

Reference

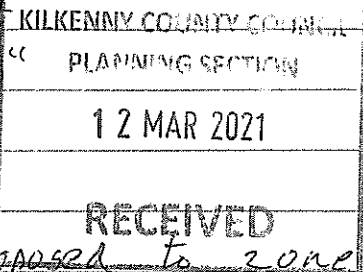
Pg 1/2

: Submission To

Kilkenny City & County Draft Development

Plan 2021 - 2027

"Planning Department."



To whom it concerns,

It is proposed to zone my land, farm - my home 'Urban Agriculture'. There is no such zoning in existence - other than in Kilkenny. Only two such zonings will be proposed in Ireland - my farm and Mulhalls. Other farmland in Kilkenny - will be zoned Agriculture or Strategic Reserve. In case we forget - both properties were "illegally" entered on the Vacant Site Register in 2017. Apparently there was a housing need - that has not been met subsequently - in our "area."

Agriculture proposes to protect farmland from a development & interference from non-ag uses. I could not be prevented from building a house or my family could not be prevented from building a house on such zoning. - European Supreme Court Ruling 2019 - ie "The Flanders Ruling"

Strategic Reserve is basically the same. Again I or a family member could build our own house. Builders - farmers - anyone in Strategic Reserve could build houses. Not me or my family - Why?!

I will not be accepting any zoning other than Strategic Reserve - the same zoning as every one

of the neighbouring properties. Furthermore, my legal advice is that I could not even apply for an extension to my house under Urban Agriculture. Urban Ag serves no strategic purpose for a development plan

It does however exclude me entirely from the planning process why? Arbitrary, discriminatory and downright vindictive why? Furthermore - an area of land at the top of the Xmas Tree plantation is also in as Urban Ag. How?! This land is a private garden. This land has never been part of our farm in my lifetime working the land. Surely its "Existing Residential". No - is it going to be the only strip of private garden in Ireland - as Urban Ag. You previously had it zoned High Density Phase I Residential. Another property owner denied the right to enter into the planning process. I know Nicholas Howe's report re the Vacant Site implied that no-one lives on our farm. I can assure you there are a few families living here - with more to come - my families housing needs.

Shane Phelan

The Farm

New Orchard

Newpark Upper

Kilkeny.