



Kilkenny County Council



**DRAFT
THOMASTOWN
LOCAL AREA PLAN
PROPOSED MATERIAL
ALTERATIONS**

JANUARY 2019

1. Introduction

In accordance with Section 20 (3)(e) of the Planning and Development Act, 2000 (as amended) Kilkenny County Council is proposing a number of alterations to the Draft Thomastown Local Area Plan, which was published on the 8th November 2019. These alterations have arisen following the Elected Members review of the *Chief Executive's Report on Submissions received to the Draft* under Section 20(3)(c) of the Planning and Development Act, 2000 as amended.

The proposed material alterations to the text are outlined below and should be read in conjunction with the Draft Thomastown Local Area Plan. Map changes are also detailed below, and the proposed alterations to the land use zoning are shown on Land Use Zoning Map (A).

Where an issue was raised as part of a submission the reference number of the corresponding submission has been given e.g. TTD1. A summary of the submissions made and the Chief Executive's response to each can be found in the *Chief Executive's Report on Submissions received to the Draft*.

In the following text, proposed deletions are shown in ~~strikethrough~~ and proposed insertions are shown in *italics*.

Environmental Assessments

SEA and Appropriate Assessment Screening Reports accompanied the Draft LAP. The Planning Authority must determine if a strategic environmental assessment or an appropriate assessment or both such assessments, as the case may be, are required to be carried out as respects one or more than one proposed material alteration of the draft local area plan. The proposed material alterations were subjected to Strategic Environmental Assessment and Appropriate Assessment screening, and have determined that neither SEA or AA are required (see accompanying Screening Reports).

Formatting changes

Highlight all objectives in the final written statement and include page numbers in table of contents.

2. Map changes

Material Alteration No. 1 (TTD5);

1. Amend Land Use Zoning Map from Open Space to Agriculture (See Land Use Zoning Map)

Material Alteration No. 2 (TTD6);

2. Amend Land Use Zoning Map from open space/new residential to mixed use (See Land Use Zoning Map)

3. Text Changes

The text changes set out hereunder are in chapter order, as they will appear in the Local Area Plan.

1. Introduction

Material Alteration No. 3;

Remove section 1.6.10 in its entirety and renumber sections.

Material Alteration No. 4(a);

Insert new Objective AAO1.1 under Section 1.5 as follows;

NHO1.1; To ensure that any plan or project within the functional area of the Planning Authority is subject to appropriate assessment in accordance with the Guidance Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, 20093 and is assessed in accordance with Article 6 of the Habitats Directive in order to avoid adverse impacts on the integrity and conservation objectives of the site.

Material Alteration No. 4(b)

Remove objective NHO1.1 under Section 8.5 and renumber

(Note; objective moved to Section 1.5 see Proposed Material Alteration No. 4 (a))

3. Vision for Thomastown

Material Alteration No. 5 (TTD 19)

Amend Strategic Objective in Section 3.3 as follows;

SO3; To facilitate the development of high quality, integrated residential neighbourhoods that cater for an appropriate demographic mix and deliver, where possible, community, recreation and amenity facilities in tandem with housing *and to encourage, through new development and road schemes, improvements to enhance the approach roads to the town.*

4. Core Strategy & Zoning

Material Alteration No. 6

Amend CSO 1.4 as follows;

CSO1.4: To manage the provision of one off housing on lands zoned as 'Agriculture' ~~and 'Open Space'~~. Limited one off housing will be permitted, *in accordance with policy set out under Section 6.4 in these zones subject to compliance with the criteria set out in Appendix A (Land Use Zoning Objectives).*

5. Economic Development & Employment

Material Alteration No. 7 (TTD 3)

Insert additional text under Section 5.2;

The employment ratio of 0.682 for Thomastown as set out in Appendix 2 of the NPF (Population and Employment in Urban Settlements in the Southern Regional Assembly area) suggests that the ratio of jobs to workers in Thomastown is somewhat below the 1.06 average for the region. Accordingly the LAP focuses on supporting the creation and continued maintenance of local employment as well as facilitating sustainable transport initiative in order to improve ease of access to and from Thomastown, supporting commercial/tourist activities and ease of access to neighbouring employment centres. Also, in order to facilitate employment initiatives, a significant area of land has been zoned for industrial development to the north of the town and there is also significant development

capacity the mixed use lands at Ladyswell Street. In addition to these there is acknowledged capacity for employment generating uses, primarily service sector jobs that can currently be accommodated within the town centre.

6. Community & Housing

Material Alteration No. 8 (TTD 7 + 9)

Insert new objective COMO1.1 under Section 6.1.1 as follows;

***COMO1.1;** To support and facilitate the provision of multi-functional community facilities to meet the needs of the youth population of Thomastown.*

Material Alteration No. 9 (TTD 10)

Insert new objective COMO1.2 under Section 6.1.1 as follows;

***COMO1.2;** To continue to work with healthcare service providers and key stakeholders, including the HSE, to support their investment in healthcare operations at the St Columba's Hospital Complex in Thomastown.*

Material Alteration No. 10

Amend objective VSO1.2 as follows;

***VSO1.2;** To promote the sustainable development of vacant residential and regeneration sites in Thomastown through the application of the Urban Regeneration and Housing Act 2015, Vacant Site Levy, on lands zoned 'Town Centre' and 'Mixed Use' for Regeneration, and 'New Residential', 'Low Density Residential' and 'Existing Residential' for housing.*

7. Recreation, Culture & Arts

Material Alteration No. 11

Insert new objective GIO1.3 under Section 7.1 as follows;

***GIO1.3;** To protect and maintain the open character of the landscape from the Station Road to the ridge line including the row of mature trees along the southern boundary of these lands and to assess these trees for their suitability for a Tree Preservation Order.*

Material Alteration No. 12 (TTD 2)

Insert new objective OSO2.3 under Section 7.2.1 as follows;

***OSO2.3;** To support and facilitate the provision of safe access points to the river, subject to appropriate environmental and flood risk assessments.*

8. Built & Natural Heritage

Material Alteration No. 13 (TTD 16)

Amend Policy ARC 1 under Section 8.3 as follows;

***ARC1;** It is the policy of the Council to safeguard the archaeological heritage, including underwater archaeological heritage, in the LAP area....*

Material Alteration No. 14 (TTD 16)

Insert new objective ARCO1.3 under Section 8.3 as follows;

***ARCO1.3;** To require an Archaeological (including underwater) Impact Assessment of proposals for developments, where appropriate, due to their location, size, or nature that may have implications for the archaeological heritage of the town.*

Material Alteration No. 15 (TTD 14)

Insert new objective ACAO1.4 under Section 8.3 as follows;

ACAO1.4; To support the sensitive restoration and reuse of heritage buildings, to address dereliction and vacancy in the town centre and promote appropriate uses subject to good conservation principles.

10. Infrastructure & Environment

Material Alteration No. 16 (TTD 8)

Insert new objective INFO1.2 under Section 10.2 as follows;

INFO1.2; To have regard to the suite of development objectives from Irish Water set out in Appendix D of this Local Area Plan in assessing applications for new development within the plan area.

Material Alteration No. 17 (TTD 15)

Amend objective INFO3.3 under Section 10.4 as follows;

INFO3.3; To support and co-operate with the OPW in delivering flood alleviation work under the South Eastern CFRAM Programme, *whilst maximising the protection of the integrity of the medieval town.*

Material Alteration No. 18

Appendix A: Land Use Zoning Objectives

Amend **Agriculture** Note as follows;

~~Residential, or Caravan Park, development within the flood zones (as identified in the Strategic Flood Risk Assessment of this LAP or other superceding document) will not be permissible. Extensions and expansions of existing uses will be considered on their own merits.~~

Flood Risk: All proposed development within this zone which falls within flood zone A or B shall be subject to a site specific flood risk assessment. No highly vulnerable uses (as set out in the Flood Risk Management Guidelines) other than extensions to existing structures and uses, will be permitted within Flood Zone A or B. Less vulnerable uses will also not be allowed within Flood Zone A other than extensions to existing structures and uses as set out in the Flood Risk Management guidelines.

Material Alteration No. 19 (TTD 8)

Insert new Appendix D to include suite of appropriate Objectives/Policies for Water Services as recommended by Irish Water.

Material Alterations to the Thomastown Draft Local Area Plan 2019

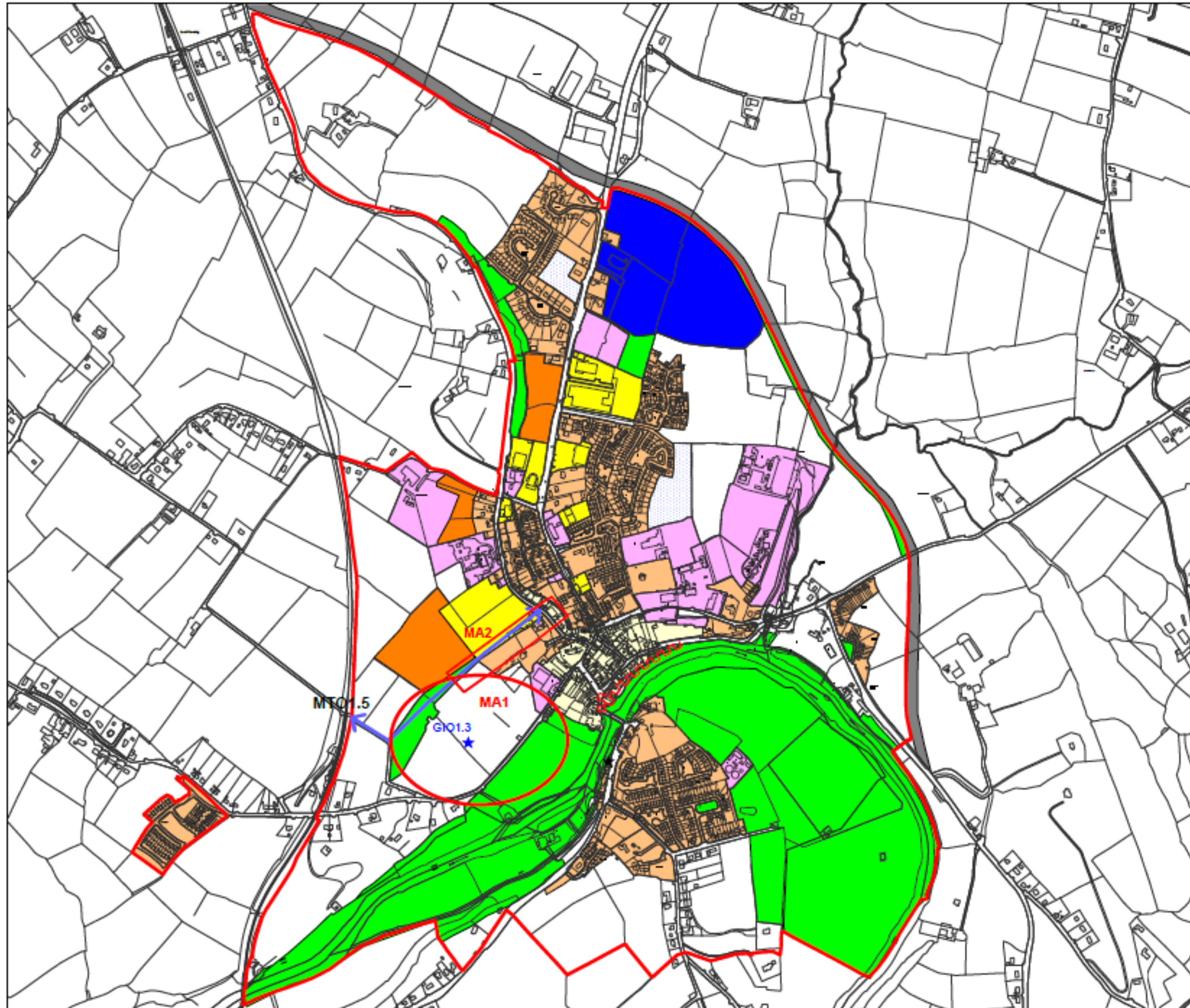
- Plan Boundary
- Line of R700 Relief Road

- Agriculture
- Community Facilities
- Existing Residential
- Industrial
- Low density Residential
- Mixed Use
- New Residential
- Open Space
- Town Centre

Objectives

- Movement and Transport Obj. 1.5
- └┐ Tourism Obj. 2.4
- ★ Infrastructure Obj. 3.4
- ★ Green Infrastructure Obj. 1.3
- Proposed Material Alteration

Date: January 2019
 Scale: 1: 10,000 @ A3
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Appendix D; Menu of appropriate Objectives/Policies for Water Services in development plans

General Policies in relation to Water Services

- a) *To work closely with Irish Water to identify and facilitate the timely delivery of the water services required to realize the development objectives of this plan;*
- b) *When identifying areas for development, to ensure that full consideration is given to the level of investment that will be required in the provision of water services – particularly in environmentally sensitive areas - to ensure that the provision of water services does not negatively impact on habitat quality, species diversity or other environmental considerations*
- c) *To facilitate the provision of integrated and sustainable water services through effective consultation with Irish Water on the layout and design of water services in relation to the selection and planning of development areas and the preparation of master plans and SDZs;*
- d) *To maximise the use of existing capacity in water services in the planning of new development;*
- e) *To ensure that adequate water services will be available to service development prior to the granting of planning permission for those developments and to require developers to consult Irish Water regarding available capacity, prior to applying for planning permission;*
- f) *To protect existing way leaves and buffer zones around public water services infrastructure through appropriate zoning and to facilitate the provision of appropriate sites for required water services infrastructure as necessary;*
- g) *To ensure that development proposals comply with the standards and requirements of Irish Water in relation to water and wastewater infrastructure to facilitate the proposed developments*

Water Supply

- h) *To protect both ground and surface water resources and to work with Irish Water to develop and implement Water Safety Plans to protect sources of public water supply and their contributing catchment;*
- i) *To minimise wastage of water supply by requiring new developments to incorporate water conservation measures;*
- j) *To promote water conservation and demand management measures among all water users;*

Wastewater Services

- k) *To ensure that the Local Authority provides adequate storm water infrastructure in order to accommodate the planned levels of growth within the plan area and to ensure that appropriate flood management measures are implemented to protect property and infrastructure;*
- l) *To require all new development to provide a separate foul and surface water drainage system and to incorporate sustainable urban drainage systems;*
- m) *To prohibit the discharge of additional surface water to combined (foul and surface water) sewers in order to maximise the capacity of existing collection systems;*
- n) *To support Irish Water in the promotion of effective management of trade discharges to sewers in order to maximise the capacity of existing sewer networks and minimise detrimental impacts on sewage treatment works;*
- o) *To refuse residential development that requires the provision of private waste water treatment facilities, other than single house systems;*
- p) *To ensure the changeover from septic tanks to collection networks in all cases where this is feasible (subject to connection agreements with Irish Water) and that all new developments utilise and connect to the public wastewater infrastructure. The provision of individual septic tanks and treatment plants in the plan area will be strongly discouraged to minimise the risk of groundwater pollution. Where such facilities are permitted, full compliance with the prevailing regulations and standards, including the EPA's Code of Practice Wastewater Treatment and Disposal Systems Serving Single Houses (PE. ≤10) (EPA 2009), as may be amended, will be required;*
- q) *To ensure that private wastewater treatment plants, where permitted, are operated in compliance with their wastewater discharge license, in order to protect water quality;*
- r) *To require existing developments that are in close proximity to a public sewer to connect to that sewer, subject to a connection agreement with Irish Water;*

4. Public Consultation

A copy of the proposed Material Alterations, the Strategic Environmental Assessment and Appropriate Assessment Screening Reports and addendum to the Strategic Flood Risk Assessment, will be on display from Thursday 31st of January until Thursday 28th of February 2019 inclusive (excluding public holidays) at the following locations:

- <http://consult.kilkenny.ie>
- Planning Department, County Hall, John Street, Kilkenny from 9am to 1pm and 2 to 4pm Monday to Friday.
- Thomastown Area Office, from 9am to 1pm and 2 to 5pm Monday to Friday.
- Thomastown Library, Marsh's St, Thomastown, Co. Kilkenny during normal opening hours

Submissions or observations may be made:

- online at <http://consult.kilkenny.ie/> or
- by e-mail to ourplan@kilkennycoco.ie or
- in writing to Denis Malone, Senior Planner, Planning Department, County Hall, John Street, Kilkenny

All submissions or observations with respect to the Proposed Material Alterations to the Draft Thomastown Local Area Plan 2019 will form part of the statutory Chief Executive's Report to be presented to the Elected Members. Please note that only submissions or observations made in respect of the proposed material alterations and accompanying documents can be taken into consideration at this stage of the plan making process. Please also note that all submissions will be made available for public viewing on the Council's consultation website during the plan-making period. Kilkenny County Council will treat all personal data you give us as confidential. We will retain your data for no longer than is necessary for the purpose of this LAP and in accordance with the Council's Retention Policy and the relevant Data Protection legislation.

Following the above public consultation period, the Chief Executive will prepare a report on any submissions or observations received with respect to the proposed Material Alterations of the Draft LAP and submit the report to the Elected Members for their consideration. Members shall consider the proposed Material Alterations and the Chief Executive's Report and, shall no later than a period of 6 weeks after the Chief Executive's Report has been furnished, make or amend the Local Area Plan as appropriate.