

NAAS TOWN DEVELOPMENT PLAN 2011-2017

Plean Forbartha an Nás



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Note: Government Departments

Following the formation of the new Government changes in the functions and titles of individual departments arise. Transfer of Functions Orders and Alteration of Title Orders under the Ministers and Secretaries (Amendment) Act 1939 required to implement the transfer of functions relevant to certain Departments announced by the Taoiseach on Wednesday 9th March 2011 are being prepared by the Department of Finance in consultation with the various Departments involved in functional changes. Until the formal Governmental procedures have been completed and the appropriate Government Orders transferring functions have been made, the Department of the Taoiseach has advised that each Department should continue to use its existing title and branding. A number of Government Departments have been referenced in this Plan and as the functions of certain departments may change reference should be made as appropriate to the Press and Information Office of the Department of the Taoiseach www.taoiseach.gov.ie.

**STATEMENT PURSUANT TO SECTION 28
OF THE PLANNING
AND DEVELOPMENT ACTS 2000 - 2011**

STATEMENT PURSUANT TO SECTION 28 OF THE PLANNING AND DEVELOPMENT ACT 2000 (AS AMENDED)

Pursuant to Section 28 of the Planning and Development Act 2000 (as amended) it is a requirement of the Planning Authority to append a statement to the development plan demonstrating:

- (i) How the planning authority has implemented the policies and objectives of the Minister contained in the guidelines when considering their application to the area or part of the area of the development plan, or
- (ii) If applicable, that the planning authority has formed the opinion that it is not possible, because of the nature and characteristics of the area or part of the area of the development plan, to implement certain policies and objectives of the Minister contained in the guidelines when considering the application of those policies in the area or part of the area of the draft development plan or the development plan and shall give reasons for the forming of the opinion and why policies and objectives of the Minister have not been so implemented.

Guidelines pursuant to Section 28 of the Planning and Development Act 2000 (as Amended)	Naas Town Development Plan 2011-2017
(a) Architectural Heritage Protection Guidelines (2004)	<p>Chapter 11 of the Plan addresses architectural and archaeological protection and conservation. Policies and objectives contained within this plan have had regard to various legislative provisions and policy guidance documents, including the <i>Planning and Development Acts 2000-2010</i>, <i>Architectural Heritage Protection Guidelines 2004</i>, <i>National Monuments Acts</i>, <i>Framework and Principles for the Protection of Archaeological Heritage 1999</i> and the <i>National Inventory of Architectural Heritage</i>.</p> <p>Chapter 11 identifies an ACA boundary and a Zone of Archaeological Potential. This chapter also includes policies in Sections 11.6 to 11.7 relating to the retention and re-use of older buildings not on the RPS, alterations/extensions to protected structures, development within the ACA, industrial and vernacular heritage. The Development Plan also lists 130 structures on the Record of Protected Structures set out in Appendix II.</p>
(b) Childcare Facilities (2001)	<p>Chapter 10, Social, Community, Recreation and Amenity and Chapter 13 Development Management both address the issue of Childcare Facilities. Section 10.5 and 10.10.4 of Chapter 10 outlines the most appropriate locations for childcare facilities in addition to policies which have regard to the recommendations and requirements of the <i>Childcare Facilities: Guidelines for Planning Authorities 2001</i> and the <i>Child Care (Pre- School Services) Regulations 1996</i>.</p> <p>Section 13.4 of Chapter 13 sets out the development management standards regarding the provision of childcare facilities and requires all childcare facilities to be provided in accordance with the <i>Childcare Facilities: Guidelines for Planning Authorities, 2001</i> (DoEHLG) and the <i>Child Care (Pre-School Services) Regulations 1996</i>.</p>

<p>(c) Design Standards for New Apartments (2007)</p>	<p>Chapter 4 Housing and Chapter 13 Development Management addresses design standards for new apartments. Section 4.7 and 13.3.4 states that all planning applications for apartments in Naas shall be assessed against the recommendations and requirements of the <i>DoEHLG Guidelines for Planning Authorities, Sustainable Urban Housing: Design Standards for New Apartments, 2007</i>. Standards for apartment developments are also set out under both of the abovementioned sections in relation to minimum floor area and storage requirements, access, public and private open space provision, car parking, management companies, etc.</p>
<p>(d) Development Management Guidelines (2007)</p>	<p>Chapter 13 Development Management has been prepared having reference to the <i>Development Management Guidelines</i>. Section 13.1.1 - 13.1.7 addresses issues arising in the Development Management Process in relation to enforcement, failure to comply with previous planning permissions, development contributions, environmental impact assessment, pre-application discussions, bonds and digitized planning applications.</p>
<p>(e) Development Plan- Guidelines for Planning Authorities (2007)</p>	<p>The Development Plan Guidelines for Planning Authorities have informed the preparation of this Development Plan. Section 4.13 of the guidelines requires that “the amount of land to be zoned for any particular land use must be clearly based on and justified by a realistic assessment of need. As identified in Section 2.9 and also in Table 2.4 of the development plan, the level of zoning for residential purposes as adopted complies with the projected demands over the period of the plan 2011-2017 and includes an over provision in accordance with Development Plan Guidelines.</p>
<p>(f) Provision of Schools and the Planning System (2008)</p>	<p>Section 10.6 of Chapter 10 Social, Community, Recreation and Amenity addresses education provision in Naas. Policies contained in this chapter have regard to the recommendations and requirements of <i>The Provision of Schools and the Planning System, a Code Practice for Planning Authorities, 2008</i> and also the <i>Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, 2009</i>, which highlights the importance of schools and their provision in tandem with residential development. Section 10.9.3 recognises the policies and objectives set out in these guidelines as being of central importance to the provision of school facilities in the town.</p>
<p>(g) Retail Planning Guidelines (2005)</p>	<p>Chapter 6 of the Development Plan solely addresses retail in the context of Naas. The policies and objectives of the chapter have been informed by the <i>Retail Planning Guidelines 2005, The Retail Strategy for the Greater Dublin Area 2008-2016, the Draft Kildare County Retail Strategy 2010 and the County Development Plan 2011-2017</i>. In particular the chapter has regard to the town’s designation as a Level 2 Major Town Centre in the County Retail Hierarchy. The Retail Chapter seeks to fulfill Naas’ role in the GDA Retail Strategy through strategic policy recommendations in relation to the Core Retail Area, Sequential Approach, Retail Development and Enhancement, Retail Warehouse Parks, District and Neighbourhood Centres, Business Parks and Employment Areas, Innovation etc.</p>

<p>(h) Sustainable Rural Housing Guidelines (2005)</p>	<p>Section 4.9 of Chapter 4 Housing, sets out the rural housing policy which shall be applied to lands zoned for Agricultural uses. These policies incorporate the recommendations of the <i>DoEHLG, Sustainable Rural Housing: Guidelines for Planning Authorities, 2005</i>. The primary aim for the agricultural zone in Naas is to preserve the existing agricultural use of the areas zoned for this purpose and to prevent urbangenerated development which would interfere with the operation of farming/bloodstock or rural resource based enterprise.</p>
<p>(i) Sustainable Residential Development in Urban Areas (2009)</p>	<p><i>Guidelines for Planning Authorities: Sustainable Residential Development in Urban Areas, 2009</i> has been considered in the context of both Chapter 4 Housing and Chapter 13 Development Management. These chapters contain specific policies and objectives in relation to high quality design of residential areas, the use and development of infill, greenfield and brownfield sites etc.</p>
<p>(j) The Planning System and Flood Risk Management (2009)</p>	<p>A Strategic Flood Risk Assessment has been carried out for Naas town in accordance with <i>The Planning System and Flood Risk Management Guidelines for Planning Authorities, 2009</i>. The outcome of this study has informed strategic land-use decisions with the purpose of ensuring that flood risk management is fully integrated into the Town Development Plan. Specific policies and objectives in relation to flood risk are included in Sections 8.8.3 of the development plan.</p>
<p>(k) Wind Energy (2006)</p>	<p>Chapter 9 Energy and Communications has been formulated having regard to the <i>Wind Energy Guidelines for Planning Authorities, 2006</i>. Section 9.4.2 of the development plan references wind energy in the context of supporting the development of renewable energy resources in Naas.</p>

The Naas Town Development Plan 2011-2017 has been informed by the foregoing Guidelines and has implemented the relevant policies and objectives as contained therein.