

# CHAPTER 1

## Introduction



# Introduction

## 1.1 INTRODUCTION

**This chapter outlines the statutory context for the preparation of the Naas Town Development Plan 2011-2017.**

## 1.2 STATUTORY CONTEXT

Under the Planning and Development Act, 2000, each Planning Authority is obliged to prepare a development plan for its functional area every six years. This Plan relates to the functional area of Naas within the Naas Town Council boundary.

This Plan has been prepared in accordance with the requirements of the Planning and Development Acts 2000-2010. Sections 9 – 12 of the Planning and Development Act 2000, as amended set out the timeframes under which the review must be carried out together with the mandatory objectives which should be contained in the Plan.

## 1.3 PURPOSE OF A DEVELOPMENT PLAN

The Development Plan sets out the Town Council's overall strategy for the proper planning and sustainable development of Naas together with policies and objectives for the future development of the town for the period 2011- 2017. The Plan seeks to develop and improve in a sustainable manner the social, economic, cultural, physical and environmental assets of Naas. Its successful implementation will have a positive impact on the town. It builds on the *Mid-term Review of the Naas Town Development Plan 2005-2011*, taking into account recent key development trends, national, regional and local policy developments and the EU requirement to include the application of Strategic Environmental Assessment.

The Plan covers a period of six years from the making of the Plan and covers the administrative area of Naas Town Council. That boundary is circular in shape extending to a radius of 2.4km from the Town Hall and covers approximately 1,831ha.

The Plan has been prepared having regard to those matters that must be included in a Development Plan (i.e. mandatory objectives) as well as those matters that may be included (discretionary objectives) as required by the Planning and Development Acts 2000-2010.

Consideration can only be given to matters that relate to the proper planning and sustainable development of the town. In summary, the main mandatory objectives of the Act for this Plan are:

- The zoning of land for particular purposes where the proper planning and sustainable development of the town requires land uses to be indicated;<sup>1</sup>
- The provision of infrastructure including transport, energy and communication facilities, water supplies, waste recovery and disposal facilities, waste water facilities, and ancillary facilities;
- The conservation and protection of the environment, including, in particular, the archaeological and natural heritage and protection of European sites and any other sites which may be prescribed;
- The integration of the planning and sustainable development of Naas with the social, community and cultural requirements of the town and its population;
- The preservation of the character of the landscape, including the preservation of views and prospects and the amenities of places and features of natural beauty or interest;
- The protection of structures, or part of structures which are of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest;
- The preservation of the character of architectural conservation areas;
- The development and renewal of areas in need of regeneration;
- The provision of accommodation for Travellers, and the use of particular areas for that purpose;
- The preservation, improvement and extension of amenities and recreational amenities;
- The control, having regard to the Major Accidents Directive for the purposes of reducing the risk, or limiting the consequences, of a major accident;
- The provision of services for the community including schools, crèches, and other educational and childcare facilities
- The encouragement, pursuant to Article 10 of the Habitats Directive, of the management of features of the landscape, such as traditional field boundaries, important for the ecological coherence of the Natura 2000 network and essential for the migration, dispersal and genetic exchange of wild species

<sup>1</sup> It should be noted that there shall be no presumption in law that any land zoned in a particular development plan (including a development plan that has been varied) shall remain so zoned in any subsequent development plan (Section 10(8) Planning and Development Act 2000).





- The promotion of compliance with environmental standards and objectives established;
  - (i) for bodies of surface water, by the European Communities (Surface Waters) Regulations 2009;
  - (ii) for groundwater, by the European Communities (Groundwater) Regulations 2010; which standards and objectives are included in River Basin Management Plans (within the meaning of Regulation 13 of the European Communities (Water Policy) Regulations 2003);
- The promotion of sustainable settlement and transportation strategies in urban and rural areas including the promotion of measures to;
  - (i) reduce energy demand in response to the likelihood of increases in energy and other costs due to long-term decline in non-renewable resources;
  - (ii) reduce anthropogenic greenhouse gas emissions, and;
  - (iii) address the necessity of adaptation to climate change; in particular, having regard to location, layout and design of new development;
- The preservation of public rights of way which give access to lakeshore, riverbank or other place of natural beauty or recreational utility, which public rights of way shall be identified both by marking them on at least one of the maps forming part of the development plan and by indicating their location on a list appended to the development plan,
- Landscape, in accordance with relevant policies or objectives for the time being of the Government or any Minister of the Government relating to providing a framework for identification, assessment, protection, management and planning of landscapes and developed having regard to the European Landscape Convention done at Florence on 20 October 2000.

In accordance with Section 15(1) of the Planning and Development Act 2000 as amended, there is a duty on the planning authority to take such steps within its powers as may be necessary for securing the objectives of this Plan. However, the achievement of many objectives, will depend on the availability of finances from the State and other sources.

#### 1.4 PLAN CONTEXT AND STRUCTURE

The Naas Town Development Plan 2011-2017 has been prepared in accordance with the requirements of the Planning and Development Acts 2000 – 2010 and has been prepared with reference to the Development Plan Guidelines for Planning Authorities issued by the Department of Environment, Heritage and Local Government (2007).

The Development Plan consists of a written statement, as detailed below, with accompanying maps. The Maps give a graphic representation of the proposals of the Plan, indicating land use and other control standards together with various objectives of the Council. Should any conflict arise between the written statement and the maps, the written statement shall take precedence.

The written statement contains 14 individual chapters and a number of appendices. Chapters 1 and 2 set out the introduction, strategic context and core strategy for the proper planning and sustainable development of Naas.

Chapters 3-12 set out detailed policies and objectives under a range of headings which the Town Council seeks to achieve over the six-year life of the Plan.

Chapter 13 sets out development management objectives and standards to be applied to future development proposals. The purpose of these standards and objectives is to guide and assist the formulation of development proposals and to regulate the impact of development on the environment.

Chapter 14 sets out the land use activities referred to under each zoning objective and indicates the acceptability or otherwise of specified land uses within each zone.

Appendices include the Housing Strategy and Record of Protected Structures (RPS).

## 1.5 MONITORING, REVIEW AND IMPLEMENTATION

The Council is obliged to monitor and review the operation and implementation of the Plan. The Council will seek to implement the aims, policies and objectives of the Plan in a proactive manner. The Council will engage with all relevant stakeholders, both statutory and nonstatutory agencies and organisations in seeking to achieve the objectives of the Plan. Not more than two years after the making of the Plan the Manager has to submit a report to the Elected Members on the progress achieved in securing the objectives of this Plan.

## 1.6 STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA)

The Strategic Environmental Assessment Directive (2001/42/EC), was transposed into Irish Law through the European Communities (Environmental Assessment of certain Plans and Programmes) Regulations 2004 (SI No 435 of 2004) and the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (SI No 436 of 2004) which requires the Naas Town Development Plan to undergo Strategic Environmental Assessment (SEA) in order to improve planning and environmental management of future development in the town.

The Strategic Environmental Assessment (SEA) is the term which has been given to the environmental assessment of plans. It is a systematic process of predicting and evaluating the likely environmental effects of implementing a plan in order to insure that these effects are appropriately addressed at the

earliest appropriate stage of decision-making on a par with economic and social considerations. Strategic Environmental Assessment was carried out in parallel to the preparation of this Development Plan.

The environmental issues which are considered by the SEA include

- Biodiversity (flora, fauna)
- Landscape/Geology
- Soil
- Agriculture and Forestry
- Population
- Water Quality
- Air Quality
- Waste Management
- Cultural and Material Assets
- Climate

The Environmental Report of Strategic Environmental Assessment (SEA) of the Naas Town Development Plan 2011-2017 provides a clear understanding of the likely environmental consequences of decisions regarding the future accommodation of development in Naas.

The Environmental Report has guided the preparation of objectives, policies and development alternatives for the Development Plan with the aim of achieving sustainable development in the town without causing adverse harm to the environment.

## 1.7 APPROPRIATE ASSESSMENT (AA)

All land use plans require to be 'screened' for any potential impact on areas designated as Natura 2000 sites. In any case where, following screening, it is found that the Development Plan may have an impact on the objectives of a Natura site, or such an impact cannot be ruled out, an Appropriate Assessment (AA) under the EU Habitats Directive must be undertaken.

This AA process comprises the assessment, based on scientific knowledge, of the potential impacts of the plan on the conservation objectives of any Natura site and the development, where necessary, of mitigation or avoidance measures to preclude negative effects. The impacts assessed must include the indirect and cumulative impacts of the Plan, considered with any current or proposed activities, developments or policies impacting on the site. It informs plans of the environmental impacts of alternative actions and contributes to the integration of environmental considerations into plan making.

A Stage One Appropriate Assessment was carried out on the Development Plan. It concluded that the Development Plan had been formulated to ensure that uses, developments and effects arising from permissions based upon the Development Plan (either individually or in combination with other plans or projects) would not give rise to significant effects on the integrity of any Natura 2000 sites.

## 1.8 STRATEGIC FLOOD RISK ASSESSMENT (SFRA)

Under Section 28 of the Planning and Development Act 2000, as amended statutory guidelines entitled "The Planning System and Flood Risk Management Guidelines for Planning Authorities" were published by the DoEHLG (November 2009). These guidelines require planning authorities to introduce flood risk assessment as an integral and leading element of the development plan process. The Draft SFRA carried out for Naas is an assessment of flood risk in the town to inform strategic land-use decisions with the purpose of ensuring that flood risk management is fully integrated into the Development Plan.

## 1.9 KEY CHALLENGES FOR THE PLAN PERIOD

This Development Plan has a critical role to play in ensuring that the needs of future population growth are planned for. It has been prepared at a time of unprecedented changes in the economy. Naas experienced significant population growth from 14,074 in 1996 to 20,044 in 2006. Having regard to the exceptional period of growth, the population targets indicated in the Regional Planning Guidelines 2010-2022, coupled with the significant changes to economic development, employment levels and Government finances, the following are key challenges facing Naas over the plan period (2011-2017) and beyond:

- I. Seeking to ensure that Naas meets its population target in order for the town to be a driver of balanced development within the county and the region.
- II. Promoting Naas as an Economic Growth Town by promoting significant new economic development in the town.
- III. Unlocking infrastructural constraints and ensuring adequate investment in infrastructure, to maintain and facilitate economic development.
- IV. Ensuring the availability of local employment opportunities, community and commercial services, recreation and amenity facilities for the existing and future population of Naas.

- V. Encouraging the development of Naas in a sequential manner providing for the expansion of the town from its central areas in a coherent way.
- VI. Consolidating Naas and retaining its separate physical identity, and avoiding coalescence with nearby towns and villages.
- VII. Promoting a sustainable transport network including the provision of roads, footpaths, cycle lanes, public transport infrastructure, and promoting inter-connectivity.
- VIII. Facilitating the provision of improved amenities within the town, securing and encouraging the appropriate redevelopment, renewal and improvement of areas within the town and encouraging high quality design in new development, making Naas town an attractive place to visit and do business in.
- IX. Protecting the built and natural heritage and biodiversity of the town for their intrinsic value and as a resource for the tourist economy of the future.
- X. Continuing the protection of the environment at all levels, including air and water quality.

The chapters that follow in this Plan set out the planning policy response of the Town Council to these challenges.

## 1.10 OVERALL VISION FOR NAAS

Through the public consultation process a number of key themes emerged for consideration regarding the overall vision for Naas over the period 2011-2017. These themes have been amalgamated and expressed in the following vision;

**“ To plan for and facilitate appropriate levels of sustainable development in Naas, building on its strengths and based on high quality employment, residential and recreational areas with a balanced range of facilities to meet the needs of those living, working or visiting the town, thereby improving the quality of life for all. ”**