

KILDARE COUNTY COUNCIL



Proposed Amendments Report Draft Derrinturn Local Area Plan

August 14th 2008

INTRODUCTION

Having considered the Draft Derrinturn Local Area Plan, Kildare County Council agreed to accept the Draft Plan subject to an amendment, which proposed a number of modifications to the Draft Plan in accordance with Section 20 of the Planning and Development Act 2000 (as amended). The proposed amendments to the Draft Derrinturn LAP constitute a further stage in the making of the LAP.

1.1 PROCESS TO DATE

The stages undertaken in the making of the LAP to date are as follows:

- A 6-week period of public consultation took place between 17th April and 28th May 2008, during which members of the public and interested bodies made submissions/observations on the Draft LAP.
- 10 submissions/observations were received during the above dates and the Manager's Report detailing and responding to those submissions/observations received, was prepared by the Executive and was either given to the elected members at the Special Kildare County Council meeting on 7th July, collected by elected members on 8th July or posted to all other remaining elected members on 8th July 2008.
- Having considered the Draft LAP, the Manager's Report and decisions made by the Members at the Full Council meeting held on July 28th 2008, the Council resolved to amend the Draft Derrinturn Local Area Plan.

It was resolved at the meeting of the Full Council on 28th July that as these amendments would constitute a material alteration to the Draft LAP, all proposed amendments would be placed on public display for a period of not less than 4 weeks, in accordance with Section 20 of the Planning and Development Act 2000 (as amended)

1.2 DISPLAY OF PROPOSED AMENDMENTS OF THE DRAFT DERRINTURN LAP

The proposed amendments to the Draft Local Area Plan are available for inspection at:

1. Planning Public Counter
Kildare County Council
Áras Chill Dara
Devoy Park
Naas
Co. Kildare

Between the hours of 9.00am – 4.00pm Monday to Friday (excluding Bank Holidays)

2. Derrinturn Post Office

Between 9.30am – 1pm and 2-5pm (Monday to Friday) & between 10am – 1pm (Saturday)

4. This Amendments Report can also be inspected on Kildare County Council's website, www.kildare.ie/countycouncil

1.3 IDENTIFICATION OF PROPOSED AMENDMENTS

Only the relevant written statement section of the Draft Local Area Plan which has been proposed for amendment is displayed in this report. In part 2 of this report, amendments to the Draft LAP are clearly stated and presented with an individual "change number". Each proposed amendment is also referenced in the Draft LAP by the corresponding page and section numbers.

Where proposed amendments require a change to the Draft LAP Map, they are represented with a text box and arrow to the parcel of lands in question. All the proposed amendments to the map are described in text under the section entitled "Map Amendments" in Part 2 of this report.

1.4 MAKING WRITTEN SUBMISSIONS/OBSERVATIONS

- Written submissions or observations with respect to the amendments proposed to the Draft Local Area Plan must be made in writing to:

Mary Foley, Administrative Officer
Forward Planning Section
Aras Chill Dara
Devoy Park
Naas
Co. Kildare

- Submissions and observations may also be e mailed to the following address:

mfoley@kildarecoco.ie

- All submissions should be clearly marked " Submission to Draft Derrinturn Local Area Plan Amendments Report"
- The latest date for receipt of submissions is: 5.00pm on 10th September 2008.
- Submissions/Observations shall not be accepted after 5pm on 10th September. Late submissions/observations will not be considered.
- Submissions or observations relating to the proposed amendments to the Draft LAP should clearly quote the relevant change number referred to in this report.

NOTE: Only submissions/observations relating to the **proposed amendments** to the Draft LAP can be taken into consideration at this stage of the Local Area Plan making process. Submissions/observations that raise issues other than the proposed amendments cannot be considered.

NEXT STEPS

Once the display period of the proposed amendments to the Draft LAP is complete, the County Manager will prepare a report on the submissions. This report will include the Manager's response to the issues raised concerning the proposed amendments to the Draft LAP. The Manager's Report will then be issued to the Elected Members for their consideration.

In making the LAP, the members of the Council are restricted to:

- Considering the proper planning and sustainable development of the area to which the LAP relates.
- The statutory obligations of the Local Authority
- Any relevant policies or objectives for the time being of the Government or any Minister of the Government.

PART 2

PROPOSED AMENDMENTS

Change Number	Page	Section	Amendment
1	40	Part C	<p>Map amendment M1 below and submission number 1 refers</p> <p>To include the following specific objective in table 10 of the Draft LAP. E2: To provide for a nursing home. This zoning objective provides for the development of a nursing home at this location, with no greater than 24 associated independent living units to be provided on the site. Residential units constructed on "E2" shall be provided as ancillary to the primary use of the site to accommodate a nursing home. The use of any of these units other than as ancillary accommodation specifically to the nursing home shall not be permitted.</p>
2	43	Part C	<p>Map amendment M1 below and submission number 1 refers</p> <p>To include "E2" in Table 11 (Land Use Zoning Matrix) to restrict the use of this site for a nursing home and associated residential units.</p>
3	39	Part C	<p>Submission number 8 refers</p> <p>To insert the following paragraph immediately prior to the final paragraph of Table 10 ("C" New Residential) "Given the infrastructural constraints in Derrinturn at present it is recommended that a sequential approach be adopted in respect of new residential zonings. In this regard development shall be particularly encouraged on site "C1".</p>
4	24	2.1	<p>Submission number 9 refers</p> <p>It is proposed to amend Part B, 2.1 Housing Objective H6 to read as follows:</p> <p>'.....the onus shall be on each developer to satisfactorily demonstrate how the proposed increase in population will be accommodated in terms of education provision. In this regard, it shall be noted that 12% and 8.5% of a population at any time is assumed to be of primary and secondary school going age respectively'.</p>
5	39	Part C	<p>Map amendment M4 below and submission number 10 refers</p> <p>Amend the last paragraph included in Table 10 Land Use Zoning Objectives Table section "E" to read as follows: "An extension of 0.81 ha/2 acres is proposed to the existing graveyard. These lands shall be transferred to Kildare County Council free of charge, prior to any grant of planning permission on those lands zoned residential, and outlined in yellow on Map 2.</p>
6	40	Part C	<p>Map amendment M5 below and submission number 10 refers</p>

			<p>To include the following as a second and final paragraph in Table 10 of the Draft Local Area Plan, under subsection C1 (New Residential);</p> <p><i>'Prior to a grant of a planning permission on these lands the landowner shall transfer 0.81 ha (2 acres), outlined in pink on the accompanying map, to Kildare County Council free of charge for the purposes of an extension to the existing graveyard. Any subsequent residential planning application on this site shall include details of this resolved land transfer as part of a Social Infrastructure Assessment. This land transfer shall satisfy the applicant's community gain requirements'.</i></p>
7	38	Part C	<p>Submission number 10 refers</p> <p>To include the following Design Brief in Table 10 Land Use Zoning Objectives Table. It shall be in the Village Centre section of the table and will refer to the site zoned "A2"</p> <p><u>Design Guidelines</u></p> <p>(i) A Mixed-use development shall be encouraged on this site and shall provide a mixture of commercial units on the ground floor with living accommodation above.</p> <p>(ii) All future development on this site shall provide a compact urban form with strong and defined building edges and building form. Varied ridge heights will also be encouraged.</p> <p>(iii) Buildings, gardens and public spaces shall be laid out to exploit the best solar orientation</p> <p>(iv) Appropriate recycling facilities shall be required to be provided</p> <p>(v) The layout of any proposed development on the site shall provide linkages (vehicular, pedestrian and cyclist) to existing movement routes and facilitate these linkages to the adjacent lands to the west and to the east.</p> <p>(vi) Traffic speeds shall be controlled by the design and layout of development proposals rather than by speed ramps</p> <p>(vii) All public open space shall be overlooked by surrounding homes.</p> <p>(viii) There shall be clear definition between public, semi private and private space.</p>
8	14	4.2	<p>A final paragraph shall be included at the end of Section 4.2 prior to the publication of the adopted Local Area Plan to accurately reflect the total additional lands zoned for residential purposes as a result of the plan making process.</p>
9	16-19	Part C, Section 7	<p>The 3rd column of each of Tables 5-9 (inclusive) shall be revised prior to the publication of the adopted Local Area Plan to accurately reflect the area of land proposed as 'additional' zoning in the 2008 Local Area Plan for the various land uses compared to what was zoned for those uses or uses similar to those as listed in the 2001 Local Area Plan.</p>

MAP AMENDMENTS

M 1

To zone the subject lands "E2" (Community and Educational) [Submission number 1 refers]

M 2

To zone lands for 'C' (New Residential) [Submission number 6 refers]

M 3

Map change – The subject site to change from "C" New Residential to "A2" Village Centre.
[Submission number 10 refers]

M 4

Outline lands in yellow as per change number 5 above. [Submission number 10 refers]

M 5

To outline lands in pink (see change number 1 in table above) [Submission number 10 refers]