



Variation no 1

**Of the
Killarney Town Council Development Plan
2009-2015**

VARIATION NO 1
Of the Killarney Town Development Plan 2009-2015
Adopted on the 5th December 2011
By the Members of Killarney Town Council.

Killarney Town Council has made a 1st variation of the Killarney Town Development Plan 2009 – 2015 in accordance with the provisions of Section 13 of the Planning and Development Act 2000 as amended.

REASON FOR THE PROPOSED VARIATION

The Planning and Development (Amendment) Act 2010 amended Section 10 of the Principal Act by introducing the requirement for a “*core strategy which shows that the development objectives in the development plan are consistent, as far as practicable, with national and regional development objectives set out in the National Spatial Strategy and regional planning guidelines*”.

Variation No. 1 of the Killarney Town Council Development Plan 2009-2015 was proposed in order to incorporate a Core Strategy in accordance with the Act, as well as to include/modify objectives and policies to reflect the provisions of the following:

1. Water Framework Directive 2000/60/EC
2. The Planning System and Flood Risk Management 2009
3. South-West Regional Planning Guidelines 2010 – 2022
4. Smarter Travel – A Sustainable Transport Future, New Transport Policy for Ireland 2009-2020

Changes made to the Killarney Town Development Plan 2009 – 2015.

Note: In this report ~~strike through~~ indicates a recommended deletion and text in **bold** indicates recommended additional text

Variation Aspect 1

Statutory Policy Context

To vary the **Statutory Policy Context 1.1.7** by replacing the reference to the ~~Regional Planning Guidelines 2004~~ with **South Western Regional Planning Guidelines 2010 – 2022**.

Variation Aspect 2

Chapter 2 Population

Replace existing **section 2.3** with new section 2.3 which shall read as follows.

It is necessary to set population targets to derive estimates of demand for housing land, for other land uses and for infrastructural services over the life of the Plan. These targets reflect the revised figures contained in the Kerry County Development Plan Core Strategy and the South West Regional Planning Guidelines, thus strengthening the role of the Town Development Plan as the fundamental link between national, regional and local policy.

Table 2- Population Allocation Table from the draft county core strategy.

	Core Strategy Population Allocation 2010-16	Housing Requirement (Ha)+ A	Existing Zoning (residential & mixed use) B	Proposed Zoning** C	Housing Yield (Residential Lands) (Ha) (units) D
County	15,462	569.75	2,254	569.75	512.7 (6,152)
Hub Towns					
Tralee TC*	2967	54.3	187	54.3	54.3 (1140)
Killarney TC*	1978	25.4	133.5	25.4	25.4 (760)
Listowel TC*	850	13	135.5	13	13(326)

Table 3 - Killarney Town Population allocation table

Core Strategy Population Allocation to 2016	Housing Requirement (ha)	Existing Zoning (ha)	Proposed Zoning (ha)	Housing Yield (Residential Lands) (ha)(units)	Housing Yield (Other Lands)	Shortfall/ Excess (ha)
1978	25.4	133.5	25.4	25.4 (760)	N/a	108

Variation Aspect 3

Replace existing *Section 2.43* with new Section 2.43 which shall read as follows: **Under its Core Strategy, Kerry County Council has designated a population target for Killarney town of 1,978 people between 2010 and 2016, in line with the South West Regional Planning Guidelines 2010–2022. This population target would equate to a requirement of approximately 760 units at an occupancy rate of 2.6 per unit. This requirement for 760 units at an average of 30 units/ha, would equate to 25.4 hectares.**

Variation Aspect 4

Vary existing *POLICY POP – 01 - Policy Statement* to include POLICY POP 01 (d) - Development Strategy which shall read as follows:

To comply with national and regional population targets by zoning 25.4 hectares of land for residential development on a phased basis. This land is contained in the 'Residential Phase 1' land use zoning designation. It is proposed that 'Residential Phase 1' will provide adequate lands to meet the population projections in accordance with Kerry County Council Core Strategy and the South West RPGs. The remaining undeveloped zoned lands will be designated as Phase 2. Permission will not normally be granted for development on Phase 2 lands, unless 80% the lands included in Phase 1 have been developed to the satisfaction of the Planning Authority.

Variation Aspect 5

Land Use Phasing Map

The replacement of the adopted **Landuse Zoning Map** with a new Landuse Phasing Map.

Variation Aspect 6

Vary Section 12.3 Land Use Zoning Objectives, specifically existing *Section 12.3.3 Residential* to be deleted and replaced as follows:

~~12.3.3. Residential. The objective is to provide and improve residential amenities. Permitted Uses: Dwellings, open spaces, places of worship, community facilities, public service installations, playgroup or crèche, nursing homes, schools/education facilities, home based economic activity, local convenience shops, playing fields, community facilities.~~

~~Open for Consideration: Bed and breakfast/guesthouse, hotels (with public bar of maximum floor space of 150 square metres, including any extensions), hostels, lock up garages, restaurants, health centres/clinics, use by an owner or occupier of part of a residence as a studio, a clinic or surgery, professional office, or as a playgroup or crèche, car parks, public house (maximum floor space of 150 square metres, including any extensions).~~

~~**Not Permitted Uses:** Fast Food/takeaway outlets, wholesale/cash in carry or retail warehouses, petrol filling stations, motor sales outlets~~

Residential A

~~The objective here is to provide and improve residential amenities in this sensitive and scenic area.~~

~~Permitted Uses: Single Storey Dwellings, Domestic Garage.~~

Residential B

~~The objective here is to encourage and promote the development of low density housing, on sensitive sites. The density shall not exceed 2.5 (two and a half) residences per acre, which would be in keeping with infill development in the area.~~

~~Permitted Uses: Dwellings, Open Spaces, Domestic Garages~~

12.3.3 Existing Residential

The objective here is to provide and improve the residential amenities of existing residential areas. The existing residential character of this area should be retained.

Within these areas there shall be a moratorium on multiple housing or apartment schemes (2 or more residential units) and should not affect infill development, renovations and replacements. This means that applications for multiple residential development will not normally be permitted, except where they replace previously permitted development (live permissions only) consisting of the same or a higher number of units. Generally the subdivision of a dwelling into two or more units will not normally be permitted. Subsequently the subdivision of a site in two or more sites will not normally be permitted

Permitted Uses: Dwellings, open spaces, places of worship, community facilities, public service installations, playgroup or crèche, nursing homes, schools/educational facilities, home based economic activity, local convenience shops, playing fields, community facilities.

Open for consideration: Bed and breakfast/guesthouse, hotels (with public bar of maximum floor space of 150 square metres, including any extensions) hostels, lock up garages, restaurants, health centres/clinics, use by the owner or occupier of part of a residence as a studio, a clinic or surgery, professional office or as a playground or crèche, car parks, public house (maximum floor space of 150 square metres, including any extensions).

Not permitted Uses: Fast food takeaway outlets, wholesale cash and carry or retail warehouses, petrol filling stations, motor sales outlets.

12.3.3.1 Residential Phase 1

The objective here is to provide and improve the residential amenities.

Permitted Uses: Dwellings, open spaces, places of worship, community facilities, public service installations, playgroup or crèche, nursing homes,

schools/educational facilities, home based economic activity, local convenience shops, playing fields, community facilities.

Open for consideration: Bed and breakfast/guesthouse, hotels (with public bar of maximum floor space of 150 square metres, including any extensions) hostels, lock up garages, restaurants, health centres/clinics, use by the owner or occupier of part of a residence as a studio, a clinic or surgery, professional office or as a playground or crèche, car parks, public house (maximum floor space of 150 square metres, including any extensions)

Not permitted Uses: Fast food takeaway outlets, wholesale cash and carry or retail warehouses, petrol filling stations, motor sales outlets.

12.3.3..2 Residential Phase 2

Objective is as per objectives of Residential Phase 1 and to permit residential development in the identified area only on completion of development on 80% the lands within Phase 1.

Variation Aspect 7

Vary existing Policy INFRA-07a to read as follows:

To achieve water quality targets by implementing the South Western River Basin Management Plans (and associated programmes of measures) and to ensure that development undertaken or permitted by local authorities; other public agencies or private operators, shall not contravene the objectives of the water Framework Directive, the European Communities Environmental Objectives (Surface Waters) Regulations 2009 SI272 of 2009 and the European Communities Environmental Objectives (Groundwater) Regulations 2010, SI 9 of 2010. River Catchments Management Plans shall be produced.

Promote the protection of Protected Areas as outlined in Annex (IV) of the Water Framework Directive and the application of relevant Government Guidance in this area.

Variation Aspect 8

Insert new policy INFRA-07 z to read as follows:

To ensure that all wastewater discharges, including storm water discharges, which come within the scope of The Waste Water Discharge (Authorisation) Regulations, 2007 (S.I. No. 684) shall be licensed.

Variation Aspect 9

Insert new policy NH-08 h to read as follows:

Implement the recommendations and provisions of the Planning Guidelines on the Planning System and Flood Risk Management (DoEHLG 2009), and the OPW Flood Risk Appraisal Maps and Catchment Flood Risk Management Plans

(CFRAM) when available and ensure that flood risk assessment policies, plans or projects are compliant with Article 6 of the Habitats Directive and avoid or mitigate negative impacts on Natura 2000 sites

Variation Aspect 10

Insert new policy NH -02 k:

Promote and implement measures to control and manage alien/noxious species and noxious weeds as outlined in the Kerry Heritage and Diversity Plan, 2008-2012 in consultation with Kerry County Council and the National Parks and Wildlife Service and to implement guidelines relevant to the control of non-native invasive species contained within the NRA (2008) document ‘Management of Noxious Weeds and Non-Native Invasive Plant Species on National Roads’ and in ‘Invasive Species Action Plans’ produced by Invasive Species Ireland and the National Biodiversity Database Centre.

Variation Aspect 11

Vary existing policy NH-02 a to read as follows (amendment in italics):

To maintain features of the landscape that serve as refuges for wild plants, such as traditional field boundaries, hedgerows, trees, rivers, lakes parklands, ponds and roadside verges, *which are important for the ecological coherence of the Natura 2000 network and essential for the migration, dispersal and genetic exchange of wild species.*

Variation Aspect 12

Vary existing policy INFRA -10 c to read as follows (amendment in italics):

Minimise culverting, encourage native waterside vegetation and promote the use of reed beds to absorb pollutants. To ensure that all storm water be disposed of using a Sustainable Urban Drainage System (SUDS) where possible and to ensure that the maximum permitted surface water outflow from any new development is restricted tot that for the Greenfield site.

Variation Aspect 13

Insert new policy INFRA -03 h:

Have regard to *Smarter Travel: A Sustainable Transport Future, New Transport Policy for Ireland 2009-2020*, in the assessment of applications and policies.

Variation Aspect 14

Insert new policy NH-03 a (existing policy NH-03 a – d to become known as policies b-e.)

Ensure full compliance with the requirements of Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment and the Planning and Development (Strategic Environmental Assessment) Regulations (S.I. 201 of 2011) for all relevant development proposals.

Variation Aspect 15

Insert new policy section, 12.51.3 as follows;

The Town Council shall ensure that any mitigation measures proposed as part of development are compliant with Article 6 of the Habitats Directive and avoid or mitigate negative impacts on Natura 2000 sites.

Variation Aspect 16

Insert new policy NH-03f as follows

To ensure that the ecological integrity of Natura 2000 sites are safeguarded, development proposals including any ecological reports submitted in support of same, should have regard to the following potential significance indicators:-

- **Reduction / erosion / fragmentation of key habitat(s),**
- **Disturbance / mortality / harm of key species (e.g. from noise or light pollution, trampling, general disturbance),**
- **Alteration of key environmental conditions (e.g. water quality, water supply, air quality),**
- **Facilitation of the introduction / spread of exotic invasive species within / to Natura 2000 sites,**
- **Interference with the movement of key species within, between or in the vicinity of Natura 2000 sites, and interactive / cumulative / in combination impacts including potential climate change impacts and those with other plans and projects**

To ensure that any Plans/Projects with potential to impact on Natura 2000 sites will be required to carry out Appropriate Assessment Screening.

Variation Aspect 17

Insert new policy INFRA-07w as follows

‘to liaise with Kerry County Council to ensure any recommendations set out in the Provision and Quality of Drinking Water in Ireland- A Report for the Years 2008-2009, (EPA, 2011) for Killarney are implemented’.

Variation Aspect 18

Insert new Policy INFRA-01f as follows

Have regard to the provisions of the Spatial Planning and National Roads (Consultation Draft) Guidelines for Planning Authorities.