**SUBMISSION TO LEITRIM 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.

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

**Other county plans**

While you are obliged to have regard to plans in adjoining counties as per the Planning and Development Act 2000 Sec 9 (4), you may care to take into account plans in other counties particularly those within the North West Region.

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

We presume that you will be monitoring the reviews of the Plans in Cavan, Galway, Longford, Roscommon, Mayo and Sligo which have commenced and that you will liaise with their planners to ensure that the plans are compatible, where appropriate.

As our submission is very focused on issues of walking/cycling, public rights of way and better access to the countryside 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 point out that the Plan fails to comply with, have regard to/take into account:

Planning & Development Acts

Plans in adjoining counties(including Draft)

Development Plan Guidelines

Heritage Act 1995

National Heritage Plan

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

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

**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.

**Development Management Standards** We submit that theseshould dealt with at the end of each Sec as this would make the plan more user friendly. At the very least the Pol Secs and Sec 4 should be cross referenced.

**Layout** We submit that this can be improved by sub-numbering or sub-lettering all lists of points and paragraphs. The present layout creates difficulties when referring to particular points. Also we submit that you should include the Chpt/Sec title & its number on each page.

“**Seek to” and “contribute to”** We notice that these prefixes are beginning to appear in development plans and they appear here and there in the Draft. They could be interpreted as meaning that somehow the pols/obs aren’t the primary responsibility of the Council which, of course is not the case.

**A mixture of Text, Policies and Objectives** This seemingly random mixture, in our opinion, gives a rather “wooly” feel to the Plan. We submit that the provisions for each subject should commence with all the Text followed by the Pols and ending with the Objs.

**SECTION 1 INTRODUCTIION**

**1.10 STRATEGIC GOALS**

**1.10 2 ENVIRONMENT AND HERITAGE**

**All Text**

**SECTION 2**  **ECONOMIC STRATEGY**

**2.2 TOURISM SECTOR**

We submit that this **Sub Sec should be repositioned in** **3.7.6** **SUSTAINABLE TOURISM** and in particular that

**A the reference to the protection of heritage and the environment in the 4th para in line 5 should be repositioned in 3.8 PROTECTIONOF THE NATURAL ENVIRONMENT/NATURAL HERITAGE and merged with 1st para 3rd pt** **AND**

**B the reference to the location, design criteria and the protection of environmentally sensitive areas in Pol 1d) should be similarly dealt with**.

**2.3 FARMING & AGRI-FOOD**

We submit that this **should be repositioned in 3.7.2 AGRICULTURE and in particular that the reference to the conservation of the landscape and the environment in Pol 2b) in the 3rd line should be merged with proposed Pol 1**.

**2.6 FORESTRY AND WOOD**

We submit that **this should be repositioned in 3.7.3 FORESTRY**

**SECTION 3 POLICIES & OBJECTIVES**

**3.3 AREA SPECIFIC LAND USE POLICIES**

**3.3.3 THE COASTAL AREA**

**2nd para**

**Pol 18**

**Para under Pol 2nd & 3rd Pts** We submit **that these should be merged and replaced by**:*Prohibit inappropriate**development where such development which could cause damage to, or degradation to protected/designated landscapes, amenity areas and their recreational and amenity values or where it might affect the character, quality and distinctiveness of seascapes. Protect, conserve, safeguard and preserve the character, visual, environmental and amenity values, quality and distinctiveness of coasts, landscapes and seascapes as valuable local, enhance their visual and scenic qualities by protecting the skyline. Strictly control the nature and pattern of development and ensure that it is designed and landscaped to the highest standards and sited so as not to detract from the visual amenities.* *Development must accord with its surroundings in scale, density, height, massing, layout and must not have a detrimental impact on skylines or important views*. *Development shall be prohibited where development poses a significant or potential threat to coastal features and/or where the development is likely to result in altered patterns of erosion or deposition.* Based on **NPF** National Policy Obj 41a, **Donegal** 7.1.3 P8 & 10.3 P10, **Galway County** 9.9 NHB and many other plans.

**19** We submit that **this should be replaced by**: *Provide, support, actively promote, maintain, protect, improve and enhance public access to the coast, coastal heritage and scenic landscapes in co-operation with landowners, relevant stakeholders and local groups and with statutory and relevant organisations for recreational activities including walking and cycling and examine the designation of traditional walking routes thereto as public rights of way. Where feasible, develop walkways/cycleways between the coast and green spaces in built-up areas.* Based on **Sligo** 4.4 P TOU 8 & 6.7.4 P OR 16 and many other plans.

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

**1** *Promote, plan, develop and support, in conjunction with the Councils in adjoining counties and other partner agencies the development and use of a strategic waymarked* ***coastal path/greenway*** *along the entire coastline.* Based on **Galway City** 4.5.1 1st para 1st phrase and many other plans.

**Notes**

1In England, the Cornwall/Devon cliff path brings in annual revenue of £325M and in Wales there is a coastal path around entire 870 mile-long coastline which attracts 100,000 tourists annually.

**2**  ***Prohibit development*** *of facilities for* ***fishing and******leisure developments*** *where the sitting of such installations and their supporting infrastructure would have a \*****significant adverse impact*** *on the natural heritage or detract from the visual amenity and the environmental quality and stability of an area or* ***public access to the seashore****.* Taken from Fingal 9.5 Obj NH66.

\**material* would be better

**3**  *Introduce* ***bye-laws*** *restricting or prohibiting* ***jet-skiing and water******skiing****.* See Louth Harbour Bye-Laws 200

**Has Done**: DLR & Meath

**4 *Protect*** *established* ***rights of way to coastal areas.***Taken from Louth 2.7 CON33.

**5 *In assessing proposals*** *for Water* S*ports Development* *ensure that* the following criteria are satisfied: that *proposals are fully compatible with existing use, will not result in damage to nature conservation or archaeological features, can be fully integrated into its seascape landscape, or will not have an unactable impact on visual amenity or important scenic areas, or unduly restrict access.*Taken from DLR 8.2.10.5 stpara & 1st pt 1st phrase, 2nd pt, 3rd pt 1st phrase & 6th pt.

**3.4.5 BURIAL GROUNDS**

**1st para 1st sentence** We submit that **this should be upgraded to a Pol and merged with merged with 29**.

**28 1st phrase**

**29** We submit that **this should be replaced by**: *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 through improved* ***access*** *and preserve their heritage value Encourage and promote local involvement and community stewardship in the care, upkeep, 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 **Roscommon** 8.8 Pol 46, **Donegal** 7.3.3 P 6 and many other plans.

We submit that you **should include an additional Sub Sec**: **COMMERCIAL BUILDINGS IN THE COUNTRYSIDE**

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

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

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

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

*.* Based on **Roscommon** 3.2.1 Pol 3.2 last phrase, **Monaghan** 4.9 BRP 2 last phrase & 15.16 RCP 1 1st, 2nd & last pts and many other plans.

We submit that you **should include an additional Sub Sec**: **COMMERCIAL BUILDINGS IN THE COUNTRYSIDE**

**Pol or Obj**

*Only grant* ***planning permission*** *for a building in the countryside where the location is suitable and that the proposal would not be viable at an alternative location and where the development would not cause a detrimental impact or erode rural character and is compatible with neighbouring land use and ensures that* *development in visual sensitive areas addresses the surrounding countryside .Any new building will not be acceptable where it is unduly prominent in the landscape, where it results in build-up of development when viewed with existing and/or approved building or where the impact of the ancillary works, including the creation of visibility splays would damage rural character or impact negatively on the environment or which fails to protect Natura Sites, conservation areas, natural heritage or the environment or fails to protect and improve or is injurious to amenities(including visual amenities ). Buildings should be kept simple and finished with material appropriate to rural settings and should reflect the size, scale and pattern of development in the area. Buildings of excessive height will not be permitted and should be sited to make use of existing hedgerows and topography to provide natural screening.* Based on **Roscommon** 3.2.1 Pol 3.2 last phrase & **Monaghan** 4.9 BRP 2 last phrase & 15.16 RCP 1 1st, 2nd & last pts.

**3.6 TRANSPORTATION**

**3.6.1 SUSTAINABLE TRANSPORTATION**

**Policy 44** We submit that this should be re-positioned in 3.6.3 **WALKING AND CYCLING**

**3.6.3 WALKING AND CYCLINGX2nd para 3rd sentence 1st phrase** We submit that **this should be upgraded to a Pol or Obj and merged with proposed Pol/Obj** 28.

**4th sentence** We submit that this **should be upgraded to a Pol or Obj and merged with proposed additional Pol/Obj 41**.

**Policy 46** We submit that t**his should be replaced by**: *Walking and Cycling will be promoted, developed, 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, maintained 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, local distributor and local collector roads and on roads being up-graded, to ensure personal safety, particularly at night where public lighting should be provided where feasible, 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 Walking1st para 2nd sentence last phrase, **Cavan** 9.6.1 RTO20 first two sentences,**Roscommon** 8.7.1 Pol 8.37 2nd line & 42 1st sentence and many other plans.

**Objs**

**25 to 29**

**29(a)** We submit that: **the last phrase should be deleted as the implementation of many other Objs will involve the use of the Council’s funds it is invidious to single out any particular Ob**j.

**You should**  include a **Table** 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 trailsand recreational routes and a data base should be set-up and up-dated as new trailsemerge. See **Roscommon** 8.7.1 T 8.2 & M 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 in the web site pending inclusion in the next Plan.*

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

**WALKING**

**1** *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 **Mayo** Vol 1 Chpt 3 Strategy Pedestrian & Cyclists PC-01 and many other plans.

**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.

**2** *In view of the obesity and diabetes crisis, support, improve, develop, upgrade and facilitate* ***Slí na Sláinte*** *routes. These should be waymarked/signposted, where feasible.* Based onKildare6.5 WCO 5 last pt,DLR 4.1.2.16 Pol LHB17 last phrase & Text below Pol 2nd sentence & Westmeath8.13 O 13 last phrase.

**3**  *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 trials, Sli na Slanite and the Green Infrastructure Network and existing or new public rights of way.* Taken from FingalChpt 5 Obj RF113.

**4** *Support the provision of proposed long distance walking trails that* ***provide access to scenic uplands****, riverine and coastal features.* Taken from FingalChpt 5 Obj RF115.

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

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

**Note** Many counties employ one.

**7**  *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 the development****, maintenance, facilitation and enhancement of medium and long distance* ***hiking/walking routes****, community walks and off-road trails particularly in the uplands. This will include consultation with adjoining councils with a view to promoting routes extending beyond the county boundary.* Based on DLR 4.1.2.16 para under Pol 2nd & 3rd sentences, Laois5.13 TM21 1st sentence,Meath 4.6.8 ED OBJ9 & Westmeath 3.14 P-GT 7 5th line.

**8** *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.

**9** *Ensure the* ***protection*** *of and co-ordinate the continuation of* ***strategic walking routes*** *and trails.* Taken from **Cavan** 9.6.1 RTO3 10 1st phrase.

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

**11**  ***Protect listed walks*** *from development that creates or has the* ***potential to create dis-amenities.***Taken from **Cavan** 9.6.1 2nd para.

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

**13** ***Protect access routes*** *to upland walks and public rights of way.* Taken fromLaois 5.10 RUR14.

**CYCLING**

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

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

**14** *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 The National Cycle Network Scoping Study(2010) 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 3rd pt 4.2.3,**DoTT’s NCPF(2009)** OO Breadth of Interventions page 7 6th pt on right hand col & 7th & 8th pts, Pol 3.4, Obj 5 & Pol 5.6,**Donegal** 5.1.2 P 36, **2015 Plan** 3.10.8 Obj 113 and many other plans.

**15** ***Cycle routes should be designed*** *using current thinking and best practice from experience in other locations, lower speed limits and priority over motorised transport to ensure road safety for pedestrians and cyclists.* Taken fromR**oscommon** 8.7.1 42 2nd sentence.

**16**  *Assign an officer at appropriate senior level as a “****Cycling Officer****”.* Taken from **DoT’s NCPF(2009)** Pol 17.3.

To which you should add before *officer, full-time*

**Note**

Many counties have one

**17** *Promote and facilitate the* ***development of cycle routes*** *in accordance with the* ***National Cycle Network Scoping******Study 2010****.*

***2010****.* Taken from Louth 6.5.11 EDE 21. See also **Galway** **County** 5.4 Obj TI 19.

**18**  *Support the development, maintenance and enhancement of trails and routes in co-operation with Sports Council, NTA, NTO, NWMWAC, Heritage Council*  *and other bodies to* ***develop cycle touring routes*** *including those linking with adjoining counties particularly in areas of high amenity.* Based on Based on Kerry 5.5 T26 1st phrase,Kildare 14.12. 1 CR 9 & Carlow 5.3.2 Pol 8 last pt.

**19** *Produce* ***cycle maps****.*Taken from **NCPF 2009** Pol 6.2 1st sentence &

Westmeath 8.13 O 8 last sentence 2nd phrase.

**20** *Support community, authority or agency led projects that would deliver identified* ***strategic cycling links****.* Taken fromLaois 6.1.1 TRANS38 1st phrase.

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

**22 *Support*** *the* ***policies*** *of the* ***National Cycle Framework*** *2009.* Taken from Limerick County 6.10.3 Obj COM 026.

**23** *Support the development, maintenance and enhancement of trails and routes in co-operation with the Sports Council, NTA, NTO, NWMWAC, Heritage Council*  *and other bodies to* ***develop cycle touring routes*** *including those linking with adjoining counties particularly in areas of high amenity.* Based on Kerry 5.5 T26 1st phrase,Kildare 14.12. 1 CR 9 & Carlow 5.3.2 Pol 8 last pt.

**24** ***Develop NCN Corridors*** *from Sligo to Dundalk*

**WALKING AND CYCLING**

**25** *Support, promote, establish and actively encourage the provision, development, extension and design of off road* ***interlinked cycleways and walkways****,*(mention routes), *including medium and long distance walkways and particularly those with historic associations in, conjunction with the Irish Sports Council, IW and other stakeholders to link with a strategic network of trails from residential areas, open spaces and existing or new public rights of way to facilitate the creation of a secure and safe greenways network to provide access to scenic, mountain, lakeshore and river features* *and to link with adjoining counties, including cross border counties in partnership with their councils, the state, private and voluntary sectors.* Based on**Cavan** 9.6.1 RTO19 1st para 1st phrase & 2nd para,**Mayo** Vol 1 Chpt 3 Pedestrians & Cyclists PC-01 7th line, **Roscommon** 8.7.1 Pol 8.39,**Longford** 5.1.3 PED 3 2nd sentence 1st & last phrase and many other plans.

**26** *Encourage and support the enhancement and extension of existing walking and cycle routes by* ***utilising links from residential******areas****, parks and open spaces and existing and new public rights of way to facilitate the* ***creation*** *of a secure green* ***network*** *to provide access* ***to scenic*** *mountain, lakeshore and river features.* Taken from **Cavan** 9.6.1 RTO 19 1st phrase.

**27** *Support, promote, facilitate and develop a comprehensive* ***network of greenways****, linking parks and public open spaces to regional and national Greenway Networks and work with the NTA, 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, **Galway City** Pol 4.5.1 1st para 1st phrase, **Sligo** 4.4.6 Obj 1.5 3rd box 2nd pt and many other plans.

**28 *Signpost and waymark*** *walking and cycle routes with appropriately designed quality signage and information boards.* Based on **Sligo** 4.4 P TOU 4 1st phrase, **2015 Plan** 3.6.3 2nd para 3rd sentence 1st phrase and many other plans.

**29 *Provide****,**create,**promote, improve, plan, support, maintain, enhance, encourage, extend, facilitate and support the improvement and development of walking, rambling and cycling in conjunction/co-operation the Irish Sports Council, walking and cycling groups, landowners, farmers, local groups and communities 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 countrywide joined up network of local and regional cycling/walking routes, footpaths, greenways, particularly in rural areas between settlements, 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 associations or other areas of interest and maximise their potential. Expand and extend existing routes by utilising links from residential areas to provide access to coasts, mountains, lakeshores, rivers and scenic areas. Bring mountain amenities closer to residential communities by promoting the establishment of a network of formal footpaths, off road paths and cycleways that are attractive and facilitate casual walkers and* *cyclists. Investigate the provision of dedicated cycle and pedestrian routes along routes of high amenity.*Based on**DPG** 3.5 Box 3 B **Infrastructure** 3rd pt, **Dev Smarter Travel 2009 - 2020 C**ycling and Walking1st para in line 6, **Cavan** 9.6.1 RTO3 1st phrase, **Longford** 5.1.3 PED 3, 5, **Roscommon** 8.7.1 pol 8.36 1st sentence, **Sligo** 8.3 P CW 9, **2015 Plan** 3.10.7 Obj 109 & 3.10.8 Pol117 ist phrase, **Donega**l 5.1.2 T-0-13 & 35 1st sentence and many other plans.

**30** ***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*. Based on **National Physical Activity Plan for Ireland** App1 32,

Limerick County 6.10.3 Obj COM O27 b, DLR 2.2.7.1 1st para under Pol 3rd sentence & Kilkenny 7.3.2 2nd Obj.

**Note** **Galway County** and many other counties have already adopted

**31** *Provide adequate* ***car parking*** *and/or lay-bys for walkers and cyclists,* (from your local knowledge name important locations) *and other appropriate points to facilitate access to amenity/scenic areas from 9am until dark.* Based on **Sligo** 4.4. P TOU 4 last phrase, **Longford** 6.4 AM 3, **Donegal** 5.1.2 P 35 last sentence and many other plans.

**Notes**

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

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

**32**  *Establish new Walkways and cycle routes on a* ***legal and permanent******basis****.* Taken from Carlow5.3.2 Pol 8 12 pt 1st line & Sth Dublin 2.2.14 2nd 15th para 1st line.

**33** *Develop a strategy to underpin the* ***funding*** *for the development and extension and enhancement of walking/cycling trails, greenways, including off-road trails, inter-county waymarked walking and cycle routes and the Tain Trail, through the Action Plan for Rural Development*2017, *DoTTS, NTA, Heritage Council and associated transport agencies and LEADER.* Based on**Action Plan for Rural Development** 2017 Pillar 3 Action 167, **Galway City** 4.7 Community Spaces Medium/Long Term 3rd pt & 8th sub pt and many other plans

**34 *Support*** *the policies of DoTT’s* ***Smarter Travel***.Taken from LimerickCounty 6.10.3 Obj COM 026.

**35** *Ensure that* ***walking and cycling routes*** *and the public footpaths network are* ***maintained*** *and where feasible improved.* Based on**Roscommon** 8.7.1 Pol 8.37, **Mayo** Vol 1 Chpt 3 Pedestrians & Cyclists 1st sentence, **Cavan** 9.6.1 RTO3 last phrase and many other plans.

**36**  *Recognising their importance* ***protect,*** *preserve and safeguard* *the integrity of established and future walking and cycling routes by prohibiting development which would adversely impact upon them or their settings particularly in scenic areas and ensure their maintenance.* Based on **Monaghan** 5.9 Cycling and Walking Policies CFP 12 last phrase, **Donegal** 9.1 12th pt, **20I4 Plan** 9.6.1 RTO3 & R**oscommon** 4.71 Pol 8.36 1st line& Pol 8.4.1 1st phrase and other pans.

**37** ***Protect*** *the integrity, extent, scenic quality, vis*ual *setting and functionality of* ***Greenways*** *and walking and cycle routes.* Based on

**Donegal** 11.3 P13 last pt and other plans.

**38** *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.* Taken from **Donegal** 11.3 P 13 2nd pt.

**39** *Ensure that development proposals* ***protect the routes of potential linkages*** *such as linear paths footpaths trails, greenways and cycleways through a site where the Council considers that an opportunity to provide a linkage to or between adjoining areas.* Taken from **Donegal** 5.1.2 P31.

**40 *Protect*** *established* ***walking and cycling routes*** *and keep them free from development which would adversely impact upon them.* Taken from **Cavan** 9.8.1 RTO18 1st phrase.

**DISUSED REDUNDANT RAILWAY LINES**

**41** *Actively encourage,* ***support, promote*** *and facilitate the development of disused railways* (named*) for* ***greenways****, walkways and cycleways and other recreational activity to develop a network including medium and long-distance walking and cycling routes and bridle paths to improve access to* *rural tourist attractions, with related signage and waymarking.* Based on**Smarter Travel 2009-2020** Act 17 2nd sentence page 45,**2015 Plan**  3.6.3 2nd para 4th sentence,**Sligo** 8.3 P CW 8 1st sentence and many other plans.

**42 *Protect and preserve*** *routes of former railway lines*(named)*for recreational development free from development by protecting, enhancing, conserving, safeguarding and preserving potential greenway routes as long distance walking and cycling routes along or near these rail lines which could compromise their development as walking/cycle routes in the future. Along these corridors other uses shall not be considered. Where these corridors have been compromised by development, adjacent land which could provide opportunities to bypass such an impediment and reconnect these routes for walking/cycling shall be protected for this purpose.*Based on**Donegal** 5.1.2 P 24 all except last sentence,**Mayo** Vol 1 Chpt 4 Natural Heritage NH 01f) and many other plans.

**43** *As well as being a magnificent recreational resource, the opening up of these old rail lines can provide* ***excellent amenities for walkers****, cyclists and horse riders . Substantial Government Grants are available for capital costs.*

**44** *While it should be possible to provide most routes along the existing track alignment, there may be a need for* ***diversions*** *and deviations**following detailed survey and design work and consultation with landowners. The aim is to include these routes in a map in the Plan. Meanwhile adequate protection needs to be given to abandoned rail lines so as to avoid inappropriate development that could compromise their viability.* Taken from Cork County 8.7.6.5.

**45**  *Where feasible, provide separate trails for walkers and cyclists in the interests of safety and convenience with appropriate surfaces for each type of user.* Taken from S**ligo** 8.3 P CW 8 2nd sentence 1st phrase

**Note**

The separation of walkways and cycleways is the practice in other countries particularly in Austria, Germany and Switzerland.

**3.7.2 AGRICULTURE**

**Text**

**2nd para last sentence last phrase under Pol 61 2nd** We submit that **this should be replaced by**:*Commonage and other rough grazing land should be regarded primarily as an**important recreational****,*** *environmental and**amenity**resource.* Based on **Galway City** 4.6.2 1st para 1st sentence 1st phrase and other plans.

**Pol 62 last phrase** We submit that this should be replaced by: *Protect**and conserve**rural amenities, archaeological and natural heritage, visual amenities, landscape 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 they do not have an undue negative impact on the visual/scenic amenity of the countryside and its appearance and character and integrate into the landscape. 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. Identify mitigating measures where required.* Based on **2015** **Plan** 2.3 Pol 2b) in line 2 and many other plans.

We submit tha**t you should include additional Pols or Objs**:

**1** *Recognise and support the role of* ***farmers as custodians*** *of the natural resources of the countryside and of rural landscapes*. Taken from **Cavan** 3.5 EDO6 1st sentence 1st phrase.

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

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

**3.7.3 FORESTRY**

We **note that this topic applies only to Commercial Forestry and that you have another Sub Sec entitled Trees, Woodlands & Hedgerows.** According we submit that **this Sub Sec should be re entitled Commercial Forestry**.

**Text**

**First tranche of text 5th para down to walking on 3rd line** We submit that **this should be upgraded to a Pol and replaced by**: *Recognising the contribution that forestry makes to well being, develop, promote, provide, protect, improve and encourage the provision of greater public access to new and existing forestry, both state and private, for recreational activities such as walking, hiking, cycling, and other non-noise generating activities and the provision of 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.* Based on **Smarter Travel 2009-2020** Act 17 2nd sentence page 45, **Cavan** 3.92nd para 2nd para 5th pt 1st phrase, **Monaghan** 4.6.1 AGR P8 and many other plans.

**Policy 63**

We submit that **you should include additional Pols**: *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) mountain and nature trails and hiking*.

**3**  *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 and safeguard scenic and exposed/elevated landscapes, nature conservation areas, geological sites, monuments and NHAs, archaeological or other historical or heritage features.* Based on **Cavan** 3.9 EDP13 1st phrase, **Monaghan** 4.6.1 AGP 7, **Donegal** 7.1.2 O 9 last phrase, **Sligo** 4.3.2 P FOR 1 2nd phrase, **Roscommon** 3.4.2 Pol 3.33 & 9.35 1st para 1st & 2nd pts and many other plans

**4** *No new or replacement coniferous forests will allowed on summits generally* ***above 250 mtrs****.* Taken from Laois7.19 LS37 2nd sentence.

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

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

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

We also submit that **you should include an additional Pol which applies to both Commercial Forestry and Woodlands**: **Commercial Forestry and Amenity Woodlands**:*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) mountain and nature trails and hiking*. Based on **Sligo** 6.7.4 P OR 23 and other plans.

**3.7.6 SUSTAINABLE TOURISM**

**3.7.6.2 Management and Control of Resources and Tourism Development**

We submit that **you should include Pols or Objs**:

**1**  ***Protect*** *the landscape from inappropriate development* by  *ensuring that developments and other activities associated with tourism or recreational activity do not cause damage, be detrimental to or detract from the traditional character or appearance of areas of scenic or visual amenities and ensure that the layout, design and associated infrastructure are of highest quality. Developments must be sensitively located, and be sympathetic in manner with the environment, heritage and amenities. They must ensure the protection and conservation of amenities, be compatible with their intensity, scale, and balance and ensure that are not located where they would be detrimental to environmentally sensitive landscapes. Ensure the highest quality standards of design and materials so that there are no significant adverse impact on the coastal areas, Natura 2000 sites, historic or archaeological sites, maritime heritage or the countryside generally.. They must be integrated, assimilated and absorbed into the landscape to take advantage of natural screening and topography.* Based on

**Cavan** 9.7 RTO27, **Mayo** Vol 1 Chpt 2 Tourism TM-O1, Vol 2 5.8,

**Roscommon** 3.5 Pol 77, **Longford** 6 TOU 1, **Galway County** 4.14Pol EDT - 1, **Donega**l 9.1 7th & 8 pts, **Sligo** 4.4 TOU-3 and many other plans.

**2** *Tourism and recreational* ***development shall be assessed*** *against the nature and scale appropriate to the character of the area and shall be located to be visually sympathetic to its surroundings.* Taken from Wicklow Vol 3 App 1 4 Tourism & Recreation, General criteria for tourism and recreational development1st pt 1st sentence & 2nd pt 1st sentence.

**3.7.7 QUARIES, EXTRACTIVE INDUSTRIES, MINING, OIL AND GAS**

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 a 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 activities..* Based on**Monaghan** 15.25 EIP 4,**Sligo** 4.3.4 P MEQ 2 last phrase and many other plans.

**3** *Recognising that the development for aggregates/mineral extraction, processing and associated developments can impose adverse impacts on amenities, ensure the* ***protection****, conservation, preservation and safeguarding of recorded monuments and areas in their vicinity, World Heritage Sites(including Tentative Sites), NHA’s, Euro Sites, Nature Reserves archaeological sites and features, natural heritage, natural environment, features of natural beauty or interest, designated and prescribed sites, geological sites and areas of geological/geomorphological or historic interest and areas of high scenic amenity from inappropriate development that might be detrimental to them. Applicants must recognise that the aggregates(stone and sand/gravel deposits and mines) concrete products industry have a particularly sensitive role Development must be carried out so that it minimises adverse effect on the environment and visual and natural amenities to the greatest possible extent must be carried out during all life cycle stages, whether in respect of new quarries or extensions to existing ones and 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 **Galway County** 6.21 Obj EQ 1,**Roscommon** 3.4.4 last para 1st phrase,3.57 & 9.341st para 1st sentence 1st & 5th pts, **Mayo** Vol 1 Chpt 2 Extractive Industries EI 01 &

Vol 2 57.2 last pt, **Longford** 4.6 MA 2m), **Donegal** 8.1.2 O 1 & 2,

8.1.3 P2 2nd sentence 1st phrase, **Cavan** 3.8 EDP6 & 7 and many other plans.

**4** *Require that* ***development proposals*** *on or in proximity to a quarry site should investigate the nature and extent of the risks* ***associated with the development together with appropriate mitigation.***Taken from **Roscommon** 3.4.4 Pol 3.56.

**3.8 PROTECTION OF THE NATURAL ENVIRONMENT/NATURAL HERITAGE**

**3.81 GENERAL**

**1st para 3rd pt** We submit that **this upgraded to a Pol or Obj** **and replaced** **by**: *Recognising the important role of the environment through diversity, quality, integrity and quality of life by promoting the protection, conservation and enhancement of the natural environment by prohibiting**intrusive**development that* *would detrimentally impact on natural heritage which could or might have a negative impact on natural amenity and recreational assets, natural heritage features or archaeology or might unduly damage or take away from its character and by implementing the provisions of the Planning and Development Act 2000(as amended). Promote appropriate enhancement of the natural environment as an integral part of development. Engage with stakeholders, including local communities and statutory authorities to identify, 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, wetlands and woodlands, 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, while maximising the recreational amenity and quality of life 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 **NPF** Pol Obj 60, **Sligo** 7.1 P NH 1, **Cavan** 8.2 NHEP1, **Galway County** 9.3 Pol GH4 & 9.9 Pol NHB1, **Mayo** Vol 1 Chpt 4 Natural Heritage NH 01, **Longford** 6.2.2 NHB 2, **Donegal** 7.1 Aim, **2015** **Plan** 2.2 4th para in 2nd last line & Pol 1d) and many other plans.

**2nd para i. to iii** We submit that **these should be merged with 1st para**.

We submit that you **should include Pols or Objs**:

**1** *Recognizing the role played by natural amenities and landscapes as major resources 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 amenity areas, including Natura 2000 sites, nature reserves, mountains, uplands, moorlands, forests, rivers, lakes, valleys, scenic areas, areas of natural beauty and other natural amenities for active recreational activities such as mountaineering and hill-walking,* *which have been traditionally used for outdoor recreation, and to the countryside generally, by creating a meaningful network of access routes as the opportunity or need arises.* *This will be done in co-operation, consultation and consensus with state agencies, landowners, community groups other interested bodies.* Based on **Galway County** 9.9.Pol NHB 1 2nd last line, **Mayo** Vol 1 Chpt 4 Access to Heritage & Amenities AC 01a & b, **Sligo** 4.4 P TOU 5 1st para, 2nd para 2nd sentence & 6.7.4 POR 16 1st phrase, **Longford** 6.2.2 NHB 3, **Roscommon** Pol3.7.5 1st phrase and other plans.

**2**  ***Designate*** *traditional* ***walking routes*** *to the uplands as* ***public******rights of way****.* Taken from **Sligo** 6.7.4 POR 16 last phrase.

**3 *Preserve the open character of commonage land*** *and other hill land and* ***secure access*** *over paths and tracks through consensus with landowners, particularly in mountain areas.* Taken from Wicklow Vol 1 10.3.7 NH42.

**4 *Impose “Precautionary Principles”*** *which are an integral component of planning policies on environmental and heritage matters. Where uncertainty exists regarding the potential impact of a proposed development on natura****l heritage, full account shall be taken of these Principles.* Taken from** Carlow 9.1Heritage Pol 15th pt.

**3.8.3.1 Natura Sites**

**Policies 76 to 78** We submitthat **these should be merged and replaced b**y: *All plans and projects that have the potential to have a negative /adverse impact on the integrity of a Natura Site will be subject to Habitats Directive Assessment and should be in accordance with best practice and guidance. Comply fully with Art 6(3) & (4) of the Habitats Directive to ensure the protection, conservation value, management and enhancement of Euro Sites, including any additional Sites that may be proposed during the lifetime of the Plan, by assessing and screening and, where warranted, by prohibiting developments or projects within or immediately adjacent to the county which could have significant adverse direct, indirect or secondary impacts,(either individually, cumulatively or in combination with other plans or projects or upon the conservation objectives of a Site due to their size, scale or land take where the overall integrity of the site could be threatened or compromised unless there imperative reasons such as overriding public interest of a social economic nature and adequate compensatory measures to ensure the overall coherence of the Site and that it can be established that there is no feasible alternative solution. Sites should be afforded the highest level of protection in accordance with the relevant Directives and legislation. Promote the favourable conservation status of habitats and protective species including those listed under the Birds Directive, the Wildlife Acts and the Habitats Directive.* Based on **Donegal** 7.1.2 NH-O-2, **Cavan** 8.4.2 Natural Heritage Areas Protected Areas Policies NHEP9,

**Longford** 6.2.2.3NHB 6 1st para 2nd para and many other plans.

**3.8.3.2 Candidate Special Areas of Conservation**

**Objectives 62 to 64**

We submit that **you should include an additional Obj:** *Actively promote the conservation and* ***protection*** *of proposed or designated* ***SACs*** *and protect their integrity. Development in, near or which could adversely affect a Site should avoid any significant impact on features for which the site is designated or proposed and only consider development proposals within or affect a Site if it can clearly demonstrate that the development will not have a significant adverse effect on it*. *Identify and afford appropriate protection to new Sites.* Based on **Roscommon** Special Areas of Conservation 2nd para 1st sentence and other plans.

**3.8.3.3 Special Protection Areas**

**Objective 65**

We submit that **you should include an additional Obj**: ***Development*** *in, near or which could* ***adversely affect a SPA*** *should avoid any significant adverse impact on the integrity of the site*. *Assess prosed developments in order to determine if they are likely to impact directly, /indirectly or cumulatively on designated Sites in accordance with relevant legislation. Council will take appropriate steps to avoid the deterioration or disturbance of habitats contrary to Habitats Directive.* Based on **Roscommon** Special Protection Areas last para 1st sentence and other plans.

**3.8.3.4 Natural Heritage Areas**

**Policy 79** We submit that this should be replaced by: *All plans and projects that have the potential to have a negative /adverse impact on the integrity of a Natura Site will be subject to Habitats Directive Assessment and should be in accordance with best practice and guidance. Comply fully with Art 6(3) & (4) of the Habitats Directive to ensure the protection, conservation value, management and enhancement of Euro Sites, including any additional Sites that may be proposed during the lifetime of the Plan, by assessing and screening and, where warranted, by prohibiting developments or projects within, near or immediately adjacent to the county which could have significant adverse direct, indirect or secondary impacts,(either individually, cumulatively or in combination with other plans or projects or upon the conservation objectives of a Site due to their size, scale or land take where the overall integrity of the site could be threatened or compromised unless there imperative reasons such as overriding public interest of a social economic nature and adequate compensatory measures to ensure the overall coherence of the Site and that it can be established that there is no feasible alternative solution. Sites should be afforded the highest level of protection in accordance with the relevant Directives and legislation. Promote the favourable conservation status of habitats and protective species including those listed under the Birds Directive, the Wildlife Acts and the Habitats Directive.* Based on

**Roscommon** 7.1 Natural Heritage Areas 2nd sentence, **Monaghan** 6.10 Heritage, Conservation and Landscape Policies HLP 14 1st sentence 1st phrase and many other plans.

**Objectives 66 & 67**

We submit that **you include an additional Objs**:

**1 *Protect****, conserve, preserve ,enhance, maintain and, where necessary restore the integrity of* ***all Sites****, including areas adjacent thereto, designated or proposed, under National and European legislation and in other relevant International Conventions and Agreements and Processes by prohibiting development which might damage or be harmful to or result in serious dereliction or disturbance or which could have a significant adverse effect on the integrity of a Site and maintain and develop linkages between them. Support in co-operation with statutory authorities the management of proposed or designated sites to achieve conservation objectives. Protect and maintain the favourable conservation status/value and where necessary the restoration of designated or proposed sites.* *When assessing development proposals ensure the protection and conservation and enhancement of wildlife habitats.* *Maintain or restore the favourable conservation conditions of designated or proposed sites under the control of the Council.* Based on **Monaghan** 6.10 Heritage, Conservation and Landscape Policies HLP 13 1st phrase, **Roscommon** 7.1 Strategic Aim for Designated Sites 1st para & 7.2 Pol 1 & Obj 1, **Sligo** 7.1.1 P- DNSC - 1, **Longford** 6.2.2.3NHB 6 1st para Preamble, **Mayo** Vol 1 4 Natural HeritageNHO-3 and many other plans.

**2** ***Protect*** *all natural heritage sites designated or proposed for* ***designatio****n under National and European legislation and international Agreements and to maintain and develop linkages between them.* Taken from Cork County 12.2 HE 2-1.

**3 *Protect****,**conserve,. protect the integrity of and maintain the favourable conservation status and conservation value of Ramsar Sites, Statutory Nature Reserves, Biogenetic Reserves, and Wildfowl Sanctuaries under National and European legislation and International Agreements and maintain and /develop linkages between them. Prohibit development which would damage or threaten their integrity.* Based on **Sligo** 7.1.1 P-DSNC-1 and many other plans.

**4** *Apply the* ***precautionary principle*** *in relation to proposed developments in environmentally sensitive areas to ensure that all potential adverse impacts on a designated NHA or Natura 2000 Site arising from any proposed development or land use activity are avoided, remedied or mitigated.* Taken from Limerick City 11 Pol LBR 8.

3.**8.3.8 Areas of Geological Interest**

**Policy 82** We submit that **this should be replaced by:**Work with stakeholders, to protect sites or features of geological or geomorphological interest or importance from inappropriate development by prohibiting development at, or in their vicinity, or which threaten their existence, integrity or conservation value. Identify, protect, enhance, maintain, manage, conserve, and where appropriate, restore their character and promote their preservation (including sites that may become designated during the lifetime of the Plan, in interest of protecting our geological heritage.Based on**Planning & Development Act 2000** First Sch Part IV6, **Cavan** 8.5 NHEO12, **Monaghan** 6.12 GEP 3 & 4, **Roscommon** 7.2 Obj 7.23 1st phrase and many other plans.

**Objective 71 1st phrase** We submit that **this should be merged with Pol 82**.

**72**

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

**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 **Monaghan** 6.12 GEP 1 1st phrase and many other plans.

**2** *Co-ordinate the continuing development of strategic* ***walking routes****, trails and other countryside recreational opportunities.* Taken from **Cavan** 8.5 NHEO11.

**3.8.3.9 Peatlands**

**Objective 74** We submit that this should be replaced by: *Protect, conserve and manage the character, appearance, heritage and amenity values of peatland landscapes by promoting high environmental standards in* ***conjunction*** *with the BnM, NPWS, Coillte, IPCC and NGOs.* Based on **Donegal** 7.1.2 O 11, **2015 Plan** 3.8.3.2 Obj 63, **Westmeath** 5.12 P O 3 and many other plans.

**75**

We submit that **you should include an additional Obj**: *Explore the potential for the development of and* *work in partnership with relevant stakeholders towards achieving* ***a National Peatlands Park****.*Based on **Action Plan for Rural Development** 2017 Pillar 3 Act 187 1st phrase & Offaly 7.4 NHO 12.

**3.8.3.10 Trees, Woodlands & Hedgerows**

**2nd para under Table** We submit that **this should be upgraded to a Pol or Obj and replaced by**: *Recognise the recreational potential of* ***Coillte’s “open forest”*** *policy allowing access to woodland areas.* Taken from Carlow3.15.12 ED Pol 18 2nd pt.

**Policy 84**

**Objectives 77 & 78**

We submit that you **should include additional Pol or Objs**:

**1** *Continue to co-operate with relevant stakeholders to improve* ***public access*** *to State forests for amenity purposes.* Taken from **Cavan** 8.5.3 NHEP17 Woodlands.

**2*****Protect*** *woodlands and groups of trees from inappropriate development* *that would impact adversely on them and affect their amenity value. Manage**and**promote the preservation and enhancement of the existing network of* ***woodlands*** *as they contribute to the environment including landscape character and landscape conservation. Where appropriate, protect mature groups of trees that are not protected under TPOs.* Based on **Longford** 6.2.2.7 1st line, **Monaghan** 6.15 4th para 1st sentence & TWP 2 1st phrase, **Sligo** 7.1.5 P WTH 1 1st sentence and other plans.

**3.8.7 AREAS OF OUTSTANDING NATURAL BEAUTY AND VISUAL AMENITY**

**All Text & Policies**

**3.8.8 LANDSCAPE CONSERVATION AREAS**

**Text**

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

**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 CityObj 10.3**,** Fingal 9.2 High Amenity Zoning last pt & Dublin City 10.5.2 GIO9.

**2 *Preserve****, maintain, enhance important landscapes and protect the amenity value, visual integrity of* ***upland areas.*** *Discourage inappropriate development in open countryside and prohibit developments which are likely to have material adverse visual impacts, either individually or cumulatively, on the character of the uplands. Ensure that development will not materially interfere or detract from scenic uplands and that particular regard is had to potential impacts of new developments and require that proposed developments demonstrate that every effort has been made to reduce visual impacts(including excessive bulk and inappropriate siting) and that visually prominent sites have been avoided to minimise visibility from scenic routes, walking trails, public amenities, settlements and roads. Have particular regard to the potential impacts of development on sensitive upland areas and consider the difficulty* *of establishing and maintaining screening vegetation.* Based on Laois 7.19 LS01 1st phrase & 30, Kilkenny 8.2.10 DMS 6th pt, Kildare14.8.3 LU 1, 4 & 5 & Wexford 14.4.3 LO3.

**3** ***Preserve*** *the status of* ***traditionally open/unfenced******landscapes*** *including commonages and other hill land.* Based on **Galway County** 9.11 Obj LCM 3 1st sentence and other plans.

**4** *Protect****,*** *conserve, preserve, maintain, safeguard, identify and enhance the visual integrity,, scenic quality, general amenity and the visual quality of areas of intrinsically important and outstanding, highly* ***sensitive****, designated, natural, unspoilt 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 promote their distinctiveness by prohibiting development where it could unduly impinge or impact on or be detrimental to such landscapes or would be injurious to, or detract from natural amenities or introduce incongruous landscape elements.* Basedon **Sligo** 7.4.4 1st sentence, **Longford** 6.1.1 2nd para 1st sentence, **Monaghan** 6.5 HLP 9, **Galway** **County** 10.11 Pol RA 2 1st phrase, **Cavan** 8.7 NHEO25 1st sentence & 2nd sentence 1st phrase and many other plans.

**3.8.9 PROTECTED VIEWS AND PROSPECTS**

**Policy 102**

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

**A FENCING OF HITHERTOO OPEN LAND**

**Text**

**1** *It is a requirement of the Planning Regulations 2001 Art 9(I)(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 fromKilkenny6.2 Fencing 1st sentence. See also

**Mayo** Vol 2 40.3,

*.*

**2Wire fencing** constitutes visual pollution and destroys the “away from it all” feeling which makes upland areas such an attraction*.* Taken fromKilkenny6.2 Fencing2nd sentence.

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

**Pol or Obj**

*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(I)(a)(x) of the Planning and Development Regulations the following criteria will be used when considering planning applications for new fencing of hitherto open land : 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.**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,**Sligo** 7.4P LCAP 6 2nd to last sentences and many other plans.

**B National Parks**

**Text**

*National Parks provide major recreational amenities allow access to wilderness and highly scenic areas which would otherwise might have limited access rights.*

**Pol or Obj**

**Promote** *and develop opportunities to enable the* ***designation of Lough******Allen*** *as a National Park recognising its untapped wealth of historic and natural values that it, its islands and environs present.* See**Longford** 4.5 TOU 18.

**C Mass Rocks/Holy Wells**

**Pol or Obj**

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

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

**Pol Obj**

*Actively* ***propose the designation*** *of* ***Lough Allen*** *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.* See

**Cavan** 8.8 last sentence and many other plans

**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.

**E Wetlands**

**Pols or Objs**

**1** *In partnership with the NPWS, WI and other stakeholders facilitate* ***public access*** *to wetlands and support and protect the recreational and amenity potential of wetlands*. Based on Kerry 10.6 NE-29, Meath 10 POL21 & Kilkenny8.2.6 last para last sentence.

**2 *Protect****, conserve, preserve, manage and enhance wetlands(including fens) from infilling, fragmentation, degradation and protect and conserve their quality, character and features. Resist development (including land reclamation) which would destroy, fragment and degrade wetlands, coastal wetlands, estuarine marshland and control adjacent development by the use of buffer zones*. Based on

**Cavan** 8.5.2 NHEP16, **Longford** 5.3.2 SFRA 3, **Galway County** 8.7 Obj FL3 & 9.9 Pol NHB 4 and many other plans.

**3.9 PROTECTION OF THE BUILT ENVIRONMENT**

We submit that Heritage should be sub-divided into:

A Heritage – General;

B Natural Heritage(including bio-diversity);

C Archaeological Heritage;

D Built Heritage.

**Accordingly this should be re-entitled: HERITAGE**

**Pols or Objs**

**1** ***Publish a list with maps of heritage sites which are open to the public*.** Taken from **Westmeath Heritage Plan** 4.2.

You should add: *and post on the Council’s web-site.*

**Have done**: **Westmeath**

**2**  *Prepare and implement a* ***strategy for access*** *to heritage routes by* *identifying and supporting the development of a network of heritage trails, with a focus on publicly accessible heritage sites and attractions in co-operation community groups, landowners and other stakeholders incorporating features of heritage interest.*Based on Heritage Plans from the following counties:**Leitrim** 5.4, **Sligo** 27 and many other plans.

**3.9.3 HERITAGE PLAN 2003-2008**

**Text This will require updating**

**Objective 83**

**We submit that** you should include a Pol or Obj: ***The Council will work with the Heritage Forum*** *In order to* ***deliver the objectives*** *and actions of the Plan* *to protect the natural heritage* *and implement, promote**and support and actively work in partnership with all relevant stakeholder, the Heritage Council, OPW, NPWS, NMS, community groups and the public, the aims and objectives contained in the Plan and any revision thereof.* To which you should add: *See our web-site* (insert address). Based on Laois7.2 last sentence, Fingal9.1Obj NH01 & Meath9.4 last para 1st sentence. See also **Mayo** Vol 1 Chpt 4 **Heritage** GH-01, **Galway County** 9.9 Pol NHB 6, **Sligo** 7 O H I, **Cavan** 8.2 2 NHEP3 1st sentence & **Monaghan** 6.2 Obj HLP1.

**3.9.8 ARCHAEOLOGICAL ASSESSMENT**

We submit that **“ASSESSMENT” should be deleted from the Title to better reflect the provisions therein**.

**Policy 106**

**1st para** We submit that **this should be upgraded to a Pol or Obj AND**

that **the 1st sentence be merged with Obj 93**.

**2nd sentence**

**2nd para** We submit that **this should be upgraded to a Pol or Obj AND that the 1st sentence should be merged with Obj 9**3.

**2nd sentence**

**Objective 93** We submit that **this should be replaced by:** *Council recognises the importance of promoting, encouraging and securing/ensuring the protection, conservation, preservation, enhancement, safeguarding and appropriate management of sites settings and features of archaeological/historic interest including the protection of their intrinsic value, character, integrity****,*** *context and settings of National/Recorded Monuments, caves or newly-discovered archaeological sites and/or sub-surface archaeological remains, known and unknown, including those identified in the RMP, RHM & SMR and sites and features of historic interest and National Monuments that are the subject to Preservation Orders, in the ownership or guardianship of the State or the Council and by implementing the provisions of the Planning and Development Act 2000(as amended). Development, either above or below ground, taking place within or adjacent to sites should not seriously detract from, impact upon or damage features of historic or archaeological interest, shall respect their character and settings. Proposed developments which would be seriously injurious to the settings, character of sites or RPMs, including in particular, those within a 20m radius of**National Monuments, will not be permitted and those within 75m will be discouraged. Ensure that development, within adjacent to or in the vicinity of an archaeological monument shall not detrimental to its character be or setting by reason of its bulk or detailing and shall be sited and designed in a manner which minimises its impact settings, is resisted. Extend this protection to cover additions or alterations that may arise during the adoption of this Plan and to newly discovered remains. Protect and preserve all archaeological sites and monuments included in the RMP, any sites of and features of historic or archaeological interest and any subsurface arch features that may be discovered during the development. Protect, where appropriate, the character and setting of any unrecorded archaeological site from inappropriate development.* Based on **2000 Planning & Development Act** Sec 10(2)(c) 1st phrase & First Sch Part IV 6, **DPG** 4.26 1st para 2nd sentence last phrase, 4.27 1st pt & 4.28 2nd para last sentence, **Galway County** 9.7 Pol ARC 4 &5 & Obj ARC 1 down to Historic Monuments, & 7, **Donegal** 7.3.3 P 1 1st sentence 1st phrase & P4, **Cavan** 7.5 BHO18 1st sentence, **Mayo** Vol 1 Chpt 4 Archaeological Heritage AoH 01a) & & h) & Vol 2 App 5 last para, **Sligo** 7.2 P AH 1 & 3 1st sentence, **Longford** 6.2 HER 1 & 1 ARC 1 1st & 3rd sentences, 2, 3, 11 & 12, **Roscommon** Obj 6.21 1st phrase & 6.7 Pol 6.9 and many other plans.

**Objectives 94 & 95**

**96** We submit that this **should be replaced by**: *Protect and preserve in situ all archaeological sites and features of historic interest discovered/identified subsequent to the publication of the RMP.* Based on **Galway County** 9.7 Obj ARC3 and other plans

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

**1** *Recognising the importance of archaeology and National Monuments as part of our heritage, 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.* Based on

**2015 Plan** 1.10.2h), **Mayo** Vol 1 Chpt 4 Access to Heritage & Amenities **Galway** **County** 9.7 Pol ARC 2, **Longford** 6.2.1 ARC 4 & 8, **Sligo** 7.2 P AH 6 and many other plans.

**2** *Promote, provide and encourage* ***signage*** *to archaeological sites and National Monuments listed in the RMP.* Based on DLR 6.1.2.1 1st para,

Kildare 12.8.4 AH 9& Laois7.4 OBJ 2 last sentence.

**3** *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 Laois7.4 OBJ22nd & 3rd sentences.

**3.10 RECREATION, SPORTS AND AMENITY**

We submit that you **should include Pols or Objs**:

**1** *Support development, in co-operation with various stakeholders to promote, preserve, improve, encourage* ***public access*** *to lakes, beaches, coastal, riversides, uplands and other areas that have been traditionally used for outdoor recreation and* *extend* ***recreational amenities*** *including riverside and canal walks and walking and cycling routes.* Based on**2000 Planning and Development Act** Sec 10(2)(j),

**Sligo** 4.4.6 8th pt & 6.7.4 P OR 14 1st sentence 1st phrase, **Galway County** 10.11 Pol RA 1 and many other plans.

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

**3 *Protect*** *and preserve* ***recreational attractions*** *such as scenic beauty, woodlands and waterways, coastal areas and beaches, natural heritage****,*** *the character and distinctiveness of scenic landscape and the environmental quality.* Taken from Wicklow Vol 1 7.3 Strategic Objs 8th & last pts.

**4** *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 Dublin11.5.5(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 as walkers run the risk of being hit by golf balls and golfers are distracted by people talking and moving about.

**3.10.3 WATER-BASED SPORTS AND RECREATION**

**Objective 98**

**100** We submit that **down to *lakes* in 2nd line** **should be replaced by**: *It is the policy of the Council, in partnership with the NPWS, WI, Councils, community groups and other relevant stakeholders, to provide, protect, promote, encourage, develop, maintain, facilitate, increase and improve* ***public access*** *to the inland waterways including rivers, lakes and riparian/waterway corridor.* Based on **National Heritage Plan** 4.17, **Longford** 6.2.2.7 ILW 3 2nd line and many other plans.

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

**1** *Development proposals for* ***Noise Generating Sports*** *will not normally be permitted unless there is no conflict with the enjoyment of areas used for informal recreation.* Taken from Kilkenny7.7.2 last para 3rd pt.

**2** *Adopt Bye-laws banning the use of motor bikes and quads (except for bona fide agricultural purposes) in privately- owned areas of rough grazing (including commonage) and motorised para gliders.*

**Note** Louth & Sligo have adopted bye-laws.

**3.10.4 INLAND WATERWAYS**

We submit that you should a **Table of** Existing or potential **riverside and lakeside walks/cycle routes**See Kildare5.9.5 ECD 29 & Limerick County 7.1 1st para 4th line.

**Policy 110** We submit that **this should be replaced by**: *In partnership with the NPWS, WI, Councils, community groups and other relevant stakeholders, provide, protect, promote, encourage, develop, maintain, facilitate, increase and improve* ***public access*** *to the inland waterways including riparian/waterway corridors.* Based on **National Heritage Plan** 4.17, **Longford** 6.2.2.7 ILW 3 2nd line and many other plans.

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

**1** *Recognising the importance of rivers and riparian corridors and buffer zones for their natural amenity and scenic values*, ***provide*** *promote, develop and facilitate* ***access for walking****, cycling tracks and other compatible activities along inland waterways including rivers in co-operation with landowners, WI, NPWS, Government Departments, community groups and other councils.* Based on **2015 Plan** 3.6.3 Obj 29 and many other plans.

**2**  *Support and facilitate the development of* ***Greenways and Trails*** *along* (named) *rivers.* Taken from Sth Dublin 4.5.0 Pol 6 Obj 1.

**3** ***Identify existing*** accesses to lakes shores and riverbanks within the life time of the Plan***.*** Taken from**Mayo** Vol 1 Chpt 4 Access to Heritage & AmenitiesAC 01a.

**4** *Require that* ***land adjacent*** *to river and canal banks and lakeshores be reserved/****preserved for public access*** *as an undisturbed buffer zone between new development and river corridors and other water bodies to encourage increased public access and recreational opportunities.* Based on**Longford** 6.2.2.7 ILW 7 and other plans.

**5** *Seek to enhance* ***public access*** *to inland waterways as a condition of any development granted.* Taken from **Roscommon** 7.4 Obj 7.32 1st phrase.

**6*****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 2nd sentence, Carlow 5.3.2 Pol 8 7th pt 1st phrase & Kildare 14.12.2 RW 2.

**7**  *Normally only permit proposals for* ***development associated******with water sports*** *adjacent to waterways(including inland lakes)where the proposed facilities are compatible with existing use of water including non-recreational uses, which will not result in damage to important features of archaeological heritage or Natura Sites, can be satisfactorily integrated into the landscape or will not have an unacceptable impact on visual or environmental amenities especially in areas of high amenity or scenic importance.* Based on Laois8.5 DM 34, 1, 2 1st phrase, 3 1st phrase & 4,Carlow 8.11.9 1st & 2nd pts, 3rd pt 1st phrase & last pt 1st phrase & Limerick County6.12 Obj COM034 a), b) &c) .

**8**  *As Water sports cover a wide range of activities from tranquil uses such as sailing, canoeing, rowing and sail boarding to powered activities such as water-skiing and powerboat uses, the Council may require management plans for particular areas to address the compatibility of such varying uses and may introduce* ***bye-laws*** *restricting or prohibiting* ***jet-skiing and water******skiing****.* Taken fromCarlow 8.11.9 2nd para 1st sentence & Kilkenny 7.3.4.1 2nd para. See also **2015 Plan** 3.10.3 4th para.

**Note** Mayo has bye laws

**9** *When considering development applicants relating to activities such as the use of* ***jet-skis and power boats*** *have regard to the recommendations of any national guidelines which may come into force with respect their potential impacts on nature conservation.*Taken from **Roscommon** 7.3 Obj 7.14.

**10** *In areas adjacent to inland waterways, rivers, where* ***planning permission*** *is sought, the applicant must ensure that full* ***public access*** *to waterways is retained or conditions may be attached requiring retention of this access to facilitate creation or extension of walking/cycle routes.* Taken from **Longford** 6.2.27 ILW 5 2nd sentence.

**11**  *Protect, enhance and improve* ***existing public rights of way*** *and,**where possible, provide additional access to inland waterways including lake shores, river banks, through the acquisition of land for public rights of way and parking and lay-by facilities, through agreement with existing landowners\*.* Taken from **Longford** 6.2.2.7 ILW 5 1st sentence & 6.

\*You should add: *or by the use of compulsory powers*

**12 *Promote and develop the towpaths*** *along the* ***Shannon Navigation*** *to expand recreation and in co-operation with WI.* Taken from **Action Plan for Rural Development** 2017 Pillar 3 Act 168 1st phrase.

**3.10.7 WALKING/ACCESS TO THE COUNTRYSIDE**

**Policy 116** We submit that **you should include an additional Sub Sec**: **Public Rights of Way below AND** that:

**A** the reference **the *preservation of public rights of way* in line 1 should be repositioned in proposed Pol or Obj 16**

**B** the reference **to the *creation of rights of where appropriate* in line 1 should be re-positioned in proposed Pol or Obj 11**

**Objective 108** We submit that:

**A**  **within the exception of *maintaining* in line 2 of this should be merged withproposed Pol or Obj 16 AND**

**B *maintaining* should be merged with proposed Pol or Obj 16**

**109** We submit that this **should re-positioned in 3.10 7 AND**

**A** the reference to **maintain** **should be merged with Pol or Obj** 16 **AND**

**B** the reference to **signpost walking routes should be merged with Pol or Obj 12**

**Public Rights of Way**

**Text**

**1**  *Public Rights of Way have existed over the centuries constitute an important* ***recreational amenity****. 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.* Based on**Monaghan** 5.11 2nd sentence & 7.4.1 last sentence 1st phrase,**Sligo** 6.7.4 Public rights of way 1st para 2nd sentence,**Galway County** 10.12 1st phrase and many other plans.

**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*. *The most common characteristic of a PROW is that it follows a defined route which may be sub-divided amongst different branches.* Based on**Sligo** 6.7.4 Public rights of way 1st para last sentence and other plans

**3** *The* ***listing*** *and mapping of public rights of way will* ***preserve Public Rights of Ways for******recreational*** *purposes.* Taken from Kerry 9.10 2nd para last sentence.

**4** *The preservation of of public right so way which give access to seashore, mountain, lakeshore, riverbank and other place of natural beauty or recreational utility which public right of way shall be identified both by marking them on at least one of the maps formi ng part of the development plan and by indicating their location on* ***a list appended to the development plan****.***Taken from Planning and Development(Amendment) 2010** & **Cavan** 8.10 1st 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 3rd para.

**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 in this country.*

**Objs or Pols**

**7** The county development plan will include a **list of public rights** of way in accordance with the **2010 Planning and Development (Amendment) Act Sec 7(b)(ii)(o).** The list must be drawn up in accordance with the wording in the Act.

**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 3rd para, Westmeath App 8, Wicklow Vol 1 Table 10.3

**8** It is suggested that the list of public rights of way should be compiled by following this modus operandi: *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*. Taken from **Cavan** 8.10 NHEO45.

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

10  ***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.

**11**  *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, the uplands, lakeshores, coasts, seashores, river banks, forests, heritage and scientific sites, areas of historic, archaeological and recreational importance and National Monuments, to create a meaningful network. Promote their greater use. Provide linkages from built up areas to the countryside and the coast and link with public rights of way in adjoining counties*. Based on **Galway City** 4.5.1 4th para 4th sentence 1st phrase, **Mayo** Vol 1 Chpt 3 Pedestrians & Cyclists Pc 01 1st sentence 2nd line & Vol 2 40.1 2nd sentence, **Longford** 6.4 AM 6 1st sentence 1st line, **2015 Plan**  3.10.7 Obj 108 and many other plans.

**12** *Ensure the provision of , and where necessary, improve* ***signposting*** *and waymarking on all public rights of way.* Based on**Sligo** 6.7.4 P OR-19 and other plans

**Note** It is most important that public rights of way are marked on the ground because:  
1Walkers need to know of their existence to encourage usage

2 Signage would alert local residents to planning applications affecting the integrity of rights of rights of way

3 Directional signage during the course of the route would prevent involuntary trespass on private property and prevent walkers getting lost which might impinge on walker safety.

**13**  ***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.

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

**15** *Encourage the provision, for the common good of a* ***network*** *of Public Rights of Way to traditional outdoor amenities, including heritage sites and features of archaeological interest, national monuments, mountains, hills, rivers, forests, lakes, geological and geomorphic systems, water corridors, places of natural beauty and other natural amenities.* Taken fromWestmeath 7.15 P 1 1st sentence 2nd phrase.

**16**  *Recognizing the importance of maintaining established public rights of way preserve,* ***protec****t, promote, enhance, maintain and improve them for the common good all public rights of way particularly* those giving *access to seashores, mountains, lakes, river banks and other places of natural beauty or recreational utility by ensuring that development doesn’t impinge thereon.* Based on **Galway County** 10.13 PRW1,

**Roscommon** 8.6 Obj 8.5, **2015 Plan** 3.10.7 Obj 109 and many other plans.

**17 *Prohibit development*** *and keep free from obstruction public*

*walking routes and public rights of way, particularly those at seashores, mountains, lakeshores, riverbanks or other places of natural beauty or recreational activity and take legal action if necessary, to prevent any attempt to close them off.* Based onCarlow 5.3.2 Pol 8 7th pt, DLR 4.1.2.13 LHB14 4th pt & Wexford 15.9 Obj RS36. See also **2015 Plan**  3.10.7 Obj 110 & **Galway County** 10.11 Obj RA 6.

**18** *Look favourably on planning applications which include proposals to* ***improve the condition and appearance*** *of existing rights of way.* Taken fromDLR 4.1.2.13 LHB14 6th pt, Laois 7.21 PRW5 2nd phrase, Carlow 8.12 Pol 6 7th pt & Kildare 14.12.2 RW 4.

**19**  *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* ***development****s.* Taken fromKildare 14.12.2 RW 3. See also **Cavan** 8.10 NHEO44.

**20**  *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 4th para 3rd sentence.

**21** ***Th****e Council will utilise its relevant statutory**powers to* ***preserv****e as practicable the* ***characte****r of listed public rights of way for amenity purposes.* Taken from Wicklow Vol 1 10.3.8 NH46 1st sentence.

**22***Protect and promote* ***Greeenways and consider designating them as public rights of way****.* Taken fromLaois 7.21 PRW5 1st phrase. See also **Sligo** 6.7.4 P OR 20.

**3.108 CYCLING ROUTES**

**Policy 117 1st phrase** We submit that **this should be repositioned in 3.6.3 WALKING AND CYCLING additional Pol or Obj 27**.

**Objective 112**

**3.**

**3.11.4 ELECTRICITY GENERATION AND TRANSMISSION**

**Policy 127** We submit that this should be replaced by: *Recognising that large-scale overhead powerlines can have a significant impact on the visual character**of an area***,** *ensure that energy corridors do not impact on the natural environment and minimise their visual impact and obtrusiveness by avoiding areas of high amenity, high landscape value, scenic importance, sensitivity or sites and areas of nature conservation and areas of archaeological interest, NHAs, SPAs, SACs and National Monuments and by preserving the natural environment. Where impacts are inevitable mitigation measures to minimise their visual obtrusiveness must be provided f or in, in respect of Natura Sites, networks must comply with Art 6 of the Habitats Directive.* Based on**Galway County** 13.9 DM Standard 31a)1st sentence,**Roscommon** Pol 4.59 last phrase,**Longford** 5.5.1 2nd pt and many other plans.

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

**1** *In rural areas the* ***undergrounding*** *or re-routing of transmission lines (including telephone and TV cables) shall be considered first as part of a detailed consideration and evaluation of all available options Where technically feasible and environmentally appropriate, HV and other powerlines(including existing powerlines) and associated equipment should be placed underground to reduce the visual impact on the natural environment especially in sensitive areas or areas of high visual amenity to preserve significant landscape, impact on Euro sites and significant views from the visual intrusion of energy infrastructure and cooperate with other agencies as appropriate.* *Protect areas of recognised landscape importance and significant views from visually intrusive large scale energy transmission infrastructure by using alternative routing. Development must be consistent with international best practice. Integrate with surface treatment schemes where possible .Demonstrate that where impacts are identified mitigation feature have been provided/included* *where impacts are inevitable.* Based on **Monaghan** 15.22 EGP 2 1st sentence 1st phrase & 2nd sentence 1st & last phrases, **Galway City** Pol 914 last para 4th pt and many other plans.

**2 *A VIA shall be submitted****.* Taken from **Galway County** 13.9 DMStandard 31a) last sentence.

**3.11.5 WIND FARMS**

Wind Farms are only one element in the general topic of renewal energy. We suggest therefore this topic should be subdivided into the following sub secs:

**A Renewable Energy: General**

**B Wind Energy**

**C Hydro Energy**

**D Solar Power**

**A Renewable Energy**

**Pols or Objs:**

**1** Produce a **Renewable Energy Strategy** within the lifetime of the Plan. Taken from **Monaghan** 8.24EP 21st sentence.

**Note**

**Have done**: **Mayo**, **Roscommon** and many other counties

**2** *Developments must be* ***appropriately located****.*Takenfrom **Sligo** 11.1 SP EN 2 1st para4th line.

**3**  *The development**including any ancillary facilitates or buildings, considered individually or taking into account their scale and layout, their incremental/cumulative effect due to other proposals, the degree to which impacts are highly visible over a vast area, their visual impact on scenic landscape as well as local visual impacts, impacts on archaeology,* ***should not create a hazard or nuisance****, including the risk land instability and take into account the character and appearance of the surrounding area, the openness and* ***visual amenity*** *of the countryside, landscapes, designated sites and sites of historic or archaeological interest or in proximity to National Monuments. Development will be subject to suitable locations and will only be permitted where they will not have an adverse impact on the environment including natural heritage and the protection of amenities and landscapes. Ensure proper integration with their surroundings. Where impacts are inevitable what mitigation features have been taken into account.* Based onFingal12.10 DMS138 1st sentence 2nd phrase,(ii), (iii) (v)& (vi), Meath8.1 EC POL 3 last phrase & 11.15.1 2nd pt,3rd &

6th pts, DLR8.2.10.1 2nd para last sentence 2nd, 3rd & 4th pt 1st phrase,

Louth 9.4 Pol EnCo 9 2nd phrase, Offaly 3.7 EP 02,Sth Dublin 10.2.10 E12 Obj 2, Nth Tipp 7.13.5(i) SERV 22 last phrase, & Limerick County8.5.4 Obj IN 056 d) & e).

**3** *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 Fingal12.10 DMS138 (iv) 2nd phrase,

Meath11.15.1 1st para 4th pt & DLR8.2.10.1 2nd para last sentence 4th pt. See also **Monaghan** 15.20 3rd sentence & last pt.

**B Wind Energy**

**Maps** showing the degree of acceptability from prohibition to preferred including areas in adjoining counties considered unsuitable: See Cork County Fig 9.2 & Sth Dublin Fig 10.4.

**4 Policy 128**

**5** *Undertake an analysis of suitable areas for wind energy and* ***prepare a map showing the Landscape Suitability for Wind Energy Development*** *in accordance with national guidelines including section 3.5 of the Wind Energy Guidelines(2006) and any subsequent revisions and as recommended in the LCA.* Based on**Sligo** 11.1 SO EN 2 &

**Roscommon** 4.6 Obj 4.55 1st phrase.

**Note**

**Have Done**: **Donegal** and many other counties.

**6**  *Prepare a* ***Wind Energy Strategy*** *within the one year of the adoption of the Plan.*

**Note**

**Have done**: **Galway County** App IV, **Longford** App 5 and many other counties

**7** *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 1st para 1st sentence.

**C Hydro Power**

**8** I*n assessing hydro energy schemes proposals the Council will take into account the* ***impact on public rights of way*** *and walking routes.* Taken from Carlow 6.3.2 Pol 6 2nd pt.

**D Solar Power**

**9** *Make representations* to *the appropriate government department to make* ***Planning Guidelines*** *for ground mounted solar farms.*

**10** *Development must safeguard and* ***protect*** *the natural heritage and must have no significant adverse impact on the surrounding natural environment or on the visual character of the landscape and amenities. There is a presumption against their being located in sensitive areas such as Natura 2000 sites. Development must have regard to its effect on scenic routes, its possible cumulative* effect *and the potential for mitigation through screening with hedges.* Based on Laois 6.6.1.3 Ground Mounted Arrays last para las sentence 1st phrase,Tipperary Renewable Energy Strategy App 1 6.8 3Pol RE10 1st para 2nd line & Obj EN12 last phrase & Kildare8.7 SE 1 last phrase,2 5th pt,8th pt 5th line & 10th pt 5th line.

**3.11.8.2 Telecommunication Antennae**

**Policy 134**

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

**1** *Ensure that* ***Public Rights of Way*** *and established walking routes are 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 and other plans.

**2**  *The Council shall, in* ***assessing an application****, take into account the impact on established* ***walking routes****.* Taken from **Mayo** Vol 2 55.3 4th pt.

**SECTION 4 – DEVELOPMENT MANAGEMENT STANDARDS**

**4.1.1 DEVELOPMENT MANAGEMENT REQUIREMENTS**

**2nd & 3rd paras**

**last para 3, 4 & 7**

**8** We submit that **this should be replaced by**: *Recognising the importance of inland waterways,**both navigable and**non navigable,**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),streams  *river valleys, lakes, springs and associated undeveloped riparian strips/zones, buffer zones distinctive linear sections of water corridors, canal and river banks, river and stream valleys and riverine wetland areas from degradation and damage and the visual impact of dispersed and highly visible develop ent that could adversely affect them by compromising their visual integrity, recreational, natural heritage, geological or landscape character value and the natural characteristics and features and recognise and promote them as natural environmental assets, and maintain them free from inappropriate development. Keep them in an open state and in a natural condition by discouraging land filing culverting or realignment, and in certain instances by uncovering existing culverts, and by ensuring that development does not materially/detrimentally affect natural conditions.* Based on**Roscommon** 7.4 Obj 7.30 & 7.4Pol 7.8 1st phrase,**Monaghan** 8.11 WPP 15,**Galway** **County** 9.9 Pol NHB 4 m & Obj NHB 9,**Cavan** 8.9 NHEP21 1st phrase, **Sligo** 7.1.6 Riparian zones 1st para 2nd sentence & P2- INW - 2 last phrase,**Longford** 5.3.2 SFRA 3 and many other plans.

**4.4.6 QUARIES, EXTRACTIVE INDUSTRIES,MINING, OIL & GAS**

**last para**

**4.4.9 TELECOMMUNICATIONS**

**4th to last pts**

**4.5.12 PUBLIC RIGHTS OF WAY**

**All Text**

**KEEP IRELAND OPEN**

**August 2020**