

Stephen Deegan.
2338 St Brigids Park,
Ballymore Eustace,
Co Kildare

EPA
Johnstown Castle
Wexford

30-08-2010

Dear Inspector,

I wish to make a further submission with regard to Kildare County Council's application to the EPA for a Waste Water Discharge License for BALLYMORE EUSTACE. On examination of the EPA website it appears that the CDA submission of 17/09/2009 was not uploaded, therefore I have attached copy of same, as Appendix I. It also appears that further document "**12/11/09 SUBMISSION - BALLYMORE EUSTACE**" has actually been uploaded in error by the EPA onto the file for the Blessington, Co Wicklow. (The submission in question was relevant to application by Kildare County Council and Wicklow County Council for the agglomerations of Ballymore Eustace and Blessington respectively. This has been added as Appendix II.

The prescribed date for receipt of application by the EPA from Kildare County Council for Ballymore Eustace was **27 February 2009**.

(EPA Acknowledgement to Kildare County Council): I am to acknowledge receipt on 27 February 2009 of documentation in respect of a Waste Water Discharge Licence application and cheque for the amount of €15000. This letter is not intended and should not be construed as an acknowledgement by the Agency of a Waste Water Discharge Licence application which complies with the relevant Waste Water Discharge (Authorisation) Regulations. The Agency will examine the documentation for compliance with the Regulations and you will be contacted in due course.

It is now **30 August 2010** and it appears no progress has been made as evidenced by Planning Report below from Senior Engineering staff from Kildare County Council dated 09 August 2010 (Appendix III – part report). The report clearly states that "*A refusal is recommended for this application (10/654) as it proposes to discharge foul water to the Ballymore Eustace Waste Water Treatment Plant which is at present severely overloaded and not meeting current discharge standards.*" It further admits that "*The River Liffey to which the present treatment plant is discharging is suffering intense pollution and eutrophication.*"

The Engineer however states that "*The plan would be to construct the system in say the next three years*" and that this would be dependent on developers contributing "*60% of say €3.6 millions*". In essence this is saying that if developers don't come up with 60% of the cost that "*intense pollution and eutrophication*" will continue indefinitely.

This is quite baffling for Ballymore Eustace Community interests trying to deal with the various authorities on this matter as according to the Water Services Investment Programme 2010 – 2012 - €3,545,000 has been allocated to Ballymore Eustace

Sewerage Scheme. In addition a new site for the WWTP has been identified and the Kildare County Council Part 8 process is complete, thus approving the scheme.

WATER SERVICES INVESTMENT PROGRAMME 2010 - 2012

Kildare

Ballymore Eustace Sewerage Scheme (SLI) · Wastewater Treatment Plant S 3,545,000

In addition, there are obligations under the current Kildare County Development Plan to provide waste water treatment facilities for Ballymore Eustace. This policy is reinforced significantly as a measure in the now adopted Eastern River Basin Management Plan – HOW MUCH MORE AUTHORISATIONS, OBJECTIVES, POLICIES and LICENCES are required to progress this matter.

In relation to Environmental Protection Agency input, I wish to remind the agency that the current WWTP at Ballymore Eustace had previously been subject to EPA Section 63 of the Protection of the Environment Act notices. It is now subject to a full and detailed WWDL application process and yet the plant continues to pollute. Is it a case that the EPA cannot progress action under Section 63 of the PoE Act for this polluting discharge as it is currently in the process of regulating that same discharge?

Regards

Stephen Deegan

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Appendix I

Re: Application by Kildare County Council for a Waste Water Discharge License for the Ballymore Eustace Waste Water Treatment Plant discharge into the River Liffey.

(Register No. D0238-01)

17/09/09

The Ballymore Eustace CDA wishes to make the following submission on Kildare County Council's application (in accordance with the Waste Water Discharge (Authorisation) Regulations 2007) to the Environmental Protection Agency for a Waste Water Discharge Licence (WWDL) in respect of the discharge from Ballymore Eustace Waste Water Treatment Plant into the River Liffey.

The Ballymore Eustace CDA would like to remind the EPA that this application appears to refer to the licensing of an existing discharge. Not only does this current discharge continue to pollute the river, it is clear that Kildare County Council have no intention of upgrading this plant. Kildare County Council have stated the following in their application:-

"Planning permission has been sought and secured for a new WWTP at an alternative location, which will replace the existing WWTP, which is the subject of this application. Permission was sought for the Ballymore Eustace Sewerage Scheme (In accordance with Part 8 of the Planning & Development Regulations 2001, (as amended by the Planning and Development Regulations 2006). Please refer to Attachment B.6a – Ballymore Eustace Sewerage Scheme – Part 8 Planning – Public Consultation Report – November 2007."

Can the EPA or Kildare County Council, please clarify whether an additional license application is required for the proposed discharge. It is unacceptable to the CDA that an application is being considered for a plant where a grant of permission is not likely, whilst no application is currently being considered for the proposed upgrade plant. Perhaps the EPA could clarify the statutory requirements whereby both an existing discharge and proposed discharge may require simultaneous licensing.

Background

For a background to ongoing pollution from the Ballymore Eustace WWTP please refer to Chapter 4 of the "Ballymore Eustace Trout and Salmon Anglers' Association - History 1974 – 2007; T. Deegan 2008". Attached in Appendix 2



Ongoing Ballymore WWTP Discharge & sewage fungus along section of Liffey

The CDA has for many years been asking Kildare County Council to upgrade the existing sewage treatment plant at the Strand, Ballymore Eustace but without any success. The sewage plant regularly discharges raw sewage into the Liffey at Ballymore Eustace Bridge and a sewage fungus has built up downstream of the discharge point. The CDA, therefore request that through appropriate action by the EPA, that the Department of the Environment sanction the construction of the proposed new Waste Water Treatment Plant at the Kimmeens, Ballymore Eustace and put an end to the present disgraceful discharge into the Liffey.

The CDA are also concerned however about the combined effects of the Wicklow County Council's Blessington Waste Water Treatment Plant discharging into Golden Falls Lake just upstream of Ballymore Eustace village and Kildare County Council's proposed WWTP discharging into the Liffey at Ballymore Eustace. In that regard please find attached to this submission, our submission to the EPA regarding the licensing of the Blessington WWTP plant (Appendix 1). These applications cannot be dealt with in isolation.

The flow of the River Liffey at Ballymore Eustace is controlled under the terms of the Liffey Reservoir Act 1936 which allows the ESB to release "compensation water" up to 1.5 cubic metres per second when the level in Poulaphouca Reservoir is below "low water level" i.e 581ft O.D. The ESB may, if it suits their purpose, also shut off the flow of the Liffey completely. However, under normal circumstances (i.e. water level in Poulaphouca Reservoir above 581ft O.D.), the ESB releases 1.5 cubic metres of water per second to maintain the flow of the Liffey and when generating electricity at Golden Falls Hydro Electricity Generating Station the ESB releases 30 cubic metres of water per second referred to locally as 'flood water'. There are therefore,

only two flows to the Liffey at Ballymore Eustace, 1.5 m³/sec and 30 m³/sec. For the past three years 2006, 2007 and 2008 the ESB has released a flow of 1.5 m³/sec. for 91.54%, 86.53% and 79.32% of the time respectively, and this includes the two extremely wet years of 2007 and 2008.

Dublin City Council are presently constructing a massive upgrade and extension of their Water Treatment Plant at Ballymore Eustace that will allow them to abstract 318 million litres of water per day (70 m.g.d.) from Poulaphouca Reservoir, so it is likely that the percentage times for a release of 1.5 m³/sec to maintain the flow of the Liffey will increase in future years. It is imperative therefore that the assimilative capacity of the Liffey at Ballymore Eustace is based on a flow of 1.5 cubic metres per second.

(Note: On Thursday 9th April 2009 the flow of the Liffey was completely shut off due we

were **informed** by the ESB to a power failure at Poulaphouca Power Station which in turn tripped Golden Falls Power Station. It appears that the valve which discharges the

compensation flow to the river closed and could not be reopened by remote control from

Turlough Hill. The ESB had to send a staff member to Golden Falls to reopen the valve

manually to get the Liffey flowing again. While it is perfectly legitimate under the Liffey

Reservoir Act 1936 for the ESB to shut off the flow of the Liffey, how can this be allowed to happen? A 'fail-safe' system must be installed as a matter of urgency. To allow anybody to shut off the flow of the Liffey must be unconstitutional and be in breach of the Water Framework Directive and the Habitats Directive)

The Ballymore Eustace CDA is in agreement with the Ballymore Eustace Trout and Salmon Anglers Association's assessment on Molybdate Reactive Phosphorus (MRP) concentration Ortho-Phosphate figures and opposes using the mean river flow to calculate the assimilative capacity of the Liffey in terms of phosphorus for the reason detailed in their submission. Since the beginning of March 2009 (at least) the Liffey at Ballymore Eustace was polluted with an algae growth, which the Association believes is being caused by nutrients from the Blessington WWTP discharge into Golden Falls Lake. This is seriously reducing the recreational value of the Liffey and is unacceptable.

The CDA respectfully requests the EPA to consider the combined effects the Blessington WWTP and the proposed Ballymore Eustace WWTP will have on the water quality of the River Liffey before issuing a Waste Water Discharge Licence. We also request the EPA to set strict upper limits with regard to Phosphorus discharges from the WWTP. A comprehensive monitoring programme of the WWTP and the Liffey downstream of the discharge point must be put in place.

It should be noted that the Ballymore Eustace Community Development Association would like the issue of the Wastewater Treatment Plant for the Village addressed. The CDA is not objecting to the provision of a discharge, provided the discharge is fully and appropriately regulated such that the river water quality and the recreational value of the River Liffey at the Village is maintained to a very high level. Indeed the CDA recognizes that the provision of the new WWTP for the Village is crucial for the economic fabric of

the Village, which for many years has suffered as a result of the lack of proper wastewater treatment facilities and ongoing pollution.

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Appendix II

Stephen Deegan,
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12/11/09

SUBMISSION – BALLYMORE EUSTACE

I would like to make a submission to a number of open or ongoing public consultation processes. I am a former Chairman of the Ballymore Eustace Community Development Association, the current Secretary of the Ballymore Eustace Juvenile GAA Club and a current participant in the Planning Advisory Sub-Group to the Ballymore Eustace Community Development Association. I am also a business owner in the Village and an employer, who has seen Ballymore Eustace become a ghost town in recent years.

I feel it is necessary to make a single submission to a number of public consultation documents in order to highlight the inconsistencies with regard to what various local authorities are doing and in relation to what departments within local authorities are doing. In addition, I feel it is also important to provide consistent information to bodies such as the EPA, who also have a significant role to play in the future of Ballymore Eustace. This report will be issued as a submission to:

The Kildare County Development Plan
The Dublin City Development Plan
The Wicklow County Development Plan
The Blessington Local Area Plan
The N81 Route Selection Process
The Ballymore Eustace Local Area Plan
The Dublin City Council Sports and Recreation Strategy
The Part 8 Process for the Ballymore Eustace Waste Water Treatment Plant
The EPA Waste Water Discharge Licence Application – Blessington
The EPA Waste Water Discharge Licence Application – Ballymore Eustace
Kildare Biodiversity Plan

It is important that all of the policy makers this submission is referred to read the submission in full, however, the most relevant Sections for each authority are broken down below.

Notes	Description	Authority
1	Local Area Plan	Kildare County Council
2	Impediments to Development	Kildare County Council
3	Wastewater Treatment Plant for Ballymore Eustace	Kildare County Council, EPA
4	Bus stops	Kildare County Council, Kildare NRDO, Bus Eireann
5	Road Improvements	Kildare County Council
6	Oliver Plunkett Street	Kildare County Council
7	Footpaths around Village	Kildare County Council
8	Walking Trails	Kildare County Council, Dublin City Council, Wicklow County Council, Bord Failte, ESB
9	Walking Trails	Kildare County Council, Dublin City Council, Wicklow County Council, Bord Failte, ESB
10	Walking Trails	Kildare County Council, Dublin City Council, Wicklow County Council, Bord Failte, ESB
11	Walking Trails	Kildare County Council, Dublin City Council, Wicklow County Council, Bord Failte, ESB
12	Wastewater Treatment Plant at Ballymore Eustace	Kildare County Council, EPA
13	Protection of Poulaphouca and Golden Falls Reservoir	Kildare County Council, Wicklow County Council, Dublin City

		Council, ESB
14	Community Gain – Water Treatment Plant	Kildare County Council, Dublin City Council
15	Sport & Recreation Policies	Kildare County Council, Dublin City Council
16	Sports & Recreation Strategy	Dublin City Council
17	Retail sector in Village needs growth	Kildare County Council
18	Commercial Development	Kildare County Council
19	Need for development	Kildare County Council
20	Rural development	Kildare County Council
21	Tipperkevin	Kildare County Council
22	Poulaphouca	Kildare County Council Wicklow County Council, Kildare NRDO, ESB
23	Undergrounding of services	Kildare County Council
24	Mobile masts	Kildare County Council, Dublin City Council, Wicklow County Council
25	Bloodstock / Agri Industry	Kildare County Council
26	Support to Community Groups	Kildare County Council, Dublin City Council, Wicklow County Council
27	Sports Complex	Kildare County Council
28	Use of Lands in public ownership	Kildare County Council, Wicklow County Council, Dublin City Council
29	Protection of Riparian Liffey	Kildare County Council, Wicklow County Council, Dublin City Council
30	Protection of existing rights of way	Kildare County Council
31	Potential for Tourism	Kildare County Council, Wicklow County Council, Kildare NRDO
32	Film Making Location	Kildare County Council,
33	Film Making	Kildare County Council, Wicklow County Council
34	Quarry Extraction / Filling Policies	Kildare County Council, Wicklow County Council
35	Quarry Extraction / Filling – Community Gain	Kildare County Council
36	Development Control – stone walls	Kildare County Council
37	Development Control - landscaping	Kildare County Council
38	Development Control - services	Kildare County Council
39	Development Control - SuDs	Kildare County Council

40	ERBD – WFD - Liffey	Kildare County Council, Wicklow County Council, Dublin City Council, ESB
41	Golden Falls NHA	Kildare County Council, Wicklow County Council, EPA, Dublin City Council
42	Heritage	Kildare County Council
43	Landscape Sensitivity	Kildare County Council
44	Landscape Plan	Kildare County Council
45	Harristown Railway Bridge	Kildare County Council
46	Consideration for protection	Kildare County Council
47	Protection of derelict sites	Kildare County Council
48	Environs plans	Kildare County Council, Wicklow County Council
49	Biodiversity	Kildare County Council, Wicklow County Council, Dublin City Council, Kildare NRDO
50	Biodiversity - Protection	Kildare County Council
51	Climate Change - Energy	Kildare County Council, Wicklow County Council, Dublin City Council, Kildare NRDO
52	Climate Change – Sustainable Planning	Kildare County Council, Wicklow County Council, Dublin City Council, Kildare NRDO
53	Climate Change – Development Plans and Local Plans	Kildare County Council, Wicklow County Council, Dublin City Council, Kildare NRDO
54	Climate Change – Energy usage	Kildare County Council, Wicklow County Council, Dublin City Council, Kildare NRDO
55	Climate Change – Transportation Public Transport & Pedestrian / Cycle friendly policies	Kildare County Council, Wicklow County Council, Dublin City Council, Kildare NRDO
56	Climate Change – Renewable & Clean Fuels	Kildare County Council, Wicklow County Council, Dublin City Council, Kildare NRDO
57	Climate Change - Refuse Collection	Kildare County Council
58	Climate Change - Recycling – Provision of Bring Banks	Kildare County Council

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59	Blessington Wastewater	Kildare County Council, Wicklow County Council, EPA, ESB
60	Blessington Sewer Diversion	Wicklow County Council, Dublin City Council (Ringsend), Kildare County Council, EPA
61	WCC Dev Plan – Tourism – Sharing of promotion of West Wicklow / East Kildare	Kildare County Council, Wicklow County Council, Bord Failte
62	WCC Dev Plan – Tourism - Russborough	Wicklow County Council, Kildare NRDO
63	WCC Dev Plan – Tourism – Development of Trails	Wicklow County Council, Kildare County Council, Dublin City Council, ESB, Kildare NRDO
64	WCC Dev Plan – Transportation – N81 upgrade – impact on potential walking routes	Wicklow County Council, Kildare County Council, Dublin City Council, ESB, Kildare NRDO
65	WCC Dev Plan – Transportation Poulaphouca	Wicklow County Council, Kildare County Council, Dublin City Council, ESB, Kildare NRDO
66	WCC Dev Plan – Transportation - Dublin Bus	Wicklow County Council, Kildare County Council, Dublin City Council, ESB, Kildare NRDO
67	WCC Dev Plan – Transportation – Provision of Cycle Route from City	Wicklow County Council, Kildare County Council, Dublin City Council, Kildare NRDO

The community of Ballymore Eustace recognises the need to set out planning policies and the overall strategy regarding the proper planning and sustainable development of the county as a whole, however how these policies and strategies affect Ballymore Eustace is of some concern to us. Some of the issues outlined in this submission may be better considered in the wider context of County Development Plans, however it is important that all matters relating to the future development of Ballymore Eustace be discussed here, so that nothing is left to chance or nothing can be left to “fall between two stools”. This is why it is necessary to issue ONE submission to be read across a number of different ongoing public consultations (listed above). **Also, as Kildare County Council has not been able to provide for**

a Local Area Plan for the Village this submission must deal with very local matters normally reserved for a local area plan.

One of the main driving forces behind the formulation of a county development plan is the National Spatial Strategy(NSS). The NSS reflects the Strategic Planning Guidelines for the Greater Dublin Area whilst acknowledging that in future they must take into account the relationship with other regions hubs and gateways, in addition to their relationship with Dublin. The Regional Planning Guidelines Greater Dublin Area then concentrate on and form two development areas for County Kildare namely, the Metropolitan Area and the Hinterland Area which are broken further down into identifying five classifications of urban centres based on size and function.

Ballymore Eustace is a part of the hinterland area. In County terms it is located in the East Kildare Uplands close to the County Wicklow Boundary and in particular the town of Blessington. It shares a parish with the Wicklow Village of Hollywood. In Regional Planning Guidelines it is located adjacent to the Primary Dynamic Cluster of Naas (Large Growth Town), Newbridge (Large Growth Town) and Kilcullen (Moderate Growth Town). Ballymore Eustace is also very close to Blessington, another Moderate Growth Town. A quick look at any map shows that these growth towns actually surround Ballymore Eustace.

The definition given to Ballymore Eustace in the Settlement Hierarchy is as a "Key Village". It is later described as a "Tier 2 Level 4 Village Centre" in terms of the Draft County Retail Hierarchy. **This leads us to our first issue of major concern, namely the removal of the SPECIAL VILLAGE status enjoyed by Ballymore Eustace in the previous county development plan,** in favour of nationally recognised terminology, which in reality only serves to "pigeon hole", places for ease of forming planning policies. The adoption of the County Development Plan did not allow for retention of the term "Special Village" and despite there being no facility in the Planning Legislation / Policy to allow for the retention of the term "special Village, there is nothing to say it can't be installed as a policy of the Local Area Plan.

Note 1: - Whatever confusion exists within the County Development Plan that precludes Ballymore Eustace from having it's own "Local Area Plan" must be removed. It must be a policy of the County Development Plan that a Local Area plan is completed for Ballymore Eustace

Ballymore Eustace is a village of unique characteristics. The Village is rich in architectural conservation areas, architectural heritage, protected views and scenic routes, landscape and character areas and heritage as will be shown throughout this submission.

The population of the Village has remained low during a period of huge growth in the County thus enabling proper development policies to be put in place prior to growth (the opposite has occurred in many towns and villages). The Community would like to see growth in the village – in a sustained manner so as to facilitate local needs as well as new residents who will contribute positively to the sense of community in Ballymore Eustace. It is

important that zonings are well defined and that consideration be given to each type of zoning available.

Note 2:- Kildare County Council must remove the impediments to development within the currently zoned areas of the Village. As recently as 2005, the zoning map for Ballymore Eustace was amended by the council, and yet much of the zoned land remains inaccessible due to poor road infrastructure. This continues to hold up much needed development in the Village.

Note 3:- Kildare County Council must provide for the new wastewater treatment facility as proposed through the Part 8 process which commenced in 2007 and has still not reached construction stage. It is a severe lack of wastewater treatment facilities that has restricted development in the village and this must also be addressed.

Physical Infrastructure:

ROADS

Ballymore Eustace is not a major through town within the County. Traffic travelling from almost anywhere in County Kildare to any other part of the country (and vice versa) may do so without driving through Ballymore Eustace. Most commuters from Ballymore Eustace use the N81 when travelling to Dublin or even the Southeast of the Country. The N81 weaves along the Wicklow /Kildare border, indeed the N81 provides a very important public transport route from Ballymore Eustace to Blessington, and Dublin in the form of the Dublin Bus No 65.

Note 4:- It is vital that the services of Dublin Bus are retained and enhanced in Ballymore Eustace and consideration should be given to the erection of a bus shelter in an appropriate location within the square area. This bus shelter could be tastefully designed with local materials rather than just the standard glass/steel structure. It is surely possible for the Council and Dublin Bus to agree on this. A bus shelter should also be considered for the N81 / Ballymore Road junction at Poulaphouca (Near Toughers Service Station).

The N81 is a very important gateway into County Kildare in terms of tourism and recreational activity, and also as a result of the public transport (Dublin Bus no 65) it is widely used by people living in the East Kildare Uplands, including Ballymore Eustace, for access to education and employment in Blessington, South Dublin and Dublin City.

Note 5: The Community welcomes proposals to improve the R411 Naas to Ballymore, R413 Brannockstown to Ballymore, R411 Ballymore to County Boundary and R413 Ballymore to Kilcullen regional roads. This work however has not been completed during the life of the current plan and should now be prioritised.

Note 6: The decision of Kildare County Council to turn St. Oliver Plunkett Road in Ballymore Eustace into a one way street out of the Village (up hill) was fundamentally wrong and the Council must to reverse the one-way direction. I would like to bring the Council's attention to a number of issues regarding the creation of the one way street,

- The public consultation drawings put on display in Ballymore Eustace prior to the restrictions being put in place showed the one way coming into the Village. Those in agreement with this assessment were never afforded the opportunity to make their views known as when work started the direction had changed to opposite that shown.
- It is unclear what statutory process was used to formally carry out the restrictions. In that regard could the Roads Section please clarify whether Part 8 of the Planning & Development Act 2000 was used or whether the work was carried out under Part VI of the Road Traffic Act 1994. Indeed as the whole road was actually closed in one direction could the Roads Section confirm that the requirements of the Roads Act 1993 were complied with. (It appears that the works were carried out by way of liaison between the Roads Design Section and the Roads Area Engineer using some of the Cathaoirleach's discretionary monies)
- **The works as carried out may be unauthorised local authority works as no formal or statutory public consultation procedure appears to have been carried out.**
- The Tidy Towns Report 2008 criticised the non-entry point and signs on the entrance to the one way street. (There is an unsightly clutter of at least 9 signs at this location). As a former Chairman of the Community Development Association which oversees the Village Tidy Towns effort, it is very frustrating when potentially positive County Council works "unintentionally" worsen the character of the Village.
- It is wrong that visitors to the Village from the Wicklow area are met by a barrage of non-entry signs. In my view access should be provided INTO the Village with the non-entry restriction within the village centre.
- It appears that safety may have played a part in making a decision to reverse the direction from that proposed. I don't understand this approach as the safest system should be one where traffic does not have to cross. If the traffic was restricted from entering the one way at the Chemist – traffic would not have to cross at this point. In addition all sight lines at the Square have been improved for traffic leaving the Village Square for Naas / Blessington / Tipperkevin.
- I understand the serious Local Authority restrictions on budget spend that are currently in force, and would respectfully suggest that planning, public consultation (if required) and construction in this case can be kept to a very small amount as 90% of the work has already been completed.
- I own a small convenience shop at 1 Chapel Street and the restriction on traffic entering the village along St. Oliver Plunkett Road has severely impacted on my business and others – a number of staff members in my business have so far been let go and hours have been

cut for the others. All convenience and passing trade enjoyed by the shop previous to these works has been severely impacted on.

The Council must consider a redesign of the one-way system as soon as possible.

FOOTPATHS

Note 7:- The lack of footpaths to amenities in Ballymore Eustace such as the Band Hall and GAA grounds needs to be addressed. As it is unsafe to walk (or indeed cycle) to these facilities most users travel by means of car. This area must be addressed in the proposed Local Area Plan. In specific terms:-

- Footpaths and cyclepaths are required from the village centre to (at least) all of the village boundaries,
- Where footpaths are in poor repair they need urgent upgrading
- Where new developments are proposed they should be connected to the village by means of footpath,
- Existing infrastructure of a recreational nature should be urgently connected to the village by way of footpaths eg the GAA grounds, band hall.
- The road between Hillcrest and the band hall should be urgently realigned for safety reasons and for inclusion of a footpath.
- A footpath / outer wall boardwalk should be urgently considered over the Liffey Bridge

Note 8:- Ballymore Eustace has walking facilities such as the River Walk and any Plans for the Village should facilitate and encourage expansion of such walking facilities. In 2008 the Tidy Town Association commenced development of a Village Nature Trail and a Village Heritage Trail.

Note 9:- A study should be carried out of old tracks and trails and the use of publicly owned or semi sate lands in order to investigate the feasibility of encouraging recreational walking / cycling.

The old railway that ran through the East Kildare Uplands could be developed into a walk. Much of this land is now incorporated into farmland and forgotten about, however there still remains a few pockets that should be protected either for walking purposes or possibly even as part of our heritage.

Note 10:- During 2008 / 2009 the Ballymore Eustace Community Development Association came up with some feasible proposals for walking trails within the Village, spreading out along the Liffey and Wicklow / Kildare Boundary to Golden Falls, Poulaphouca and Poulaphouca Reservoir and Russborough House. These walks require the support of Dublin City Council, ESB, Russborough, Failte Ireland, Wicklow County Council and Kildare County Council and initial feedback from these organisations is quite positive.

Note 11:- Existing trails and rights of way must be protected from being blocked or incorporated into adjacent agricultural lands. The Council should have a register of public access rights of ways. Developers seeking planning

permission should be asked to provide access for walks that could potentially link to other (proposed or existing) walks and trails. A walking or trail plan for the Village and its environs should be established.

WASTEWATER TREATMENT PLANT

See Note 3:- In relation to wastewater treatment facilities, Kildare County

Council has recognised that the current location and usage of the Ballymore Eustace wastewater treatment facility is totally unsuitable and has proposed a new site at Kimmeens. Construction has not commenced and this must now be a priority. The provision of proper wastewater treatment facilities would (1.) enable some positive controlled development to occur in the village and (2.) prevent further pollution of the River Liffey at the existing outdated plant. In this regard “replacement of the Ballymore Eustace wastewater treatment plant” should be included as a priority.

Note 12:- **The CDA supports the moving of the Ballymore Eustace wastewater treatment plant to the proposed location downstream of the village due to the urgent need to stop the pollution of the River Liffey and river walk and to facilitate some development within the village. However our committee would like to request Kildare County Council to revisit the proposal to connect the Ballymore Eustace sewerage network into the Kilcullen scheme and expanding this to include Blessington and its environs. The hugely expanding town of Blessington, discharges into Golden Falls, half a mile upstream of Ballymore Eustace and Golden Falls is already considered polluted by the Environmental Protection Agency.**

Water treatment

The Community of Ballymore Eustace recognises that the Dublin City Council water treatment plant is a major source of water for the county and the Greater Dublin Region. This provision of water, however, comes at a price to Ballymore Eustace. The water treatment plant has long been a major source of pollution in Ballymore Eustace. The ongoing expansion of the facility will have a direct impact on the village in terms of an increased pollution potential and visual impact.

Note 13:- The source of water to the DCC WTP - the major Poulaphouca Reservoir and the smaller Golden Falls Reservoir, must be protected from further pollution and increased wastewater discharges. It must be acknowledged that a small proportion of the Poulaphouca Reservoir is in County Kildare and close to Ballymore Eustace as is the whole of the Golden Falls Reservoir. Protection of these waters (1.) as a source of drinking water and (2.) as an amenity (Golden Falls is now an internationally recognised water skiing location and a popular fishing lake) should be an objective.

Note 14 (& See Note (9)):-

Dublin City Council owns significant lands at the Ballymore Eustace Water Treatment Plant, Ballymore Eustace, Co Kildare. The original landholding has been added to significantly in recent years with the purchase by Dublin City Council of additional buffer lands. The overall landholding is in an area of outstanding beauty located in the East Kildare Uplands, situated on the banks of the Liffey, incorporating lands adjacent to Golden Falls reservoir. The lands have a number of heritage features including part of "The Pale". There is a lot to offer the local community, including a safe country walking trail and a place for playing field sports and training not possible in the current GAA grounds. The lands are located in close proximity to the Village of Ballymore Eustace. For the last couple of years the Community Development Association has been endeavouring to obtain a small parcel of land for the purposes of providing a community training pitch. The only playing pitch currently in the village is provided by the GAA at nearby Bishopsland and this pitch has for some time been operating at full capacity due to the large and growing number of teams using it.

The Dublin City and Kildare County development plans have specific chapters and specific objectives in relation to developing local communities in a safe, healthy, sustainable manner using, for example – Community Development and Recreational Amenity and Open Space objectives. The City Council has started the preparation of a new City Development Plan. The Ballymore Eustace CDA has produced a paper on the recreational, amenity, and community objectives of the current Development Plans (& Corporate Plans) for County Kildare and Dublin City and asks the question as to why such policies are not implemented on public lands.

Note 15:- The Ballymore Eustace Community requests that policies in the Dublin City Development Plan and the Kildare County Development Plan (and the County's Corporate Plans and Sports Strategies) relating to provision of recreational and amenity lands are implemented on publicly owned lands.

Note 16:- Dublin City Council's new Sports and Active Recreation Strategy 2009 – 2016 is being developed to deliver enhanced services to encourage healthy and active living. The community of Ballymore Eustace would like to be included in this strategy – such is the extent of Dublin City Council's landholding in the Village".

Retail Strategy:

As stated earlier Ballymore Eustace is identified as a Level 4 Tier2 Village Centre in the County Hinterland in the County Development Plan. In real terms this means that Ballymore Eustace serves a fairly rural catchment. There is increasing pressure in Ballymore Eustace for residential development, however, for the previous 15 years this has been almost nil except for one off dwellings outside of the village boundary.

Note 17:- Some development is now required to sustain the shops already located in the village as well as encouraging the provision of simple services such as a full time Garda presence, a coffee shop etc. Care should be taken to ensure the shops and services in the village do not fall foul to huge shopping centres proposed for Naas and Newbridge. Indeed developments in Blessington and Tallaght also have a huge effect on Ballymore Eustace.

Ballymore Eustace is seen as an "as needs" or convenience shopping village with most people doing a weekly shop outside of the village in Naas, Newbridge or Tallaght.

Note 18:- Existing shops should be allowed to expand where possible (subject to proper planning permissions) to redress this balance. Care must be taken where new planning applications are submitted for commercial developments outside of the village core. Most properties in the core of Ballymore Eustace were at one time commercial and they have long since been converted into residential / rental accommodation. The residential nature of the core of the village should not force / restrict new commercial development within the Village. The CDA would object to any commercial development outside of the Village core that would injure the prospects of retaining / encouraging core village commercial activities.

Housing: The whole issue of housing has become one of much debate in Ballymore Eustace with some believing development should be severely restricted to keep Ballymore Eustace in a state of "status quo" whilst others would like to see some growth which would allow our youth to remain living here and also so that more services could be provided in a sustainable manner. Ballymore Eustace is still very desirable place to live, however it is a difficult place to do business. Commercial properties find it hard to trade well and most commercial properties have come on the market over the past 5-6 years.

Note 19:- The Community Development Association recognises the need for development in the village and in that regard it is important that infill housing is

allowed where appropriate and that residential development is allowed in Ballymore Eustace albeit in a very controlled sustainable manner. Lands currently zoned in the development should facilitate new building and an assessment is required as to whether additional zoning is required. As stated earlier, this relies on the provision of wastewater treatment facilities and provision of access to landlocked zoned lands.

Ballymore Eustace is one of the very few places in Ireland over the last decade that has sustained a reduction in population due to a lack of development in the area. This lack of development in the village has led to a proliferation of one-off dwellings in the country side. In fact, the ratio of sewered properties to unsewered properties is less than 50/50. The Census 2006 indicates that there are 248 sewered properties in Ballymore Eustace compared to 269 properties on individual systems. This goes against every planning, environmental and transportation national policy set down in the last 10 years.

To put those figures into a different context:- the Census 2006 is divided into the Town E.D. and the Geographical Area. When compared with the Census 2002 Ballymore Eustace is shown to have sustained a 61 person reduction in the Geographical Area, however on closer examination it is clear that this reduction has been experienced totally within the Village Boundary (Town E.D.). The census clearly shows that Ballymore Eustace has sustained a 7.8% reduction in population since 2002. See Table 1.

Table 1

Ballymore Eustace	Census 2006	Census 2002	Reduction	%Reduction
Town E.D.	725	786	61	7.8
Geographical Area (incl Town E.D.)	1524	1584	60	

This lack of inward development – despite there being sufficient zoned lands - has resulted in a village that is deserted during the day. Kildare County Council needs to reverse this trend and not only provide for development, but also the Council needs to ensure that development for Ballymore Eustace is appropriate to the Village. To date Kildare County Council planners have taken the easy – but negative – route and refused almost every planning permission submitted in relation to the Village on the grounds of a lack of sewerage infrastructure. The traders in the Village require growth as do the young population who wish to remain in the village. It is not acceptable that

every significant planning application received by Kildare County Council is refused as a result of a lack of sewerage facilities. Kildare County Council is obliged to provide such services.

Rural Housing Strategy:

Due to the restrictive nature of development to date in the village, huge pressure was put on rural resources to facilitate people wanting to remain living in Ballymore Eustace.

Note 20:- It must be stated that the provision of wastewater treatment facilities for the village is essential in controlling rural development. Over the last few years many people have built houses in the countryside that would have been quite happy living in the village. By allowing development in the village, rural sites are more easily confined to those qualified to live in the countryside.

Note 21:- TIPPERKEVIN. Tipperkevin has been identified as "rural node" i.e. an area where community facilities such as post offices, schools, shops, footpaths, public lighting, sports facilities, multiple housing schemes and employment opportunities are very limited and as such it is an objective of that all new development shall be for local need only. This policy is welcomed however it should not rule out development that may provide any of the above facilities. Tipperkevin is rich in beautiful views and scenic routes. It overlooks the Punchestown Racecourse and event centre with views across Central Kildare. On the other side of Slieve Rue there are views over Blessington and the Lakes to the Wicklow Mountains.

Note 22:- POULAPHOUCA. A significant omission from the draft development plan relates to the settlement of Poulaphouca. Poulaphouca is on the Wicklow / Kildare Border and is part of the East Kildare uplands, about 3 miles from Ballymore Eustace, on the edge of the Poulaphouca Reservoir on the N81. The only part of Poulaphouca that is in Wicklow is the Poulaphouca House Hotel and grounds. The shop and service station, pitch and putt course, ESB substation, and up to 15 houses in a multiple housing scheme are in County Kildare, as is the Poulaphouca Amenity park and toilets. Poulaphouca is a very important settlement in terms of architectural conservation and heritage, protected views and scenic routes, landscape and character areas, tourism, local needs housing, rural housing strategy, traffic management and amenities. The development plan needs to recognise this. Furthermore the Route Selection Process for the N81 should recognise the importance of protecting this settlement - road safety is of paramount importance in relation to Poulaphouca as is development of a safe walking route within the settlement and along the reservoir. Poulaphouca is on the main N81 route with no footpaths between residential, amenity, bus stop and commercial areas and no traffic restrictions except a 60kph speed limit. This must be addressed immediately. The CDA is aware that Poulaphouca is outside of the remit of a Ballymore Eustace Local Area Plan, however it is felt that Kildare County Council must be immediately put on notice regarding the dangerous

situation Poulaphouca's residents find themselves in regarding road safety in particular. Poulaphouca can no longer fall between Kildare and Wicklow in terms of responsibility.

Telecommunications:

Note 23:- Undergrounding of Services

Planning permissions for development in Ballymore Eustace should ensure that all services are required to be placed underground with future capacity also considered and appropriate ducting put in place. Where Kildare County Council carries out major footpath upgrades ducting should be provided so that existing services may be put underground.

Note 24:- As Ballymore Eustace is in the East Kildare Uplands it may be considered a prime location for placement of mobile masts. This should be highly regulated in terms of visual impacts, distances to schools and residential areas, security, design and siting.

Agriculture and Bloodstock Industry: These industries are extremely important to Ballymore Eustace and the relevant policy statements are welcomed. Punchestown in particular is very important to Ballymore Eustace, with Naas and the Curragh also in relatively close proximity. Furthermore Ballymore Eustace plays host to some internationally recognised stud farms with worldwide reputations for quality bloodstock.

Note 25:- It is very important to Ballymore Eustace that the quality of our bloodstock industry and related facilities is maintained to a very high degree. Agriculture in general is also important to the village and commercial / retail development which provides a service to farmers should be encouraged where possible to ensure Ballymore Eustace remains a focal point in a large farming catchment. Developments with an emphasis on the bloodstock industry should be encouraged however care should be taken to weed out spurious applications using the horsy theme to acquire planning permissions.

Social Strategy: This area involves one of the most important policies the Community believes is essential to the further development of Ballymore Eustace. "Building strong inclusive communities is a key element in achieving sustainable development objectives. Sustainable communities require not only economic development but also provision of and access to education, health and community support services, amenities and leisure services and a good quality built environment. Communities also require opportunities to meet, interact and form bonds, essential prerequisites to the development of a sense of place and belonging".

Ballymore Eustace is already an attractive place to live with a very inclusive community and a good sense of community still prevails in the village. Our community group tries to be to the fore in the whole area of social inclusion.

Our resource centre plays host to the local playschool and the parent and toddler group as well as numerous groups and societies eg "the Friendship Club" for the elderly, Gardening Club, Ladybirds and Guides etc. We also act as a focus for Tidy Towns, Community Alert and Meals on Wheels.

Note 26:- It should be a policy of all Plans impacting on Ballymore Eustace to support the endeavours of Community Groups who provide community facilities and to encourage other areas of inclusion such as youth programmes / clubs.

In terms of socially inclusive infrastructure The Village has a Resource Centre, a Band Hall, a GAA Grounds, HandBall Alley, Freds Fashions and ICA hall. These facilities should be supported and developed by the local stakeholders but it should be noted that the support of the Local Authority is essential in this. Indeed the Old Council Library was demolished and removed by the community (with the support of local contributors) and a new tidy towns centre is in the process of being established.

Note 27:- In the future it is hoped that the Village could support a full sports complex on one of the above sites and the CDA has done some work in identifying the most appropriate site for this infrastructure. When planning permission is sought for this facility, the Council's support during and after the planning process is very important. In this regard, it is important that areas of potential recreational zoning are now identified.

Note 28:- See notes 10, 12, 13 & 14 also. Again it is worth mentioning that existing lands in public ownership should be considered for recreational and amenity purposes and such lands do exist at Ballymore Eustace.

Note 29:- See notes 7, 8, 9 & 10 also. In the context of Amenity schemes, it is essential that the banks of the River Liffey in Ballymore Eustace and its environs remain accessible to the public.

Note 30:- See note 7, 8, 9, & 10 also. A number of public walkways in the area should be monitored by the Council to ensure adjacent landowners do not incorporate these rights of way into their own landholdings. With the amount of traffic on our roads ever increasing these old tracks if recognised could represent an attractive alternative to walkers. There are a number of such tracks in the Ballymore Eustace area that should be examined eg at Golden Falls, Bishophill and the old Tullow railway line.

Tourism: Tourism could be expanded in Ballymore Eustace especially in relation to Horse Racing, Fishing, Watersports and Filmmaking spin-offs. Ballymore Eustace has played host to the stage final of the National "Milk Ras" cycle race, World WaterSki-Championships, The World Endurance Horse Race final sponsored by the Emirates and even the Tour De France.

Note 31:- Tourism is one of the growth sectors in our economy. Ballymore Eustace is well poised to be a front-runner in bringing people into County

Kildare. As one of the gateway villages between Wicklow and Kildare, adjacent to the Wicklow Mountains and Poulaphouca Lakes and central to the Horseracing areas of Kildare, Ballymore Eustace should be earmarked as a potential area for tourism related infrastructure.

Ballymore Eustace is home to Nationally recognised Restaurants with the Ballymore Inn listed on the Bridgestone 100 best places to eat and the Thatch Bar and Restaurant winner of numbers "Black & White Best Pub" awards. The newly refurbished Ardenode Hotel and Restaurant is also of historical significance.

Note 32:- Film Making Location: Ballymore Eustace should be highlighted as a superb location for film making and an area of outstanding beauty as shown in movies such as Braveheart, King Arthur and Lassie with more recent adverts filmed in Ballymore for Budweiser, & Vodaphone. A full list of filming at Ballymore Eustace is available at http://www.kildare.ie/ballymoreanglers/06_general_news/

Such is the valley shape and tree line that disguises it. It is this landscape that brings film companies to the East Kildare Uplands and in particular Ballymore Eustace time and time again. The proximity to the capital, the diversity of landscape and the unspoiled views is what we have still to offer. King Arthur and Braveheart were both huge movies filmed here. "Shake Hands with the Devil" was filmed here years ago and shows that even over time Ballymore Eustace is held in high regard as a showcase village. Indeed in recent times, Ballymore Eustace has also played host to Lassie, the Guinness Hurling advert for 2002 and more recent Budweiser Adverts, "This is Ireland" a BBC production, "YEU MING is ainm dom" an award winning short film, "On home ground" a domestic GAA soap and "Malice Aforethought" completed filming in the village in 2004. Six Shooter which starred Brendan Gleeson was filmed in the village in 2005 and won an academy award. Even in 2009, Vodaphone came to Ballymore Eustace for their most recent "Red Doors" advert. If you include the whole parish of Ballymore Eustace then films such as "Michael Collins, This is my Father, and Widows Peak can be included.

Note 33:- These film productions set Ballymore Eustace on a world stage which is all the more reason to allow the village to retain a special village status. Such a status would serve to ensure visitors keep coming to County Kildare in order to see what the East Kildare Uplands has to offer. If the English Tourist Board can bring hoards of tourists to see historical areas connected with King Arthur on foot of the film then surely we can bring them to where the film was really shot. The special village status can only serve to ensure that the traits and landscape that attract both tourists and filmmakers alike are protected in the strongest manner.

The village also plays host to award winning restaurants and hotels that are known countrywide for their quality. As such it must be reiterated that the retention of the "special village status" is essential in further promoting Ballymore Eustace to the tourism sector.

Extractive Industry: It is very important that the policies set out regarding the extractive industry are clear and well defined. The Ballymore Eustace Community Development Association recognises that the village is located in an area rich in mineral deposits. It is also recognised that despite objecting to proposals for the extraction of such materials, due to the lack of sand and gravel on a national scale, decisions regarding such proposals are often taken away from local communities and made in the national interest leaving those local communities with the prospect of lengthy costly planning battles with the quarry developer ultimately succeeding. The Community Development Association is aware that local authorities have been given powers under Section 261 of the Planning and Development Act 2000. This should be rigidly enforced and all existing quarries in the Ballymore Eustace area should now be registered. Proposals for new quarries will have to undergo a full and proper assessment in terms of the Planning and Development Act 2000, as will any extensions to existing quarries. Very strict policies must be put in place regarding the siting of new quarries and these policies must include a detailed examination of routes, road standards, proximity to residential areas and schools, environmental matters, SACs, SPAs, NHAs etc, restoration procedures and timeframes.

Note 34:- Any disused quarries in the Ballymore Eustace area should be considered suitable for restoration with clean imported waste soils. The Community Development Association would object to the use of any of these pits for "landfilling" purposes with any type of objectionable wastes. Opening disused pits for the deposit of soils would (a) facilitate their restoration and (b) ensure developers in the Dublin region have somewhere to deposit excess soil from larger developments. This would in turn reduce dependence on illegal or unauthorised sites and also eliminate illegal dumping in those quarries. Obviously council resources would have to be provided to ensure such sites are very well monitored.

Note 35:- There should be clear public gain in relation to extraction / filling of quarries as occurred in the case of KTK Sand & Gravel and the restoration of the Kimeens quarry. This pit has now been restored and references in the current development plan should be amended accordingly.

Development Control Standards: Development Control Standards are especially important in the context of retaining the special village status of Ballymore Eustace. As development was delayed and restricted during a period of rushed growth in the County, the opportunity now exists to ensure each new development proposed for Ballymore Eustace is designed to a very high quality. Indeed there are a number of developments currently in the planning process. It is essential these developments if granted are completed to a very high standard.

Note 36:- The Development Association would suggest that development within areas that are currently stone walled be required to retain, replace and repair those walls where appropriate.

10/72	<i>The Ring – Earthwork</i>	<i>Sillagh</i>	24:11
	04/08/72		
1/99	<i>Medeival Settlement</i>	<i>BME East</i>	29”

Note 42:- As can be seen, Ballymore Eustace is rich in National Heritage areas and when combined with Landscape Character Areas, Protected Views and Scenic Routes and Architectural Heritage it's clear the special village status of the village should be retained.

“Landscape Character Areas.

Table 18.1	Landscape Character Areas
18.3 Uplands	1 Eastern Uplands
18.6 River Valley	2 Liffey Valley”

Ballymore Eustace falls into the categories of both “upland” and “river valley”. There are few places that exist now so close to major urban centres that can boast the Landscape Character that defines Ballymore Eustace. The village is set at the foot of the Wicklow Mountains, almost bowl like, amongst a cluster of hills with the River Liffey meandering its way on to the lower Kildare Plains. Every road out of Ballymore Eustace is uphill, some moreso than others. You can stand on top of Bishopshill and look across the village without knowing it even exists except for the water tower on the DCC Water Treatment Plant.

Note 43:- Landscaping elements are essential to any development in Ballymore Eustace. Inappropriate use of lands for development will quickly become an eyesore unless Kildare County Council are very sensitive to landscape features and recognition is given to the fact that Ballymore Eustace lies in a beautiful river valley..

Note 44:- It is requested that Kildare County Council considers Ballymore Eustace as a landscape character area in its own right. In conjunction with the local area plan a landscape plan for the Village should be drawn for implementation by both Kildare County Council and the local Tidy Towns. The following aspects should be considered for inclusion in this element of the plan:

- Consultation with local landowners

- Repairs to all stone walls on approach roads to the village
- Replacement of / cleaning of all Council signage within the village boundary
- Scheduled road sweeping to include the Council estates and estates taken in charge (not just the main street)
- Location for bottlebanks , considering appropriate construction of site, cleaning schedule, CCTV etc
- Planting areas / beds at various locations
- Upgrading of remaining footpaths to include some tree planting where appropriate
- Tree planting on approach roads
- Enforcement of litter act with regard to signage without planning
- Improvement of derelict sites / Enforcement of Derelict Sites Act

“Protected Views and Scenic Routes:

Table 19.1 Views of the River Liffey from Bridges

View Ref	Bridge	Location
RL13	Ballymore Bridge	Ballymore Eustace”

Note 45:- The dismantled railway once crossed the River Liffey at Mullaghboy / Rochestown, Ballymore Eustace. This element of the railway line should be protected as a walking route. It may already be too late for this to be set in motion as much of the line is now reclaimed as agricultural land and incorporated into farmholdings. Where this railway line crossed the River Liffey there still remains one of the most magnificent bridges ever built over the river. It is a stone bridge of superior quality. **This bridge should be protected (under our Architectural Heritage) and the views from it should also be noted.** The bridge and railway line in this area are one of the forgotten areas of beauty in Ballymore Eustace seen only now by the odd fisherman and farmer. The railway line itself, from the Ballymore – Brannockstown Rd, is still raised and tree lined and leads up to this magnificent bridge however most of the line has probably disappeared by now.

“Table 19.6

Scenic Route No	Description
7	Views of Blessington Lakes; N81 from Poulaphuca Bridge to County Boundary at Bishopslane (Views of Golden Falls should be included here)
9	Views of River Liffey; R411 Liffey Bridge at Ballymore Eustace to Cross Roads Boundary at Silver Hill Upper Townland

- 13 Views to river Liffey on the R413 from Brannockstown Cross Road to Ballymore Eustace.
29 Views of Countryside and East Kildare Uplands from Bishophill Commons”

Architectural Heritage: There are 12 listed protected structures for the Ballymore Eustace area of County Kildare as diverse as “The Ring2, earthworks at Sillagh to Ardenode House - a period house and lands of outstanding beauty. There are more structures for proposed protection in the village, mainly houses of character.

Note 46:- The Community Development Association would request that the following structures are also investigated with a view to listing them for protection:

1. The old disused railway bridge at Rochestown/Mullaghboy
2. Parts of the old disused railway line.
3. Some of the bridges, which brought the line over or under our road network. (*Where safety permits*)
4. Elements of the woollen mills at Ballymore Eustace. Obviously this building is now completely derelict and in total ruin however were the site to be redeveloped in the life of this development plan it would be nice the see parts of the mill race retained or the mill wheel. The Community Development Association would not however suggest protecting the ruins to such a degree as to make the cost of redevelopment unattainable.
5. The Poulaphouca Bridge (This structure is in County Kildare)
6. Stone Crosses within the grounds to St Johns Church and St John’s Church Itself.
7. The well and stone stile in Dorans Park, Couglanstown / Kimmeens.

Note 47:- The Council proposes to add to the County Development Plan, numerous structures for protection as structures of Architectural Heritage. **It is important that ruined or derelict structures are not protected to such a degree that no developer will consider upgrading the structure. In fact the Council should implement the derelict site legislation top ensure such site are kept up to a decent standard.**

Environs Plans:

Note 48:-The environs plans for each of Naas, Blessington and Punchestown could have a knock on effect on Ballymore Eustace due to our proximity to each of them. Any proposals for each of these locations should not be allowed to have a detrimental effect on Ballymore Eustace especially in relation to loss of services or amenities.

The Community Development Association would object to allowing Punchestown to ever expand into a village centre in its own right as we feel that villages in the vicinity of the racecourse should be allowed to benefit from the use of Punchestown. In addition we feel that both concerts and racing attract many people to the County that would not normally have cause to visit Kildare and it's good for these people to see and stop in other areas of the County. Their contribution to this area is very important. Indeed our experience is that some of the activities have occasionally a negative effect on Ballymore Eustace in terms of increased litter, traffic movements, roadblocks and unsocial activities so it is important that the benefits continue to outweigh the negatives. The Community Development Association would encourage the use of Punchestown, however, public consultation would be encouraged on occasion. With regard to development in the Punchestown Environs we would have no objection provided this development did not encroach on or reduce the amenity potential of the racecourse.

Biodiversity Plans:

Ballymore Eustace has not been over developed during the last decade and it is likely that the village will see reasonable growth over the coming decade instead. The opportunity exists to set significant objectives with regard to biodiversity for the Village. The Village is rich in landscape character, set in the foothills of the Wicklow Mountains (East Kildare Uplands) with the River Liffey at its core. Areas that will be subject to applications for development in the near future share boundaries with the River Liffey itself, tributary streams, wetlands, woodlands and agri-lands. There are also greenfield infill sites in the village centre which will undoubtedly become the subject of planning applications for development.

Note 49:- In the context of future development, it is important that this development plan identifies the myriad of other plans, policies, codes of practice, guidance documents and directives that exist in relation to "biodiversity" and provides a level of consistency between them.

For example with regard to the River Liffey,

- The County Development Plan has objectives to provide a green belt along the River Liffey which is admirable but often at the discretion of the planners. Certain views over the River valley are also protected under the County Development Plan. Sections of the riverbank are protected by way of SPAs or SACs which is legally stronger and backed up by the Habitats Directive and Birds Directive.
- The Dublin Regional Code of Practice for Drainage Works (which County Kildare is signed up to) recommends that no development is permitted within 15m of a river or stream to allow for river maintenance and flood alleviation.
- The Eastern River Basin District (ERBD) report and programme of measures (and the aforementioned Code of Practice) recommend ensuring rivers and streams are not culverted and remain in their natural channel. (The amount of a river in its natural state is one of the

water quality criteria set in the Water Framework Directive). The Water Framework Directive also requires that pollution of water does not occur.

- The recently enacted Floods Directive requires local authorities to develop a flood plan for the county's watercourses.
- The Eastern Regional Fisheries Board have a guidance document entitled "Requirements for the protection of fisheries habitat during construction and development works at river sites".
- The Wicklow County Development Plan and the Blessington Local Area Plan have a significant impact on the River Liffey at Ballymore Eustace. Significant growth in the town of Blessington will have a very detrimental impact on the biodiversity quality of the River Liffey at Ballymore Eustace due to the significant wastewater discharge into Golden Falls..
- Dublin City Council are very significant riparian landowners in relation to the River Liffey at Ballymore Eustace and in the context of negative impacts on the biodiversity of the River. Their own County Development Plan however does not refer to this. Dublin City Council's activities on their lands also have the potential to continue to impact negatively on the biodiversity of the area. Dublin City Council should be specifically asked to comment the proposed Draft Development Plan in the context of their own lands.
- ESB are also significant riparian landowners in relation to the Liffey and recently cut down dozens of trees on the N81 upstream of Ballymore Eustace. The ESB should be specifically asked to comment on the proposed Development Plan in the context of their own lands.
- The flow in the Liffey through Ballymore Eustace is controlled through two reservoirs, namely Poulphouca and Golden Falls. Poulaphouca is a protected reservoir and the same status should be afforded to Golden Falls. (Poulaphouca Reservoir is mainly in Wicklow with small portions in County Kildare whilst Golden Falls is wholly in County Kildare.
- The Community Development Association for Ballymore Eustace has objectives for protection of the river belt and are significant riparian landowners.
- Kildare County Council themselves have proposals to replace the old Wastewater Treatment Plant adjacent to the river by moving it downstream. Biodiversity considerations should be included in that proposal.
- The River Liffey has a tributary which also flows through the village. The same considerations should be applied to that stream, especially in the context of the 15m maintenance and flood relief buffer area (Regional Drainage Code of Practice), provision of a green link from agri-lands north of the Village through to the River Liffey itself and consideration with regard to development pressures being currently experienced on lands adjacent to the stream. It should be noted that the Department of Education are also riparian landowners and there is huge scope to involve Scoil Mhuire in this area of biodiversity and in the holding/renewal of it's Green Flag Award.

And that's just the Liffey through the Village of Ballymore Eustace.

Much of the above also applies more generally to the Village as a whole. It should be a policy of the biodiversity plan to ensure the open spaces within developments are linked in some way to the wider natural areas. This can be done by way of providing the required open space adjacent to a woodland or river or by the planting of decent hedgerow between cut off open space and the wider green areas. Hedgerows (or at least appropriate trees) should be planted along roads and possibly between houses sharing a common long boundary eg between back to back rows of houses.

Ballymore Eustace has many advantages in terms of it's biodiversity as there remain many areas within the heart of the Village that link outwards to very rural areas via a network of fine green belts. The River walk for example can be accessed via numerous areas of the village. Once on the main river walk there are tracks (not official walks – yet) heading north along the Coughlanstown Road and South into the Old Derelict Mill, The Dublin City Council Water Treatment Plant lands, the ESB lands and on to Golden Falls Reservoir. Everything from the odd Kingfisher and Heron to Otters and Deer can be seen here – all within a 15min walk of the centre of the Village. Yet this extended track is known only to a few fishermen and access is often frowned on by the public bodies that own them. It is essential that these tracks are protected and made accessible and that developers or landowners (especially public / state body landowners) are encouraged (or required to) maintain access.

Note 50:- The Community Development Association would like to suggest that in terms of protecting biodiversity, the following locations are investigated with a view to listing them for protection:

1. The old disused railway bridge at Rochestown/Mullaghboy
2. Parts of the old disused railway line.
3. Some of the bridges, which brought the line over or under our road network. (*Where safety permits*)
4. Elements of the woollen mills at Ballymore Eustace. This building is now completely derelict and in total ruin however were the site to be redeveloped, it would be appropriate to the see parts of the mill race or the mill wheel refurbished. The Community Development Association would not suggest protecting the ruins to such a degree as to make the cost of redevelopment unattainable. This area is extremely rich in biodiversity and at the very least, certain trees should be protected and the 15m buffer with all streams and the River Liffey should be maintained. (except where the stream flows within the actual confine of the building). Existing walks through the property should also be protected.
5. The Poulaphouca Bridge and valley below
6. St John's Church and grounds.

Climate Change Strategy:

For the purposes of this submission, climate change will be divided into the areas of Energy, Planning, Transport, Waste Management and Ecosystems.

(a)Energy

Note 51:-The local authorities and semi-state bodies who control much of the planning policies in relation to the Ballymore Eustace area and also much of the landholdings around the Village, should be tasked to carry out a study to identify areas suitable for renewable energy development and promote best practice in renewable energy through their own projects and operations. This is where Kildare County Council and Wicklow County Council as policy setters and Dublin City Council and the ESB as very significant landholders in Ballymore Eustace could come together in an innovative and creative way to look at ways of producing renewable energy – in addition to that already produced by the two ESB Liffey dams. Pilot projects on hydropower or wind energy may be feasible on lands such as the elevated location of the Water Treatment Plant owned by Dublin City Council. Indeed Ballymore Eustace could become a pilot for the development of a CO2 neutral village or a net producer of renewable energy.

(b)Sustainable Planning

Note 52:- Ballymore Eustace has the potential to be seen as “how to plan a Village right”. With the lack of development through the boom years little housing stock was constructed in the Village. Once the sewerage plant is upgraded this is likely to change. It is important that any new planning is done in accordance with a Plan and that plan must drive development in a sustainable manner. Ideas in that regard include:-

- Provision good information in all planning projects so that people are willing to live in new forms of housing, be more energy conscious, conserve water, recycle and be more litter conscious and use public transport / walk or cycle.
- Promote overall sustainability in developments and not only focus on individual areas
- Influence private builders to improve the design standards of new building
- Introduce requirements for the high energy and renewable requirements in the forth coming County development plan 2010-2016
- Promote the use of Sustainable Drainage Systems (SUDS) where appropriate
- Introduce requirements in line with National policy, for the highest energy saving standards in planning permissions for alterations of existing buildings
- Energy efficiency in all existing developments should be encouraged through improving the thermal performance of the dwellings. The measures should include proper insulation of walls, floors and roofs, insulation of the hot water storage system, replacement of inefficient windows with high grade argon filled low e double glazing and the replacement of inefficient heating systems.

- Provision of new financial support mechanisms for delivering local advice, guidelines and information to building owners in order to encourage refurbishment of the existing building stock (commercial and residential), as these services can not be delivered at local level at zero cost
- Develop a programme for small businesses to help them be more energy efficient.
- As part of the programme to reduce leakage (unaccounted for water) and conserve drinking water, continue to replace defective mains
- Promote water conservation

Note 53:- Development and Local Plans: Planners must, through the Sustainable Energy Strategy, develop methods to insure that all land use plans produced by the council are consistent with the National Climate Change Strategy and, Council's Climate Change Strategies. Consideration should be given to increasing residential densities where appropriate, minimising loss of agricultural land and prioritising areas for zoning where alternative modes of transport are available/planned.

Note 54:- Energy use in the residential sector:

New developments in Ballymore Eustace should be scrutinised at the masterplan level to insure that they deliver high energy standards in the areas of transport, buildings and infrastructure and that they are future proofed toward the rising national energy standards.

(c)Transportation

Note 55 :- Ballymore Eustace has a lot going for it in terms of sustainable transport, however measures must be put in place to encourage this. The use of Dublin Bus (No. 65) has to be encouraged for people travelling to Dublin. The use of the Community Network bus should also be encouraged for travel to and from neighbouring bigger towns. Bicycle and Pedestrian movements are generally shunned in favour of the car. As a rural village this is generally because of safety concerns with regard to the road network. People living in the Village could be encouraged to walk or cycle to school and a school bus does operate on longer runs. In general though it is not safe to walk or cycle on many of the roads in the area, either to get to and from the village or in pursuit of recreational activity. As stated earlier in this submission, it should be an objective of all plan relating to Ballymore to provide for footpaths to strategic well used locations such as the band hall and the GAA pitch

Note 56:- Renewable and Clean Fuels

Such is the extent of the landholdings in the Ballymore Eustace area owned by Local Authorities or Semi-state bodies, areas could be provided for the planting of biofuel crops eg The DCC WTP or ESB fleet of vehicles could consider using biofuels rather than the standards diesels and petrols they may be currently using.

(d)Waste Management

Note 57:- Ballymore Eustace is serviced by the Local Authority Collection Service and also by a number of private waste collectors. Up to three refuse trucks could be traveling to the same location to collect household waste in the Village. This is not a sustainable way to collect waste and needs to be addressed.

Note 58:- Ballymore Eustace does not have bring banks at the moment and through discussion with property owners or developers it is essential that a site for these is identified. The Council must produce policies in relation to the design and location of bring banks to eliminate fly tipping at them and to mitigate against the noise nuisance caused by some bottle banks being used early in the morning or late in the evening.

Wicklow County Council Development Plan:-

Wastewater

Note 59:- It is suggested in 5.3.2 of the Draft Wicklow County Development Plan that due to proximity, road links and strong interaction for services, Blessington could logically be "clustered" with Naas or Tallaght. However it should also be remembered that Blessington is very restricted in terms of growth and the Ballymore Eustace community remain opposed to the wastewater discharge into Golden falls and will object to any proposed increases in the volume of wastewater discharged. The Ballymore Eustace Community is also opposed to the granting of any industrial IPPC or Section 16 trade effluent licences in the Blessington urban area. This should be noted in the relevant Development Plans.

Note 60:- Consideration should be given to bringing a sewer from Blessington to Citywest and discharging wastewater to Ringsend. This could be completed in conjunction with the proposed N81 upgrade. In conjunction with this, a collection system should be provided for the Reservoir Villages of Lacken, Ballyknockan & Vallemount to eliminate septic tank discharges to the Poulaphouca Reservoir. It is not acceptable to the residents of Ballymore Eustace that the current Blessington Wastewater discharge is upstream of the Village.

Tourism

Note 61:- The regions tourism and recreational attractions are important assets and are fundamental to the enjoyment of the area by both visitors and residents. Wicklow County Council and Kildare County Council could do a lot more to jointly promote the "Liffey Valley" and tourism along the N81. The racing industry of Kildare is situated mainly in the Eastern Part of County Kildare with Punchestown, Naas and The Curragh easily accessible from West Wicklow. Poulaphouca Reservoir is a fantastic amenity that could be

promoted better. It has huge potential for walking trails and water sports and is under utilised. There is excellent fishing at Ballymore Eustace, located along the West Wicklow Boundary. The existing film routes for Braveheart and King Arthur could be extended to include Ballymore Eustace as much of the filming was done here.

Note 62:- Of note in the Wicklow Draft County Development Plan 2010 -2016 is the omission of Russborough House as an Integrated Tourism / Leisure Recreational Complex. (9.3.3. Integrated Tourism / Leisure / Recreational Complexes). The inclusion of Rathallagh in Dunlavin is however a welcome development and begs the question as to why Tulfarris has not also been included.

Note 63:- The objectives in the Chapter on Tourism are very welcome and under 9.3.6 Tourism & Recreation Themes & Products, the statement "to support the development of new and existing walking, cycling and driving trails, including facilities ancillary to trails and the development of linkages between Wicklow and adjoining Counties" is particularly welcome in the context of Ballymore Eustace. In Ballymore Eustace, Kildare County Council, Dublin City Council & ESB also need to establish such objectives.

Transport

Note 64:- This submission is also relevant to the Kildare NRDO for their information with regard to the N81 upgrade. It is important that the route selection process accounts for any proposed walking route along the Poulaphouca Reservoir, within the Russborough grounds and from Ballymore Eustace. The extent of these walking routes may need safe crossing points.

Note 65:- The settlement of Poulaphouca must also be considered in any N81 improvement scheme, considering that although Poulaphouca is not recognized as a settlement it has a small cluster of houses, a shop, amenities, employment and a hotel and public house. Safety considerations are essential here.

Note 66:- The N81 is also a route for Dublin Bus into Ballymore Eustace and the location and positioning of bus stops needs to be considered in the context of safety and convenience.

Note 67:- It may be lesser known, but the N81 is used very regularly as a cycle route out of Dublin. Most weekends will see groups of cyclists using the route, which is very questionable considering the speed at which drivers go and the number of HGVs using the route also. The N81 upgrade should facilitate cycling, considering bicycles are prohibited from the M4, M7 and probably the N11.

Summary

This submission is quite detailed however, the various public bodies should consider each point relevant to them in full. This is probably the first time a Community has been in a position to try to deal with many public consultations in one go – in an effort to provide consistency. Hopefully those public bodies will also prove to be consistent and make some efforts to liaise with regard to the setting of policy objective involving Ballymore Eustace. We pride our committees on being very fair and reasonable and at all times we

are willing to consider proposals by Kildare County Council, other public bodies, or private developers in a fair and realistic manner. Our ethos is to encourage the building of a strong inclusive community with sustainable development objectives. We would encourage economic development in keeping with a village character, and provision of and access to education, health and community support services, amenities and leisure services and a good quality built environment. Our activities include acting as a focal point for Tidy Towns, Friendship Club, Playschool, Community Alert and our monthly magazine "The Bugle". We provide a range of facilities in our resource centre and also provide a River Walk of excellent standard. It is a policy of the Community to always seek to expand on availability of community infrastructure and recreational areas, whilst at the same time promoting Ballymore Eustace in a positive and sustainable way, when it comes to growth, development and direction.

Cc

Planning Section
Kildare County Council
Aras Chill Dara,
Devoy Park,
Naas.

Submission to
Kildare County Development Plan and
Ballymore Eustace Local Area Plan
Biodiversity Plan

N81 Route Selection Process
Kildare NRDO
Maudlins,
Naas,
Co Kildare

Dublin City Council
Submission in Relation to
Dublin City Council Development Plan
Dublin City Council
Civic Offices
Wood Quay
Dublin 8

Dublin City Council
Water Services Division
Marrowbone Lane
Dublin 8

Dublin City Council
Sports & Recreation Section

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Civic Offices
Wood Quay
Dublin 8

Wicklow County Council
Submission in relation to
Wicklow County Development Plan
Senior Executive Officer, Planning Department, Wicklow County Council,
Station Road, Wicklow Town.

Blessington Local Area plan
Senior Executive Officer,
Planning and Economic Development,
County Buildings,
Wicklow Town

Environmental Protection Agency
EPA Headquarters
PO Box 3000
Johnstown Castle Estate
Co. Wexford
Submission in relation to
Ballymore Eustace Wastewater Treatment Plant and
Blessington Wastewater Treatment Plant

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Appendix III (Extract)

Kildare County Council, Planning Report

Sanitary Services

10/654, Andrew manning, 17 houses at Ballymore Eustace

Date: - 9th August 2010

Refusal Recommended

A refusal is recommended for this application as it proposes to discharge foul water to the Ballymore Eustace Waste Water Treatment Plant which is at present severely overloaded and not meeting current discharge standards. The River Liffey to which the present treatment plant is discharging is suffering intense pollution and eutrophication. The application is therefore premature pending the construction and commissioning of a new Waste Water Treatment Plant in Ballymore.

"I cannot understand the logic for submitting this application as it is premature pending the construction of the Wastewater Treatment Plant. Planning permission was granted about 10 years ago for a treatment plant which did not materialise, a Part 8 planning process was not successful, a further Part 8 was made and was recently successful. The plan would be to construct the system in say the next three years but this is dependent on the developers providing 60% of the cost of say €3.6 millions which could be roughly €2 millions which is €10,000 per house if 200 houses are granted. I cannot see this happening. A similar situation arose in Rathangan and 3 developers got together and upgraded the plant with a proper agreement. I am of the opinion that the SLI (Serviced Land Initiative) will not happen and the whole situation regarding SLI's is rather fuzzy at the moment"

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Appendix 2 - Chapter from *Ballymore Eustace Trout and Salmon Anglers' Association - History 1974 – 2007; T. Deegan 2008* relating to KILDARE COUNTY COUNCIL SEWAGE PLANT AT BALLYMORE EUSTACE

Chapter 4

KILDARE COUNTY COUNCIL SEWAGE PLANT AT BALLYMORE EUSTACE

The Association wrote to Kildare County Council on the 9th September 1975 complaining about the discharge from the Council's sewage plant at Ballymore Eustace entering and polluting the Liffey and asking that the problem be rectified immediately.

Mr. J. J. Miley, Deputy County Manager replied on the 10th September that the matter was receiving attention.

On the 5th December 1975, another letter was sent to the County Council stating our concern that no action had been taken to solve the problem and also that since the Council planned to build a large number of new houses in the area (Liffey Heights) the matter was of the utmost importance.

The matter was also raised at the Ballymore Eustace Community Council Meeting in Ballymore on Wednesday 7th January 1976 and the Community Council agreed to raise the matter with the Kildare County Council.

On the 25th August 1977, the Association also had reason to write to Kildare County Council concerning the effluent from their sewage plant at Ballymore Eustace polluting the Liffey and stating that if no improvements were made the matter would be referred to the Dublin Conservators of Fisheries.

On the 31st August 1977, the County Secretary replied stating, --- "This matter has been referred to the Acting County Engineer for immediate investigation report. I shall contact you again in the matter when I receive the engineer's observations on your letter."

No further correspondence was received and the Association again wrote to the County Secretary on the 6th January 1978, asking for the Engineers report. No reply was received.

Concern was also expressed during 1978 about the discharge from Kildare County Councils sewage plant entering the river especially now that a large number of new houses (Liffey Heights) were to be connected into what was already an overloaded system.

The matter was raised when a deputation from the Federation of Liffey Angling Clubs (F.L.A.C.) met the Kildare County Manager on Tuesday 3rd October 1978.

The County Manager told those present that the Liffey Valley Regional Sewage Scheme is now nearing completion at Osberstown. Naas will be connected to this plant almost immediately. Newbridge will not be connected for 1½ - 2 years, depending on industrial and housing developments in the area. Ballymore Eustace and Kilcullen will be linked at a later date still. In the meantime it is not intended to do anything with the treatment works in any of these places.

On the question of pollution generally, The County Manager told the deputation that Kildare County Council has drawn up a Water Quality Management Plan in co-operation with An Foras Forbartha. They will have a laboratory in St. Mary's Naas. They will employ two technicians to take samples and monitor water quality. The Manager also said that a difference of opinion had arisen between Kildare County Council and Dublin Corporation, Waterworks Dept., concerning the effluent from the Filter Beds. Dublin Corporation maintains that this is not a licenceable discharge while Kildare County Council claims it is licenceable.

During 1981, the Association wrote to the County Manager, Kildare County Council concerning their sewage plant at Ballymore Eustace polluting the Liffey and also about the Rights of Way to the Liffey, in and around the village of Ballymore Eustace, which the Association considered to be unhygienic, and were becoming increasingly blocked by dumping and fencing. We requested a meeting with the County Manager to discuss these Rights of Way, but the County Manager ignored our letters.

During 1982, the Association received a letter plus blank report forms, from Dr. Nicholas Gray, Sewage Fungus Research Team, Environmental Sciences Unit, Trinity College, Dublin 2, requesting information on sewage fungus outbreaks. The research team intended carrying out a national survey to estimate the extent of sewage fungus outbreaks in the rivers and streams of Ireland and our help was sought in locating these outbreaks. The Association completed the necessary form, nominating the Kildare County Council's Sewage Plant at Ballymore Eustace as a place where the fungus occurs. Later we received a card from Dr. Grey thanking the Association and stating that members of the Research team would examine the site.

As a result of a letter from the Association dated the 23rd August 1982 to Kildare County Council concerning their sewage plant at Ballymore Eustace polluting the Liffey, we received the following reply dated 27th August 1982 from Mr. H. Lyons, Deputy County Manager.

"With regard to the allegation of pollution from the Councils Sewerage treatment plant, I should point out that it is the Councils plan to ultimately connect Ballymore Eustace sewerage scheme to the Osberstown treatment plant at Naas.

Due, however, to the present lack of finance for major schemes it is difficult to predict when the extension to Ballymore Eustace can be undertaken. In the meantime, every effort is being made to maintain the existing settlement tank as trouble free as possible. While the existing disposal system is not up to modern standards, the Council believes that serious pollution should not occur as the quantity of effluent discharged is very low when compared to the volume of receiving water. Furthermore, this situation is being regularly monitored. Every effort will be made to expedite the new sewerage link to Osberstown treatment plant, but in this respect, the Council must await on the Government making available the necessary finances."

In February 1989 we learned that Kildare County Council were planning to build a new sewage treatment plant at Ballymore Eustace. We were very surprised at this news because for many years previous, we had been informed by Kildare County Council that it was their intention to link Ballymore Eustace to the Upper Liffey Valley Regional Sewage Treatment Plant at Osberstown. This was also borne out by the current Kildare County Development Plan and also the Draft Water Quality Management Plan for the Liffey Catchment. A visit to the Kildare County Council offices on 23rd February 1989 yielded little information except that it was considered likely that the new plant would be constructed on the old sewerage site and discharge into the Liffey at this point. The Association considered this a totally unacceptable site for a new sewage plant.

A letter to the Kildare County Manager dated 9th March 1989, was acknowledged by the County Secretary. The County Secretary stated that he had referred our query in regard to the siting of the sewage plant to the County Engineer for his observations and would write to us again when he received the Engineer's report. On the 4th July 1989 the Association again wrote to the County Secretary asking for specific details of the proposed new plant, but received no reply.

On 23rd August 1989 the Association had reason to write to the Kildare County Manager, requesting that the County Council refrain from transporting by suction tanker, sewage from Brannockstown and pumping it into the already overloaded sewage plant at Ballymore Eustace. The County Secretary replied on the 9th October 1989, that it was found necessary to transport sludge from Brannockstown Septic Tank to Ballymore Eustace Treatment Plant on a weekly basis because of poor percolation at Brannockstown, but that work had now been carried out to improve the percolation area. He also informed us that the Preliminary Report for the proposed new sewage plant at Ballymore Eustace had been submitted to the Department of the Environment for their approval.

Because we had not received the requested information about this new plant from Kildare County Council, we were left with no option but to write to the Minister for the Environment, Mr. Pádraig Flynn, T.D., by letter dated 14th October 1989 stating that because the proposed new plant contravened the Kildare County Council's own County Development Plan and the Water Quality Management Plan for the Liffey Catchment, and since a minimum dilution of the effluent cannot be guaranteed, then Kildare County Council should revert to their original plan and connect Ballymore Eustace to the Regional Sewage Treatment Plant at Osberstown. An acknowledgement dated 27th October 1989 was received from the Minister but there was no follow up.

On the 24th July 1998 the entire population of Ballymore Eustace village, all 600 odd souls, were totally shocked when a planning application from Abbeydrive Developments Ltd. appeared in the Irish Independent seeking permission from Kildare County Council to build 507 houses at what is known locally as the '40 acres' in Broadleas. The proposal to plant 1700 people on top of 600 would have more than trebled the population of the village in one fell swoop. The Association considered it inconceivable that this proposed development could be linked into an already overloaded sewerage and therefore the Association objected to this proposed development by letter dated 18th August 1998.

It later emerged that Abbeydrive Developments Ltd had also applied to Kildare County Council seeking planning permission to construct a new sewage treatment plant on the existing site of the old County Council sewage plant at a cost of £1.6m. This would treat the sewage from the new development and the existing houses in Ballymore Eustace but would not be capable of treating further expansion in the village. "The new treatment works is designed for a population equivalent of 2500 persons, the existing population being 600 persons and the current proposal of 416 houses would produce the equivalent of 1664 persons." The Association objected by letter dated 14th September 1998. The Developer proposed that the new inlet pipe to the plant be mounted on concrete piers from the Liffey bridge wall to the sewage plant. The Association considered that this would be a terrible

eyesore at this location and it would also make access to the river very difficult. The proposed inlet pipe on concrete piers would effectively wipe out the amenity value of the Riverside Walk.

We were delighted to learn at a later stage that the Department of the Environment had granted Kildare County Council £1.6m to construct a new sewage plant in Ballymore Eustace as we thought that this might remove the 'carrot' of the Abbeydrive Development's sewage plant and ensure an unbiased look by Kildare County Council on the 507 house application. No such luck.

Kildare County Council granted planning permission for 416 houses on 8th January 1999. This decision was appealed on the 1st March 1999 by the Association along with many other organisations and individuals to An Bord Pleanála. Following an Oral Hearing held in the Ambassador Hotel on Tuesday 20th and Wednesday 21st July 1999, this decision was overturned by An Bord Pleanála and the Board refused permission for any development at the '40 acres'.

Kildare County Council also granted planning permission for the new sewage treatment plant. The Association also appealed this decision of Kildare County Council to An Bord Pleanála on the 29th March 1999 mainly on the grounds that the new plant should be located downstream of the village and that the inlet pipe would effectively wipe out the amenity value of the Riverside Walk from the Liffey Bridge to the School. The proposed new sewage plant was also the subject of the above Oral Hearing and Mr. B. S. Cranwell, Senior Planning Inspector, An Bord Pleanála, who officiated at the Oral Hearing recommended to the Bord in his report dated 27th August 1999 "that the sewage treatment plant be refused" and went on to say the proposed development is premature with regard to (a) An Action Area Plan for the future development of Ballymore Eustace in order to establish the capacity of a new treatment plant and (b) a further evaluation of the appropriateness of the siting of the treatment if the capacity of the plant is to be substantially increased above its present capacity." Despite the recommendation of the Inspector, An Bord Pleanála granted permission for the new 2500 person equivalent sewage plant on the site of the existing plant at The Strand.

Abbeydrive Developments made further planning applications for the '40 acres' but An Bord Pleanála refused permission each time, (see chapter 13) and consequently the new sewage treatment plant was not constructed.

During 2004 the overloaded sewage plant finally gave up the ghost much to the disgust of the Association and other river users who had the stomach to look at the vile eruptions. Raw sewage began to back up from the sewage plant and spill into the Liffey through a storm water overflow pipe at the Liffey Bridge.

The Association received a reply dated 30th January 2004 from Kildare County Council stating "RE: Sewage spillage at Ballymore Eustace Treatment Plant

--- I refer to your correspondence re above.

The Waste Water Treatment Plant at Ballymore Eustace is overloaded. Kildare County Council has for some time been trying to progress the provision of a new Waste Water Treatment Plant in parallel with other developments, and it is now hoped to commence work on a new Plant in the near future." The letter was signed by the Senior Executive Officer, Water Services.

The Association brought the overflow of raw sewage into the Liffey to the attention of the County Manager again by letter dated 6th April 2004 and tankers were seen presumably emptying the overloaded Plant. On the 1st July 2004 the Association wrote to the Office of Environmental Protection, Environmental Protection Agency outlining the history of the sewage plant and stating that it was a disgrace that Kildare County Council had allowed the Plant to deteriorate to this extent and asking that the EPA use its good office to ensure that Kildare County Council adopt a responsible attitude to water pollution. The EPA replied by letter dated 18th August 2004 thanking the Association for bringing the matter to their attention again. They enclosed a report received earlier from Kildare County Council and stated that they had requested an update from Kildare County Council. The enclosed report dated 31st March 2004 stated inter alia ---"In the absence of a formal commitment from the Developer to proceed with the construction of the Plant, the Council is considering at present whether to proceed with the construction of a new Plant or alternatively the upgrading of the existing Plant. I will advise when a work schedule has been put in place."

Raw sewage was again overflowing into the Liffey on Monday 13th September 2004 and the Association contacted the Sanitary Services Section Kildare County Council and reported the matter by telephone. The following day a tanker appeared at the Plant presumably to empty the tank and clear the blockage. A follow up letter of complaint dated 22nd September 2004 was sent to the Kildare County Manager. The Manager acknowledged receipt by letter dated 28th September 2004 and a follow up letter dated 14th October 2004 was received from the Senior Executive Officer stating "I wish to inform you that the Council has recently appointed consulting engineers to work on a proposed project for Ballymore Eustace which is approved under the Serviced Land Initiative. Work is

underway on the design phase of this scheme and the proposal should remedy the problems currently being experienced”.

We learned the good news from Cllr. Billy Hillis, Mayor of Kildare in the December 2004 issue of the *Ballymore Bugle* that Kildare County Council has approved a site at Sousheen as suitable for a new sewage treatment plant.

On learning that a scene from the remake of the film ‘Lassie Come Home’ was to be shot at the Liffey Bridge on Thursday 14th July 2005 the Association on the 13th July requested and received a flood on the Liffey from ESB Turlough Hill to clean the river of pollution. The filming went great on the day but at 9 p.m. that evening raw sewage overflowed into the Liffey at the filming location.

In the *Leinster Leader* of the 6th October 2005 a Kildare County Council notice announced that it intended to construct a new Ballymore Eustace Sewerage Scheme. The new wastewater treatment plant was to be built at Susheen. A pumping station was to be constructed at the old sewage plant site at The Strand and a foul sewer was to be constructed along the ‘Stonebrook Road’ to the wastewater plant and other ancillary works.

The Association lodged a submission dated 11th November 2005 with Kildare County Council outlining the history of our dealings with the Council for over thirty years, endeavouring to get the Council to upgrade the sewage plant in Ballymore Eustace in order to prevent sewage pollution of the Liffey. The Association had also argued at an An Bord Pleanala Oral Hearing on the 21st July 1999 that the location of any new sewage treatment plant should be located downstream of Ballymore Eustace village. The Association therefore supported the proposed construction of a new sewage plant for Ballymore Eustace and its location downstream of the village. However, given our experience with the Blessington Sewage Treatment Plant, which discharges into Golden Falls Lake, we implored Kildare County Council to upgrade the proposed sewage plant to a full tertiary treatment system.

An email from Mr. Michael Holligan Senior Engineer Kildare County Council Environment Section dated 8th November 2006 stated that he had spoken to Water Services Section of the Council and was informed that they expected the part 8 to come before the Council before the end of 2006. A letter dated 8th December 2006 from the Senior Executive Engineer, Kildare County Council Water Services states “Kildare County Council advertised for planning for the Ballymore Eustace Sewerage Scheme on the 06/10/2005. The advertisement was published under Part V111 of the Planning and Development regulations 2000.

This scheme involves the construction of a new Waste Water Treatment Plant with a population equivalent (PE) capacity of 2000.

The Council is currently awaiting a report in response to queries raised under the Planning Process and once this report is received the Council’s Planning Department will report on the Scheme. The Planning Report will then go to the members of Kildare County Council for approval and then should this approval be received, the scheme will progress in the normal manner.”

Early in January 2007 the Association was aware that it was doubtful if the proposed new sewage treatment plant for Ballymore Eustace would proceed at Sousheen. This was as a result of a submission dated 29th March 2006 from the Principal EHO, Health Service Executive, to the Planning Department, Kildare County Council outlining the unsuitability of the proposed site and its proximity to an existing dwelling house as well as other very important considerations. This submission really put the cat amongst the pigeons as far as Kildare County Council was concerned but it took them almost 12 months to decide they would have to seek an alternative site.

The Association wrote to Mr. Michael O’Leary Director of Services, Water Services, Kildare County Council by letter dated 9th April 2007

“Dear Mr. O’Leary,

I telephoned Water Services, Kildare County Council on Monday 2nd April 2007 and reported that raw sewage was overflowing into the Liffey at Ballymore Eustace and had been doing so since Sunday 1st April 2007.

This happens on a regular basis when the antiquated sewage treatment plant at Ballymore Eustace blocks up and the sewage then backs up and overflows out a surface water drain from a manhole at the Liffey Bridge. I have reported this to Water Services on many occasions.

I mentioned in my telephone call that the above Association were hosting the Leinster River Championship on the Liffey on Sunday 1st April 2007 and that anglers drawn to fish this particular stretch of River were very annoyed at having to fish with raw sewage entering the River.

On Monday evening I received a telephone call from one of the anglers drawn to fish this section of the Liffey who complained to me that he had become ill with a stomach bug (certified by a doctor) and had to leave the River before the competition ended. He was extremely annoyed and wanted to know what the Association was doing to rectify this problem.

I informed him that the Association had first written to Kildare County Council in 1974 asking the Council to upgrade the sewage plant to prevent it polluting the Liffey and on numerous occasions since 1974, but that nothing was done. In one letter (copy enclosed) the Association mentioned to the then Kildare County Manager our fears for the health of children fishing in this area retrieving lines through this raw sewage effluent (not aware of the danger) but still nothing was done to rectify the problem. The dilapidated and neglected state of the sewage plant itself cost the village marks in last years Tidy Towns competition and this was also brought to the attention of the County Manager. Once again the Association demands that Kildare County Council act immediately to rectify this pollution and health hazard at Ballymore Eustace before someone else is infected with a serious illness."

The letter enclosed with the above was the following letter dated 22nd September 2004

"Dear Mr. Bradley,

Previous correspondence also refers.

Once again, the above Association wishes to bring to your attention the unacceptable, obnoxious, disgraceful condition of the effluent from Kildare County Council's Sewage Treatment Plant at The Strand, Ballymore Eustace which is polluting the Liffey at Ballymore Eustace and is at times a health hazard. A sewage fungus is now spreading downstream of the discharge point.

Recently the Sewage Treatment Plant is blocking up and overflowing out a surface water pipe at the Liffey Bridge, Ballymore Eustace. Even when this overflow is stopped, sewage, paper and sanitary towels are left in the River at the Bridge. Apart from the obvious pollution, the Association is also concerned that this poses a health and safety hazard to young anglers who frequent this easily accessible part of the Liffey.

After numerous appeals to Kildare County Council to act on this matter the Association now demands that Kildare County Council act immediately to rectify this pollution and health hazard problem which is totally unacceptable in this day and age."

Other letters written over the years included on the 23rd October 2006

"Dear Mr Bradley,

On behalf of the above Association I wish to bring to your attention again the pollution of the Liffey at Ballymore Eustace by Kildare County Council's antiquated and overloaded sewage treatment plant. The Association has been bringing the necessity to upgrade this plant to Kildare County Council's attention for decades but without any success.

A Planning Notice appeared in the *Leinster Leader* over a year ago to say that Kildare County Council proposed to construct a new sewerage scheme in Ballymore Eustace but this appears to have died a death.

The Council is quoted in an article in the *Kildare Post* of 16th August 2006 as having told An Bord Pleanála during an appeal that "the existing overloaded Ballymore Eustace Waste Treatment Plant currently discharges to the River Liffey which is suffering intense pollution and eutrofication." Yet there is no urgency on the Council's behalf to rectify the situation.

On a number of occasions I have telephoned the Council to report raw sewage overflowing into the Liffey at Ballymore Eustace Bridge where many young anglers fish and adjacent to the riverside walk and this raw sewage gives rise to health and safety fears.

The Adjudication Report for Ballymore Eustace for the 2006 Tidy Towns had this to say " The adjudicator visited the river walk and it is a beautiful relaxing area. --- There appears to be a problem of smell coming from what appears to be a sewerage plant that detracts from a walk in this area. At the County Council gate just off the walk a quite untidy area was noted that should be cleaned up and made presentable."

The Association urges Kildare County Council to immediately implement its proposal to construct a new sewerage for Ballymore Eustace and prevent this pollution of the Liffey and health concerns."

The following letter dated 1st July 2004 was sent to the Office of Environmental Enforcement EPA.

"Dear Sir/Madam,

For a long number of years, Kildare County Council's Sewage Treatment Plant at Ballymore Eustace has been overloaded and has been polluting the Liffey at Ballymore Eustace. The above Association has complained to Kildare County Council on numerous occasions but only very minor, cosmetic improvements, have been implemented over the years by the County Council.

However, recently the Sewage Plant has been blocking up completely and the back up of raw sewage has been overflowing directly to the Liffey through a surface water pipe at the Liffey Bridge, Ballymore Eustace.

The above Association contacted Kildare Council by letter dated 6th April 2004 but to date has received no reply. The County Council sends an employee out to rod the blocked up line when the blockage occurs but this leaves the raw sewage in the Liffey at the surface water discharge point near the Bridge.

Apart from the obnoxious nature of the discharge and obvious water pollution caused by the discharge, the Association is also concerned that the raw sewage might pose a health, safety and welfare problem. Because of the easy access to the Liffey at this point (The Riverside Walk runs along the bank of the Liffey from the Bridge to the National School) it is a favourite angling location for many local children. Many may not be aware of the dangers involved in retrieving fishing lines through the sewage and urgent action is needed to rectify this problem.

It is a disgrace that Kildare County Council has allowed the Sewage Treatment Plant at Ballymore Eustace to deteriorate to this extent. A new Sewage Treatment Plant must be constructed at Ballymore Eustace as a matter of urgency. In the meantime Kildare County Council must ensure that raw sewage does not endanger the health of the River users.

The Association request the EPA to use its good office to ensure that Kildare County Council adopt a responsible attitude to water pollution of the Liffey at Ballymore Eustace and also a responsible attitude to the health, safety and welfare of the residents and visitors to Ballymore Eustace.”

The above letters are just a sample of the many letters sent over the years trying to get Kildare County Council to stop polluting the Liffey at Ballymore Eustace and also creating a health hazard.

The Association received the following reply dated 25th May 2007 from Kildare County Council, Water Services.

“Dear Mr Deegan,

I wish to acknowledge receipt of your letter of the 9th April 2007 and inform you that Kildare County Council is progressing the provision of a new Waste Water Treatment Plant for Ballymore Eustace. A Revised Design Review Report for the Ballymore Sewerage Scheme is in preparation to allow identification of a new site for the proposed Wastewater Treatment Plant. It is anticipated that the Wastewater Treatment Plant will be delivered in 2009.

Yours sincerely, M. Eastley pp L. Dunne Senior Executive Officer”

The Association replied by letter dated 31st May 2007.

“Dear Mr. Dunne,

Thank you for your reply (signed by M. Eastley) dated 25th May 2007 to my letter of the 9th April 2007 regarding the pollution of the Liffey from Kildare County Council’s old sewage treatment plant at Ballymore Eustace.

I was very disappointed to learn that Ballymore Eustace and the Liffey will have to wait until 2009 before a new Wastewater Treatment Plant will be delivered to a new alternative site.

The Association requests Kildare County Council in the meantime to carry out some improvements to the old plant to prevent raw sewage entering the Liffey and to ensure that anglers do not become ill due to fishing in polluted water.

Also, the site of the old plant has become very dilapidated and neglected and was the cause of unfavourable comment by last years Tidy Towns judges. Again, the Association requests Kildare County Council to carry out a clean up of the site and to make it presentable as it detracts from a lovely location adjacent to the Liffey and Riverside Walk.”

The Association received an acknowledgement dated 11th June 2007 and confirming that our request had been forwarded to the Area Engineer for his report. The Association received the following letter dated 24th July 2007 from Mr. Dunne, Senior Executive Officer Water Services Section; “Re Treatment plant at Ballymore Eustace.

Dear Mr. Deegan,

I refer to your letter dated 31st May 2007 regarding the above.

A new treatment plant is scheduled to be provided at Ballymore Eustace in the next two to three years. In the meantime, Kildare County Council are operating the existing plant as efficiently as possible.

Your comments in relation to the visual appearance of the existing wastewater treatment plant have been taken into consideration and it is intended to have some general maintenance work carried out in the coming weeks to minimise any negative visual impacts that this site may have on the adjacent River Liffey and riverside walk.”

True to their word the Council did carry out a partial clean up of the site.

Kildare County Council are now expected to publish, before the end of 2007, a new advertisement under Part 8 of the Planning and Development Regulations 2000 for a proposed new sewage treatment plant at the Kimmeens.