



14 December 2017

For the Attention of:

Peter Carey
Chief Executive,
Kildare County Council,
Áras Chill Dara,
Naas,
Co. Kildare.

**Section 31 of the Planning and Development Act 2000, as amended
by the Planning and Development (Amendment) Act 2010
Notice of Intent to Issue a Direction relating to the
Leixlip Local Area Plan 2017-2023**

Dear Chief Executive,

I am writing to you in connection with the Leixlip Local Area Plan 2017-2023 as adopted by the Council on 20 November 2017 and request that you bring this notice to the attention of the elected members of the County Council on or before Friday 15th December, 2017.

TAKE NOTICE that I am considering issuing a direction pursuant to Section 31 of the Planning and Development Act 2000, as amended. A draft of the proposed direction is attached to this letter.

As appears therefrom, I have formed the provisional opinion (i) that the Planning Authority has ignored or not taken account of the submissions made on my behalf in September 2017 in respect of the proposed Leixlip Local Area Plan 2017-2023 and (ii) that the plan as adopted is not in compliance with the requirements of s.19(2) and s.31(1)(a), (b) & (c) of the Planning and Development Act 2000 (as amended).

The reasons for the proposed direction are set out in the Statement of Reasons of the attached draft direction.

BACKGROUND

My Department wrote to your Council, under my direction as statutory consultee under the Planning Acts, in relation to the Draft Leixlip Local Area Plan 2017-2023 on 15 September 2017.

The submission made by the Department on 15 September 2017 on my behalf under Section 20(2)(j)(ii) of the Planning and Development Act 2000 (as amended), highlighted the Department's view that Proposed Material Alterations Nos.1 & 2 would result insufficient residentially zoned lands that would only be capable of providing less than half of the core strategy housing allocation for Leixlip contained in the Kildare County Development Plan 2017-2023.

The Council was requested to omit Proposed Material Alterations Nos.1 & 2 in order to provide for housing growth in Leixlip consistent with the Kildare County Development Plan 2017-2023 and the requirements of s.19(2) of the Planning & Development Act, 2000 (as amended).

At a meeting of Kildare County Council on 20 November 2017, the Leixlip Local Area Plan 2017-2023 was adopted by the elected members, including Material Alterations Nos. 1 and 2.

Accordingly I am issuing a draft Ministerial Direction under Section 31 of the Planning Act to direct Kildare County Council, with regard to the now adopted local area plan failing to adhere to statutory and policy requirements.

MEASURES PROPOSED UNDER THE DRAFT DIRECTION

In light of the foregoing, the Leixlip Local Area Plan 2017-2023, as adopted, is to be amended as set out in the attached draft direction.

Please note that those parts of the Local Area Plan which are the subject of this draft direction shall be taken not to have come into effect until the Section 31 procedure has been completed.

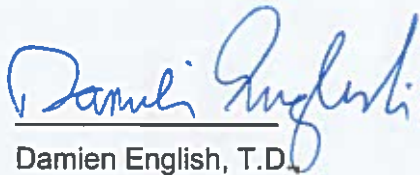
PROCEDURAL REQUIREMENTS

I would draw your attention to the public consultation obligations under Section 31 of the Planning and Development Act 2000, as amended by the Planning and Development (Amendment) Act 2010, and the initial requirement for you, as Chief Executive, under section 31(7) to publish notice of the draft direction no later than 2 weeks after receipt of this notice. I look forward to receipt of the report which

has to be prepared by you on foot of this public consultation under Section 31(8), including on any views of the elected members, to be furnished to me no later than 4 weeks after the public consultation process is completed, for my further consideration.

My officials are available to assist you, as necessary, in complying with the foregoing process now underway.

Yours sincerely,

A handwritten signature in blue ink that reads "Damien English". The signature is written in a cursive style with a large initial 'D'.

Damien English, T.D.

Minister for Housing and Urban Development

Copied to:

Cathaoirleach, Kildare County Council, Áras Chill Dara, Naas, Co. Kildare

Director, Eastern and Midland Regional Assembly, Ballymun Civil Centre, Ballymun, Dublin 9