes or to semi-natural and landscape amenity areas for recreational purposes.* Based on Cork City Obj 10.3, Fingal 9.2 **High Amenity Zoning** last pt & Dublin City 10.5.2 GIO9.

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

3 *Preserve the status of **traditionally open/unfenced landscapes** including commonages.* Based on Galway County 9.11 Obj LCM 3 1<sup>st</sup> sentence & Wicklow Vol 1 10.3.7 NH42 1<sup>st</sup> phrase.

4 We submit that you should **include from RSES EMR: RPO 7.27.**

## Table 6.1 Views and Prospects & Table 6.2 Intermittent Scenic Routes

### Fencing of Hitherto Open Land

#### Text

1 *It is a requirement of the Planning Regulations 2001 Art 9(1)(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** 1<sup>st</sup> 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** 2<sup>nd</sup> sentence.

### **Pol**

*As new **fencing of land open to or used by the public** during the ten years preceding is not exempt development in accordance with Art 9(1)(a)(x) of the Planning and Development Regulations the following criteria will be used when considering planning applications for new fencing: Fencing, particularly 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 will be required. Barbed-wire will not be used for the top line of wire.* Based on Mayo Vol 2 40.3.1, Kilkenny 6.2.4 last pt, Sligo 7.4 P LCAP 6 2<sup>nd</sup> to last sentences, & Fingal Chpt 5 Obj RF115.

**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.

We submit that you **should include an additional Sub Sec:**

### **A Peatlands**

We submit that you should **consider for inclusion relevant material from the 1<sup>st</sup> 3 paras of RSES EMR: 7.8 Peatlands.**

### **7.8 Guiding Principles** 3<sup>rd</sup> pt.

### **Pols**

**1 Plan and prepare for the *future use of large industrial bog sites* when peat harvesting finishes as there is potential for the development of tourism amenities in conjunction with NPWS, Coillte and ESB/Bord na Mona.** Based on **Laois** 5.10 OBJ12.

## **2 RSES EMR RPO 7.19.**

**3 Protect**, conserve and manage the character, appearance, heritage and amenity values of peatland landscapes by promoting high environmental standards and focusing on tourism, in **conjunction** with the BnM, NPWS, Coillte, FI, IPCC and NGOs. Based on **Laois** 7.19 LS44, **Offaly** 2.12 TP 06, **Leitrim** 3.8.3.2 Obj 63 & Obj 74, **Westmeath** 5.12 P O 3 and many other counties,

**4 Recognising the potential and unique characteristics of bogs, including industrial peatlands, support appropriate development of recreation and tourism**(including eco-tourism), Council will, where appropriate, cooperate with adjoining councils(names counties) to facilitate this potential. Facilitate the **development of tourism** using cutaway peatlands by liaising with BnM, IPCC, Coillte, NPWS and FI. Ensure that a balanced approach is taken to the development of peat resources and the restoration of cutaway bogs in order to minimise the impact of archaeology. Large portions of cutaway bogs should be developed as amenity areas. Based on **Offaly** 2.13 TO 05 and many other counties.

**5 RSES RPO 7.29 last sentence.**

## **Proposed additional Sub Sec: Wetlands**

### **Pols**

**1 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 7<sup>th</sup> pt & Kilkenny 8.2.6 last para last sentence.

**2 Protect**, conserve, manage and enhance existing wetlands(including fens, estuarine and marshland) which are vital green infrastructure, from destruction, infilling, fragmentation, degradation and other inappropriate development and protect and conserve their quality, character and features by controlling adjacent development by use of buffer zones. Based on **Offaly** 7.3 NHP 11, **Cavan** 8.3 NHE02 & 8.5.2 NHEP16 and many other counties.

## **6.2 Heritage**

**1<sup>st</sup> & 2<sup>nd</sup> paras**

## **General Heritage Policies and Objectives**

**HER 1:** We submit that **this should re-positioned in 6.2.1 Archaeological Heritage and merged with ARC 1 1<sup>st</sup> & 3<sup>rd</sup> sentences, 2, 3 & 12.**

**2: 1<sup>st</sup> sentence** We submit that **this should be re-positioned in a proposed additional Sub Sec: County Heritage Plan.**

**2<sup>nd</sup> sentence** We submit that **this should be re-positioned in 6.1.1 Landscape Character Assessment as an additional Pol.**

**5: 1<sup>st</sup> sentence** We submit that **this should be merged with the 2<sup>nd</sup> sentence of ARC 1 in 6.2.1 Archaeological Heritage.**

### **Last sentence**

We submit that you **should include an additional Pol:**  
*Produce heritage **maps indicating public access** to sites of interest.*  
Taken from Her Plan 4.12.

We submit that you **should include additional Sub Secs:**

#### **A County Heritage Plan**

**Pol** *The current Heritage Plan will be **reviewed**, where feasible, prior to its expiry in partnership with the County Heritage Forum, relevant stakeholders and the community. Based on Meath 9.4 last para last sentence & DLR 4.1.4.1 last para.*

#### **B Special Amenity Area Orders – Prospective**

##### **Obj**

*Actively **propose the designation** of (local area) 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, **Laois** 7.19 LS39 and many 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.

## **6.2.1 Archaeological Heritage**

**All text**

**Additional text: Material from RSES 9.9 Archaeological Heritage.**

**ARC 1:** We submit that:

**1 The first & 3<sup>rd</sup> sentences, 2, 3 & 12 should be merged and replaced by:** *Promote the protection and conservation of 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 Potential, Zones of Archaeological Notification or newly-discovered archaeological sites and/or sub-surface archaeological remains, known and unknown, either above or below ground, including those identified in the RMP, RHM & SMR, castles, monuments, artifacts and features of historic interest and National Monuments in the ownership or guardianship of the State or the Council, by supporting, conserving, sympathetically enhancing, preserving, properly managing and safeguarding it for present and future generations by implementing the County Heritage Plan. Proposed developments which would be seriously injurious to the settings, character or cultural value of sites or RPMs, including those within or adjacent to sites and, in particular, those within a 20m radius of National Monuments, Zones of Archaeological Potential will not be permitted and those within 75m will be discouraged. Ensure that development, adjacent to or in the vicinity of an archaeological monument shall not detrimental to its character be or setting and shall be sited and designed in a manner which minimises its impact settings, is resisted. Planning decisions will take account of the archaeological heritage of the area and will take cognisance of the potential for subsurface archaeology. Extend this protection to cover additions or alterations that may arise during the adoption of this Plan. Impose conditions on development that might impact on sites of Archaeological Potential to ensure that appropriate measures are taken and that archaeology is suitably integrated into new development, in co-operation with the relevant Government Department. 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 4.27 1<sup>st</sup> pt & 4.28 2<sup>nd</sup> para 2<sup>nd</sup> sentence, Offaly 7.19 AAH P08 1<sup>st</sup> sentence, AAHP 04 3<sup>rd</sup> pt & 7.20 AAHO 06, Cavan 7.5.2 Pol BHP5 & 8, Laois 7.4 OBJ3, Westmeath 5.33 O 8 & 9, Roscommon 6.7 Obj 6.21, 22, 6.7.4 2<sup>nd</sup> pt 1<sup>st</sup> phrase 7.20 AAHO 06, Leitrim 3.9.8 Obj 93, Pol 106, 1<sup>st</sup> para 1<sup>st</sup> sentence, 2<sup>nd</sup> para 1<sup>st</sup> sentence & Objs 95 & 96 and many other counties.***

**2 The 2<sup>nd</sup> sentence should be merged with 9** and replaced by: *Ensure that planning applications for new development, refurbishment or restoration works that might affect, impact on or interfere with the integrity and/or setting of any monument, site feature or area of archaeological, historical or heritage importance, within areas of archaeological potential, Zones of Archaeological Interest, adjoining sites, on sites not yet included in the RMP or where an archaeological assessment is required, shall be **submitted to the NMS**, An Taisce, the Heritage Council and the County Archaeologist in accordance with National Monuments legislation, accompanied by a comprehensive report by a licensed archaeologist, two months before commencing work, for their observations/comments prior to a planning decision being made and no work shall be carried out unless authorised by the DoAHRRG. Regard will be given to the recommendations as to whether or not permission should be granted and the nature of any conditions to be imposed. The Council shall also have regard to the recommendations of the Prescribed Bodies and the County Archaeologist. Full archaeological excavation shall be carried out where recommended by the NMS or any superseding body. Based on **Westmeath** 5.33 P AH3 & 14.8.6 (iii), **Cavan** 7.5.2 BHO22 to 24, **Roscommon** 9.32 2<sup>nd</sup> para, **Offaly** 7.18.6 3<sup>rd</sup> para & 7.19 AAHP09 & 11, **Leitrim** 3.9.8 1<sup>st</sup> para 2<sup>nd</sup> & 3<sup>rd</sup> sentences and many other counties.*

**4:** We submit that **this should be merged with 8 1<sup>st</sup> sentence and replaced by:** *Recognising the importance of archaeology and National Monuments as part of our heritage and important elements in long term economic development, promote, enhance, facilitate, encourage, support, improve and protect 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 with landowners and promote walking routes thereto. Based on **Laois** 7.4 1 OBJ1 & 2 1<sup>st</sup> sentence & 7.9 ARC 12, **Leitrim** 1.10.2h) and many other counties.*

## **6, 8 List, 10 & 11**

We submit that you **should include an additional Pol:** *Traditional access routes will be **designated as public rights of way**. In other cases, routes will be acquired by agreement with landowners or by way of compulsory powers. Taken from **Laois** 7.4 OBJ2 2<sup>nd</sup> & 3<sup>rd</sup> sentences.*

## **Table 6.4 Monuments Protected under Preservation Orders**

## **Table 6.5 Monuments of Archaeological, Historic and Cultural Interest**

We submit that you **should include additional Sub Secs:**

### **A Historic Graveyards & Burial Grounds**

#### **Pols**

**1** *Provide and improve **public access** to graveyards.* Based on **Westmeath** 5.33 P 4 last phrase and many other counties.

**2** ***Protect**, preserve, enhance, conserve and maintain archaeological/historic graveyards and their settings and historic burial grounds(including those identified in the RPM) and those in the guardianship of the Council. 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 and many other counties.

### **B World Heritage Sites**

#### **Pol**

***Support and promote the candidature** of (named site) for inclusion in the "Tentative List".* Based on **RSES** RPO 9.29, **Roscommon** 6.8.2 Pol 6.15 and many other counties.

### **6.2.2 Natural Heritage and Biodiversity**

#### **All Text**

**NHB 1: 1<sup>st</sup> sentence** We submit that **this should be merged with 2 and replaced by:** *Prohibit intrusive development that would detrimentally impact on natural heritage and bio-diversity 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*

*features and the 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 it, 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 Based on **DPG 3.5 Box 3 Environment, Heritage & Amenities** last pt, **2000 Planning & Development Act** Sec 10.2 ©, **Offaly 7.4 NHO 02, NPF Pol Obj 60, Offaly 2.11 4<sup>th</sup> para, Cavan 8.2 NHEP1, Leitrim 1.10.2 b, 3.8.1 1<sup>st</sup> para 3<sup>rd</sup> pt, 2<sup>nd</sup> para i to iii & 8.2 2<sup>nd</sup> para, Westmeath 7.13 P REC1** and many other counties.

**3** We submit that **this should be replaced by:** *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, moorlands, forests, rivers, lakes, valleys, scenic areas, areas of natural beauty and other natural amenities for activities 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 and other interested bodies.* Based on **Laois 4.3 NRA6 1<sup>st</sup> phrase, 9 & 5.11 TM29 1<sup>st</sup> phrase** and many other counties.

**4** We submit that this **should be re-positioned in 6.2.2.6 Geological Sites** and merged with GEO 1.

We submit that you **should include an additional Pol:** *Strive to create a network of natural heritage areas and recreational open spaces/amenity areas by promoting linkages and accessibility by **using walkways/cycleways**.* Taken from Cork City 10.3 2<sup>nd</sup> sentence 1<sup>st</sup> phrase.

#### **6.2.2.6 Geological Sites**



## Text

### Table 6.6

**GEO 1:** We submit that **this should be replaced by:** *Recognising the significant geological value of County Geological Sites, work with stakeholders, consult with the GSI and be in accordance with the National Heritage Plan and the "Geological Heritage Guidelines for the Extractive Industry" to protect sites of geological or geomorphological interest from inappropriate development by prohibiting development at or in their vicinity that would detract from or would damage or threaten their integrity value or result in their deterioration. 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) or proposed NHA's, areas near sites 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, **Laois** 7.12 NH12 & 7.22 GEOL1, **Roscommon** 7.2 Obj 7.3 and many other counties.*

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

**1** *Promote, encourage, facilitate and support **access and public rights of way** to geological and geo-morphological features of interest inter in consultation with landowners (where appropriate).* Based on Kilkenny 8.2.4 Dms last phrase, Monaghan 6.12 GEP 1 1<sup>st</sup> phrase & Fingal 9.3 Obj NH 31. See also **Westmeath** 5.8 P 4 & **Laois** 7.22 GEOL3.

#### 6.2.2.7 Inland Lakes and Waterways

**Text** This requires updating

**ILW 1: last phrase** We submit that **this should this should be replaced by:** *Recognising the importance of inland waterways, both navigable and unnavigable, work with State Agencies, landowners, local communities and other relevant groups/stakeholders to protect, manage, maintain, preserve, conserve, improve and enhance waterbodies and watercourses, rivers (named), river valleys, streams, lakes, springs and associated undeveloped riparian strips/zones, buffer zones distinctive*

*linear sections of water corridors, canal and river banks, river valleys and riverine wetland areas from degradation and damage and the visual impact of dispersed and highly visible development that could adversely affect them by compromising their visual integrity, recreational, natural heritage, aesthetic, geological or landscape values and the natural characteristics and features and recognise and promote them as natural environmental assets, and key elements in the green infrastructure network and maintain them free from inappropriate development. Keep them in an open state and in a natural condition by discouraging culverting or realignment and in certain instances by uncovering existing culverts. Based on Laois 7.16 35 & 7.19 LS28 2<sup>nd</sup> sentence 1<sup>st</sup> phrase, Roscommon 7.4 Pol Obj 7.30, Leitrim 4.1.1 4<sup>th</sup> para 8, Offaly 4.20 EnvP 23 & 7.3 NHP 13, Westmeath 5.16 P RLC3, Cavan 8.9 NHEO39 & NHEP21 & many other counties.*

**3: 1<sup>st</sup> sentence** We submit that: ***Promotion of access on 2<sup>nd</sup> line should be re-positioned in proposed additional Pol 10.***

**2<sup>nd</sup> sentence** We submit that this should be replaced by: *In areas along or adjacent to inland waterways including lakes, canals and rivers where planning permission is sought, conditions may be attached requiring retention or creation of public access to waterway to facilitate the creation or expansion of walking/cycling routes. Protect, maintain, promote, develop and facilitate trails, for walking, cycling as amenities and other compatible activities for visitors as watercourses and walking paths along canals including rivers(named), in co-operation with landowners, WI, NPWS, Government Departments, community groups and other councils. Encourage the retention of existing walkways along lakes and rivers including the Canal and Commons North adjacent to Lough Ree. Based on Leitrim 3.6.3 Obj 29, Westmeath 5.16 P 14 2<sup>nd</sup> sentence, Cavan 8.9 NHEP21 7<sup>th</sup> pt and many other counties.*

**5** We submit that:

**1** **The 1<sup>st</sup> sentence should be re-positioned and merged with 6**  
AND

**6** We submit that **you should add:** *or by the use of compulsory powers.*

**7** We submit that **this should be replaced by:** *Preserve and enhance an undisturbed buffer zone or riparian corridor by requiring the reservation of land adjoining or adjacent to canal and river banks,*

*streams, lakes and other waterbodies to protect them and promote and facilitate the creation of waterside linear parks to link with existing parks and open spaces and to facilitate the provision of walking/cycling routes along canals and watercourses and to facilitate and encourage public access for non-noise generating recreational activities.* Based on **Westmeath** 3.16 P 8 & 6.2.7 O 5, **Leitrim** 3.10.3 2<sup>nd</sup> para, **Offaly** 7.3 NHP-13 1<sup>st</sup> phrase, **Laois** 7.19 LS 28 2<sup>nd</sup> sentence last phrase and many other counties.

**8** We submit that **this should be replaced by:** *Recognizing the importance of waterways as amenities and as recreational resources, strictly control development in the vicinity of navigational and non-navigational waterways which could impact on their recreational integrity. Preserve, protect, safeguard and enhance the main waterways and riparian zones in the interest of providing enjoyment of these natural amenities.* Based on **Roscommon** 7.4 Pol 7.8 and many other counties.

**9 1<sup>st</sup> sentence** We submit that:

**1 1<sup>st</sup> deciduous woodlands on 1<sup>st</sup> line should be re-positioned in a proposed additional Sub Sec: Forestry Pol 8 AND**

**2 the rest should be and merged with 1.**

**2<sup>nd</sup> sentence**

**10 1<sup>st</sup> sentence** We submit that **this should be re-positioned in a proposed additional Sub Sec: The Royal Canal proposed Pol 1.**

**12** We submit that **this should be re-positioned as in 10 above as proposed Pol 2.**

**14**

We submit that you **should include a Table of Existing or potential riverside and lakeside walks/cycle routes.** See Carlow 8.11.10 7<sup>8th</sup> line, Kildare 5.9.5 ECD 29 & Limerick 7.1 1<sup>st</sup> para 4<sup>th</sup> line.

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

**1 *Protect and maintain the amenity and recreational value of walking and cycling routes by prohibiting the intrusion of development along these routes. \*Seek to ensure that new development will not have a***

*negative impact on established walking routes and public rights of way along inland waterways.*

It would be better if *Seek to* was omitted.

Based on **Westmeath** 5.16 P RLC14 2<sup>nd</sup> sentence and many other counties.

**2** *Recognise the importance of **rivers and river corridors for walking and cycling**, natural amenity and scenic values and promote their development for recreational purposes and tourism. Support and facilitate the development of Greenways and Trails along (name) rivers.*

Based on **Laois** 7.19 LS17 1<sup>st</sup> phrase, **Offaly** 7.16 ROWP 032 and many other counties.

**3** *Develop **trans-county tourism river linkages**.* Taken from **Laois** 7.19 LS23.

**4** *Require that development along river banks set aside land for recreational routes to form an interconnecting network of green infrastructure and routes along rivers as part of a greater route for walking which could be extended to **provide links between towns and other settlements**.* Based on **Laois** 7.16 NH32 and many other counties.

**5** ***Riparian corridors** shall be kept free from **development** along the side of each river bank of the river for recreational requirements.* Taken from Louth 5.15.5 HER 69 1<sup>st</sup> sentence.

**6** *Promote, extend and facilitate the provision of increased **access** to lakeshores to extend public walking and cycling routes.* Based on **Westmeath** 3.16 P 6 1<sup>st</sup> phrase, 6.27 O 2, 7.13 O 8 & O 9 and many other counties.

**7** ***Maintain the amenity value** of major lakes and immediate adjoining areas including skyline development on surrounding hill crests, within a landscape, recreational and ecological context by restricting and regulating development that would prejudice use and enjoyment of these areas.* Taken from **Cavan** 8.8.1 NHEO33 & 34.

**8** *Support development, in co-operation with various stakeholders to promote, preserve, improve, encourage **public access** to lakes, riverside and other areas that have been traditionally used for outdoor recreation and extend **recreational amenities**.* Based on **2000**

**Planning and Development Act Sec 10(2)(j), Westmeath 3.14 P 7** down to *recreation* on line 3 and many other counties.

**9 Promote and facilitate the improvement of existing recreational facilities and amenities including riverside and canal walks, lakes and walking and cycling routes as key assets to the local economy and health and wellbeing of the community.** Taken from **Westmeath 7.13 P 1** line 3 to routes on 2<sup>nd</sup> last line.

**10 In partnership with the NPWS, WI, Councils, community groups and other relevant stakeholders, identify, provide, preserve, protect, promote, encourage, enhance, develop, facilitate, increase and improve public access to, understanding and enjoyment of the shoreline around lakes, rivers(named) canals and riparian/waterway corridors (including rivers and streams) in order to provide improved recreational amenities.** Based on **National Heritage Plan 4.17, Leitrim 3.10.3 Obj 100 & 3.10.4 Pol 106, Her Plan 5.10** and many other counties.

## **The Royal Canal**

### **Pols**

**11 In co-operation with WI, NPWS and community groups, encourage, promote and use the potential of canal towpaths for designated walking and cycle routes, both as recreational and tourism amenities and the promotion of links with any designated walking cycling routes, existing or proposed.** Based on **Smarter Travel 2009-2020 Act 17 2<sup>nd</sup>** sentence page 45 and many counties.

**12 We submit that this should be replaced by: Work with WI to protect, enhance, preserve and restore natural heritage and landscape character of the Royal Canal by ensuring that development is appropriately managed by incorporating a visual assessment zone of 500m on each bank in which all development proposals are assessed for their impact on landscape character and adverse impacts on natural heritage, settings, views and prospects or its and recreational potential, including promotion, facilitation, maintenance and development of public use of the towpath for walking and cycling in consultation with WI, NPWS, adjoining Councils and other agencies.** Based on **Westmeath 5.16 P 7 & 10 & 6.11 O RCC1** and many other counties.

**13 Ensure the conservation of the canal corridors and require that developments abutting the canal relate to the context of the adjacent**

*environment and contribute to its overall amenity.* Taken from Galway City Pol 4.3 8<sup>th</sup> para 1<sup>st</sup> phrase.

**14** *Promote public use and facilitate and develop the towpaths along the Royal Canal as a **Greenway** in order to expand recreation and tourism, and ensure their integration with other strategic trails including those in adjoining counties in co-operation/consultation with WI, FI, NPWS, other relevant agencies and adjoining councils. Based on **Action Plan for Rural Development 2017 Pillar 3 Act 168 1<sup>st</sup> phrase, Westmeath 3.19 O TI6 & 5.16 P 11** and many other counties.*

**15** *Work with WI to **protect**, enhance, preserve and restore natural heritage and landscape character of the Royal Canal by ensuring that development is appropriately managed by incorporating a visual assessment zone of 500m on each bank in which all development proposals are assessed for their impact on landscape character and adverse impacts on natural heritage, settings, views and prospects or its and recreational potential, including promotion, facilitation, maintenance and **development of public use of the towpath** for walking and cycling in consultation with WI, NPWS, adjoining Councils and other agencies. Based on **Westmeath 5.16 P 7, 10 & 6.11 O RCC1** and many other counties.*

## **River Shannon Pols**

**16** ***Promote and develop** the towpaths along the Shannon Navigation to expand recreation and tourism, in co-operation with WI/FI. Taken from Action Plan for Rural Development 2017 Pillar 3 Act 168 1<sup>st</sup> phrase. See also **Offaly 7.3.NHP 07 2<sup>nd</sup> sentence.***

**17** ***Protect** and preserve the landscape of the River Shannon and floodplains, including the callows and views of special interest, from inappropriate development. Taken from **Offaly 7.9 AHAP 01 & 7.13 LAP 05.***

## **Lough Ree**

**18** *Develop a **walk around Lough Ree** on co-operation with Longford & Roscommon County Councils and other relevant bodies within 3 years of the implementation of the Plan. Taken from **Westmeath 3.20.1 O WB7.***

We submit that you **should include additional Sub Secs:**

## A Mass Rocks/Holy Wells

### Pol

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

## 6.4 Amenities

### 6.4.1 Natural and Recreational Amenities

#### AM 5:

**AM 6:** We submit that you **should include a Sub Sec: Public Rights of Way and that as there are several quite different Pols included herein we feel that it is more appropriate to delete this and cover the issues raised as follows:**

#### Text

**1** *Public Rights of Way have existed over the centuries constitute an **important recreational amenity** for local people and visitors and are an economic and social asset. They enable the enjoyment of high quality landscape, natural and archaeological heritage and provide links to valuable amenities such as rivers lakes, bogs, forests and places of natural beauty. Council recognises the importance of protecting and maintaining them. Based on Leitrim 3.6.1 3<sup>rd</sup> para 4<sup>th</sup> line, Cavan 8.10 1<sup>st</sup> para 1<sup>st</sup> sentence & 2<sup>nd</sup> sentence 1<sup>st</sup> phrase, Westmeath 7.14 1<sup>st</sup> para 1<sup>st</sup> sentence and many other counties*

**2** *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** 1<sup>st</sup> para last sentence & Wicklow Vol 1 10.3.8 2<sup>nd</sup> para 2<sup>nd</sup> & 4<sup>th</sup> sentences. See also Cavan 8.10 1<sup>st</sup> para 3<sup>rd</sup> sentence.*

**3** *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 1<sup>st</sup> para,*

Wexford 15.9 2<sup>nd</sup> para 1<sup>st</sup> & 2<sup>nd</sup> sentence & Wicklow Vol 1 10.3.8 1<sup>st</sup> para. See also **Laois** 7.21 PRW1.

**4** *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 2<sup>nd</sup> para last sentence.

**5** **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 3<sup>rd</sup> para.

**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 Part B App 3 T 15, 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 3<sup>rd</sup> para, **Westmeath** App 8 & Wicklow Vol 1 Table 10.3

**6** *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.***

**7** 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 **Cavan** 8.10 2<sup>nd</sup> para last sentence.

**8** 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 seashores, 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 seashores, mountains,*



*lakeshores, riverbanks or other places of natural beauty or recreational utility.*

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

*Identify access points to seashores, 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.*

## **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 for pedestrian or amenity reasons, 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 Royal Canal, lake shores, river banks, forests, heritage and scientific sites, areas of historic, archaeological, architectural, cultural and recreational importance and 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 **Westmeath** 7.15 O 3 1<sup>st</sup> sentence and excluding 2<sup>nd</sup> phrase, **Leitrim** 3.10.7 Obj 108, **Laois** 13.12 P93 and many other counties.*

**2** *Provide, and where necessary, improve **signposting** and waymarking on all public rights of way. Based on **Westmeath** 7.15 O 4 and many other counties.*

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

- A Walkers need to know of their existence to encourage usage
- B Signage would alert local residents to planning applications affecting the integrity of rights of way
- C 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 1<sup>st</sup> phrase.

**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.

**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 Vol 1 0.3.8 NH 47.

**6 Designate Pilgrim Paths as public rights of way.**

**Note** We submit that as these Paths have been walked for many centuries their case for designation is surely irrefutable.

**7 Identify mass paths and routes to holy wells, mass rocks and penal mass stations and consider designating them as public rights of way.**

**8 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, rivers, forests, lakes, geological and geomorphic systems, water corridors**

*places of natural beauty and other natural amenities. Taken from Westmeath 7.15 P 1 1<sup>st</sup> sentence 2<sup>nd</sup> phrase.*

**9 Identify public rights**, under the provisions of Sec 14 of the Planning and Development Acts 2000(as amended), by marking them on a at least one map forming part of the Development Plan and by indicating their location within one year of the adoption the Plan which will be amended by way of a variation. Based on **Laois** 7.21 PRW 1 2<sup>nd</sup> sentence and many other counties.

**10 Recognizing the importance of protecting and maintaining** public rights of way especially in tourist areas and those which provide access to archaeological sites, National Monuments, lakeshores, riverbanks, water corridors or other places of natural beauty or recreational activity and to encourage and facilitate the development of cycling and walking in areas of high amenity, identify, maintain, preserve, protect, enhance, support, promote and improve them for the common good and ensure that development does not impinge thereon. Ensure that they are effectively maintained by controlling undergrowth, trees and bushes. Based on **Roscommon** 8.7.1 Pol 8.37 and may other counties.

**11 Prohibit development** and keep free from obstruction public walking routes and public rights of way, particularly those at 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 4<sup>th</sup> pt & Wexford 15.9 Obj RS36, See also **Laois** 7.21 PRW2 2<sup>nd</sup> phrase & **Leitrim** 3.10.7 Obj 110.

**12 Look favourably on planning applications which include proposals to improve the condition and appearance** of existing rights of way. Taken from **Laois** 7.21 PRW5 2<sup>nd</sup> phrase.

**13 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.

**14 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 **Leitrim** 4.5.12, **Laois** 7.21 PRW6 and many other counties.

**15** *Where, in the interests of proper planning and development, the **extinguishment of an existing right of way** becomes expedient, the Council may require the provision of a suitable alternative.* Taken from Galway City 4.5.1 4<sup>th</sup> para 3<sup>rd</sup> sentence.

**16** *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 1<sup>st</sup> sentence.

**KEEP IRELAND OPEN**

**Nov 2019**